



www.highfieldabc.com

Highfield's Enquiries and Appeals Procedure

1. **Introduction**

- 1.1 Highfield's Enquiries and Appeals Procedure ("the Procedure") is designed for a party not happy with the outcome of a decision made by Highfield Qualifications ("Highfield"). The document sets out the process you should follow when submitting appeals to Highfield and the process we will follow when responding to enquiries and appeals.
- 1.2 The document is also for use by Highfield employees to ensure that all appeals are dealt with in a consistent manner.

2. **Scope**

- 2.1 This policy applies to Highfield Approved Centres ("Centres") as well as training providers and other organisations Highfield may work with for the provision of end-point assessment ("EPA") services. For example, employers.
- 2.2 This policy also applies to learners undertaking Highfield qualifications and apprentices undertaking EPA.
- 2.3 This policy also applies to third parties, including Centre Contacts, Tutors, Assessors, and IQAs who have been approved to provide services to Highfield.
- 2.4 Centres must have internal appeal arrangements that learners can access if they wish to appeal against a decision taken by the Centre. If an individual learner wishes to appeal against a decision taken by a Centre, they must first go through the Centre's appeals process before bringing the matter to Highfield Qualifications. The requirement set out in Clause 2.4 does not apply to apprentices undertaking an EPA.
- 2.5 It is important that all individuals involved in the management, assessment and quality assurance of Highfield qualifications/EPA and learners/apprentices are aware of the contents of this procedure.

3. **Review Arrangements**

- 3.1 Highfield will review the procedure annually as part of its self-evaluation arrangements and revise it as and when necessary in response to feedback or requests, or good practice guidance issued by any Relevant Regulator ("RR").

4. **Section 1 - Enquiry about Results and Assessment Decisions**

- 4.1 Prior to raising an appeal, it is possible to make an enquiry about a result or assessment decision. Learners/apprentices can do so by writing to Highfield within 10 working days of the result/assessment decision, setting out clearly

what you would like Highfield to consider and the grounds to support the application.

- 4.2 Centres/Training providers/Employers can make a request for an enquiry about a result or assessment decision on behalf of a learner/apprentice, however, consent from the learner/apprentice will need to be provided within the published time periods before Highfield will take it forward.
- 4.3 Failure to make the request for an enquiry regarding a result or an assessment decision within 10 working days of the date that the result or assessment decision was released is likely to result in the matter not being progressed any further.
- 4.4 On receipt of a valid request for an enquiry into a result or assessment decision, Highfield will undertake a clerical check of the work undertaken to consider whether any decision has been applied incorrectly by Highfield.
- 4.5 Highfield will endeavour to respond to a valid enquiry within 10 working days of receiving the submission.
- 4.6 It is important to note that while a re-mark of a multiple-choice exam would fall within the scope of an enquiry about a result of an assessment decision, should a complete reassessment of a learner's/apprentice's work be required, then the correct process to follow would be the Appeals Procedure outlined below in **Section 2** of this document (this would include an independent review of assessment criteria such as, but not limited to, professional discussions and observations).
- 4.7 The possible outcomes of an enquiry into a result or assessment decision are:
 - 4.7.1 no change to the results or assessment decision; or
 - 4.7.2 a change to the results or assessment decision, however, it is important to note that the decision could be either positive or negative.
- 4.8 The fee for making an enquiry into a result or assessment decision is currently £50 plus VAT. This may change from time to time. Please note this fee must be provided to Highfield within 10 working days of the date that the result or assessment decision was released. In the event that the fee is not received within this published time frame, Highfield reserves the right not to take it forward.
- 4.9 In the event that the outcome of the enquiry into a result or assessment decision results in a positive change for the learner/apprentice, the fee will be refunded in full.

- 4.10 If, following an enquiry into a result or assessment decision, an interested party remains unsatisfied, consideration should be given to raising an appeal in accordance with the structure set out below in section 2 of this document.

