

Appeals Policy

The Development Manager Ltd (TDM) is committed to ensuring that all learners, apprentices and employers have access to a fair, transparent and timely process where there are concerns about an assessment, examination, apprenticeship assessment or academic decision.

This policy explains how learners can raise an appeal where they believe there may have been an error, irregularity or procedural issue in the way an assessment decision was reached. It also explains TDM's role in supporting learners through the relevant Assessment Organisation (AO), Awarding Organisation, university partner or other external body's appeals process.

TDM will treat all appeal cases fairly, consistently and without disadvantage to the learner.

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Scope

This policy applies to learners enrolled on TDM programmes, including but not limited to:

- Apprenticeships
- Degree apprenticeships
- Skills Bootcamps where added certifications may be involved
- Funded adult learning programmes
- Commercial programmes where an external assessment, examination or certification is involved
- Programmes involving university partners, awarding organisations or apprenticeship Assessment Organisations

This policy applies where a learner wishes to appeal a decision made by an external body, such as an Assessment Organisation, Awarding Organisation, university partner or examination provider.

This policy does not replace the appeals procedures of the relevant AO, Awarding Organisation, university partner or external assessment body. Where an external organisation has made the assessment decision, their published appeals process, timescales, evidence requirements and fees will apply.

Assessment Organisations and Awarding Organisations

For apprenticeship assessment, TDM works with a range of Assessment Organisations. An AO is responsible for making independent assessment decisions in line with the relevant apprenticeship standard, apprenticeship assessment plan, assessment specification and regulatory requirements.

TDM coaches, trainers and support staff are responsible for preparing and supporting learners throughout their learning journey. This includes helping learners understand assessment requirements, prepare evidence, complete learning activities and understand feedback. However, where an independent AO or awarding partner makes the final assessment decision, TDM cannot influence or change that decision.

TDM currently works with a range of Assessment Organisations, Awarding Organisations and university partners, including:

- Accelerate People
- British Computer Society (BCS)
- 1st for Awarding
- NCFE
- University of Staffordshire
- University of Worcester

This list may change depending on the programme, standard, qualification or university partnership in place at the time.

Principles

TDM's approach to appeals is based on the following principles:

Fairness - All appeals will be handled impartially and consistently.

Transparency - Learners will be given clear information about how to raise an appeal, what evidence may be required, who will review the concern and what the next steps are.

Timeliness - TDM will respond promptly to appeal enquiries and will support learners to meet the timescales set by the relevant AO, Awarding Organisation or university partner.

Independence - Where a decision has been made by an external assessor, AO, Awarding Organisation or university partner, the appeal must be considered through that organisation's formal process.

Evidence-based decision-making - Appeals must be supported by clear grounds and relevant evidence. An appeal cannot normally be based only on disagreement with academic or assessment judgement.

Accessibility - TDM will provide reasonable support to learners who may need help understanding or accessing the appeals process.

Confidentiality - Appeals will be handled confidentially, and information will only be shared with those who need it to review, support or process the appeal.

What Can Be Appealed?

A learner may be able to appeal where they believe that one or more of the following applies:

- There was a procedural error in the assessment or examination process.
- The published assessment procedures were not followed.
- There was an administrative error in recording, processing or communicating the result.
- There was evidence of bias, conflict of interest or unfair treatment.
- Approved reasonable adjustments or special considerations were not applied correctly.
- Relevant evidence was not considered as part of the assessment process.
- There was a material irregularity that may have affected the outcome.
- The assessment decision appears inconsistent with the published assessment criteria, grading criteria or assessment plan.

Where the appeal relates to an academic decision made by a university partner, the learner must

follow the relevant university's academic appeals procedure.

Where the appeal relates to an apprenticeship assessment decision made by an AO, the learner must follow the relevant AO appeals process.

What Cannot Normally Be Appealed?