5. **Section 2 - Appeals Process**

- 5.1 This part of this policy covers:

- 5.1.1 appeals relating to decisions concerning an application to offer a specific Highfield qualification;
- 5.1.2 appeals regarding the contents of a Highfield report;
- 5.1.3 appeals relating to a Highfield decision to decline a request to make reasonable adjustments or give special considerations;
- 5.1.4 appeals in relation to the application by Highfield of a sanction/action resulting from:
 - 5.1.4.1 an engagement visit;
 - 5.1.4.2 an investigation into malpractice or maladministration;
 - 5.1.4.3 a decision to amend a learner's/apprentice's results following malpractice or a malpractice investigation; or
 - 5.1.4.4 a decision made by Highfield following an investigation into a complaint.
- 5.1.5 appeals asserting that Highfield has not applied its procedures properly, consistently or fairly;
- 5.1.6 appeals regarding learners/apprentices who are not satisfied with the conduct of the assessment and believe it has disadvantaged them;
- 5.1.7 appeals regarding learners/apprentices who feel that the premises/environment in which the qualification/EPA was conducted had disadvantaged them;
- 5.1.8 appeals from learners/apprentices if they have exhausted the Centre's/Training Provider's/Employer's appeals process or were unable to utilise the relevant appeals process (i.e. – the Centre/Training provider/Employer has gone into liquidation);
- 5.1.9 appeals relating to an assessment decision that required a reassessment that is not covered in Section 1 of this procedure.

5.2 This procedure does not cover the following, who are therefore not eligible to appeal:

5.2.1 former partners that have voluntarily withdrawn from working with Highfield; or

5.2.2 prospective Centres/Training Providers/Employers who had their application to become approved by Highfield declined.

6. **Process for Raising an Appeal**

6.1 Interested parties have 10 working days from the date we notified you of the decision you are appealing against in which to lodge an appeal. In the event that an interested party has raised an enquiry about a result or assessment decision the 10 working days will run from the date that Highfield sent its decision regarding that enquiry.

6.2 If you appeal on behalf of your learners/apprentices, you must ensure that you have obtained the permission of the individual concerned.

6.3 Learners who wish to appeal about their assessment results or about a related decision should either be supported by their Centre and should have exhausted the Centre's own appeals process before appealing to Highfield. In the latter case, learners must provide Highfield with evidence that they have first appealed to their Centre. It is expected that learners will only appeal directly to Highfield in exceptional circumstances. This process only applies to learners registered to Centres and not to apprentices undertaking EPA.

6.4 When submitting an appeal, please provide in writing relevant supporting information such as the following where relevant:

6.4.1 learner's/apprentice's full name and Highfield registration number;

6.4.2 learner's/apprentices date of birth;

6.4.3 name of the Centre or Employer/Training Provider;

6.4.4 name of the Nominated Tutor/End-Point Assessor and/or any other relevant person;

6.4.5 date(s) Highfield's decision was made;

6.4.6 title of the Highfield qualification/EPA taken or nature of service affected (if appropriate);

6.4.7 full grounds of the appeal together with evidence to support your appeal;

- 6.4.8 contents and outcome of any relevant investigation carried out by the Centre/Training Provider/Employer relating to the issue; and
- 6.4.9 a copy of Highfield's decision which you would like to appeal.

7. **First Review of the Appeal Details**

- 7.1 Upon receipt of any appeal, a Highfield Senior Manager will usually acknowledge receipt of the appeal within 1 working day.
- 7.2 The initial stage will be for Highfield to undertake an informal assessment to ascertain if the issue can be resolved before it goes to a formal appeal.
- 7.3 If the matter cannot be remedied through the informal assessment, then the matter will proceed to the First Review stage.
- 7.4 Highfield will aim to respond formally after the First Review within 20 working days. Please note that in some cases the First Review may take longer, for example, if a visit is required or interviews need to be undertaken. In such instances, Highfield will contact all parties concerned to inform them of the likely revised timescale.
- 7.5 Highfield may reject the appeal application if there is insufficient detail to support the appeal. As such, appellants are strongly advised to provide full and detailed grounds of appeal accompanied by as much supporting evidence as possible.
- 7.6 As far as reasonably practicable, Highfield will ensure that the person carrying out the First Review has had no prior involvement in the matter being appealed. It should, however, be noted that the person given the responsibility to undertake the First Review is likely to be a Highfield member of staff.
- 7.7 Following the First Review, Highfield will write to the appellant with details of the decision, which will be to either:
 - 7.7.1 amend the original decision; or
 - 7.7.2 confirm Highfield stands by the original decision.
- 7.8 It is important to note that the person undertaking the First Review is not there to rehear the matter in its entirety. They are there to form a view as to whether the decision that is being appealed was correct at the time that the decision was taken.
- 7.9 Appellants will be charged a fee of £350 plus VAT per should they wish Highfield to progress to a First Review. This fee is required before any appeal can be

considered. If the appeal is upheld, the fee will be refunded in full. Please note the fee covers the administrative and personnel costs involved in dealing with appeals.

- 7.10 The appeal fee must be received by Highfield within 10 working days from the date we notified you of the decision you are appealing against. Highfield reserves the right not to hear your appeal in the event that the required funds are not received by Highfield within this time limit.

8. **Seeking an Independent Review**

- 8.1 If you are unhappy with the decision of the First Review you have the right to invoke the final stage of the Procedure and Highfield will arrange for an Independent Review to be carried out.

- 8.2 A further fee of £350 plus VAT is required (this is additional to the fee required for the First Review). The appeal fee, together with any written submissions you consider to be relevant, must be received by Highfield within 10 working days from the date we notified you of the decision of the First Review. Highfield reserves the right not to hear your appeal in the event that the required funds are not received by Highfield within this time limit.

- 8.3 The Independent Review will be carried out by someone who is not an employee of Highfield or otherwise connected to our organisation (save for the fact they have been appointed by Highfield as an Independent Reviewer (at its absolute discretion)). The individual will also be someone with the relevant competence to make a decision in relation to this final stage of the appeal and will not have a personal interest in the decision being appealed.

- 8.4 The Independent Reviewer will review all the evidence gathered from the above stages and review if Highfield has applied procedures or policies fairly, appropriately and consistently, in line with the associated procedure and/or policy.

- 8.5 A request for an independent review must be submitted together with payment within 10 working days of the First Review appeal decision. Failure to submit a request of payment within this stipulated deadline may result in Highfield declining to take forward an independent review.

- 8.6 The independent review process may include:

- 8.6.1 a discussion with the appellant or the learner/apprentice and/or Highfield personnel;
- 8.6.2 a request for further information; and

8.6.3 a visit.

8.7 In most cases, it is anticipated that the actions in 8.6.1-8.6.3 will not be required.

8.8 It is important to note that the person undertaking the Independent Review is not there to rehear the matter in its entirety. They are there to form a view as to whether the decision taken by the person undertaking the First Review was reasonable from considering information and documentation available at the time that decision was made.

8.9 The Independent Reviewer's decision is final and will usually be made within 20 working days of receipt of the notification that the appellant would like the matter taking to an Independent Review. If the appellant is still unhappy with the outcome at this stage they are entitled to raise the matter with a RR.

9. **Successful Appeals and/or Issues Brought to Highfield's Attention by a Relevant Regulator**

9.1 In situations where an appeal has been successful, or where an investigation following notification from a RR indicates a failure in Highfield's processes, Highfield will give due consideration to the outcome and will take appropriate actions such as:

9.1.1 amend the record of the organisation and/or individual concerned;

9.1.2 identify any other parties that have been affected, correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure (for example, amend the results for the learner/apprentice affected); or

9.1.3 review Highfield's associated processes and policies to ensure that the 'failure' does not occur again.

9.2 Highfield will also cooperate with any follow-up investigations required by a RR and, if appropriate, agree any remedial action with them.

10. **Scottish Public Service Ombudsman**

10.1 In Scotland, if you have taken your qualification at a local authority Centre or a college, you have the legal right to be able to complain to the SPSO (Scottish Public Service Ombudsman) once all other/relevant complaint processes have been followed.

11. **Contact Details**

- 11.1 If you have any queries about the contents of the procedure, please contact your Account Manager directly on 0845 226 0350 or email confidentialenquiries@highfieldabc.com.
- 11.2 For the avoidance of doubt, the email address set out in 11.1 above, is the one to which all categories of appeal applications should be sent indicating clearly which type of appeal is required. Alternative, a written submission can be posted to:
- 11.2.1 Highfield Qualifications Appeals Department, Heavens Walk, Lakeside, Doncaster, South Yorkshire, DN4 5HZ.