An appeal will not normally be accepted where it is based only on:

- Disagreement with the professional or academic judgement of an assessor, marker, moderator, examiner or independent assessor.
- A request for a higher grade without evidence of procedural error or irregularity.
- Dissatisfaction with feedback where there is no evidence that the assessment process was not followed.
- Circumstances that should have been raised through a reasonable adjustment, special consideration, exceptional circumstances or mitigating circumstances process before the assessment decision was made.
- Matters that have already been fully considered through the relevant appeals procedure.
- Complaints about service, communication or staff conduct, which should normally be handled under TDM's Complaints Policy.

Where a concern includes both a complaint and an appeal, TDM will advise the learner which parts should be handled under the Appeals Policy and which parts should be handled under the Complaints Policy.

TDM's Role in the Appeals Process

TDM will support learners by:

- Explaining the relevant appeals route.
- Identifying which AO, Awarding Organisation, university partner or external body owns the decision.
- Reviewing the learner's concern internally to establish whether there may be grounds for appeal.
- Helping the learner understand what evidence may be required.
- Providing relevant information, records or documentation where appropriate.
- Signposting the learner to the correct appeal form, policy or contact point.
- Supporting submission of an appeal where the learner asks TDM to act on their behalf in writing.
- Keeping a record of the appeal and outcome for quality assurance and improvement purposes.

TDM cannot:

- Change an assessment decision made by an independent AO, Awarding Organisation or university partner.
- Guarantee that an appeal will be accepted or upheld.
- Submit an appeal without the learner's written consent.
- Override the published timescales, fees or requirements of external organisations.
- Ask an AO or university partner to change a grade without going through the correct process.

Appeals Process

Stage 1: Learner raises the appeal enquiry with TDM

Where a learner wishes to appeal an assessment, examination, apprenticeship assessment or academic decision, they should contact the TDM Customer Experience Team as soon as possible.

Learners should email: support@tdm.co.uk The email subject should be: **APPEAL TO ASSESSMENT OR EXAMINATION RESULT**

The learner should include:

- Full name
- Programme or apprenticeship standard
- Cohort or group, where applicable
- Assessment, examination, module or apprenticeship assessment being appealed
- Date the result was issued
- Name of the AO, Awarding Organisation, university partner or examination body, if known
- The outcome or grade being appealed
- Clear grounds for appeal
- Any supporting evidence
- Whether the learner is asking TDM to support or represent them through the appeal process

TDM will aim to acknowledge the learner's email within **1 working day**.

Stage 2: Internal review of grounds for appeal

Once the appeal enquiry is received, TDM will carry out an initial internal review. This will normally involve the Quality Team and, where appropriate, an Internal Quality Assurer (IQA), programme lead, coach, trainer or relevant manager.

The purpose of this review is to establish whether there appear to be valid grounds for appeal under the relevant AO, Awarding Organisation or university appeals policy.

The review may consider:

- The assessment brief, criteria or apprenticeship assessment plan.
- Feedback provided to the learner.
- Assessment records or examination records.
- Reasonable adjustment or special consideration records.
- Relevant communication with the learner, employer, AO or university partner.
- Whether TDM followed its own internal processes correctly.
- Whether the appeal appears to fall within the relevant external organisation's permitted grounds.

If the internal review suggests that there may be grounds for appeal, TDM will advise the learner of the next steps.

If the internal review does not identify grounds for appeal, TDM will explain this to the learner. The learner may still choose to appeal directly to the AO, Awarding Organisation or university partner, provided they do so within that organisation's published timescales.

Stage 3: Appeal to the Assessment Organisation, Awarding Organisation or university partner

Where there are grounds for appeal, TDM will provide the learner with information about how to appeal through the relevant AO, Awarding Organisation or university partner.

The learner may either:

- Submit the appeal directly to the external organisation; or
- Ask TDM, in writing, to support or represent them in the appeal submission.

Where TDM is asked to support or represent the learner, TDM will:

- Confirm the learner's written consent.
- Confirm the relevant appeal deadline.
- Confirm any fee payable.
- Support collation of relevant evidence.
- Submit or support submission of the appeal in line with the external organisation's requirements.
- Keep the learner and, where appropriate, employer informed of progress.

Once the appeal has been submitted, the AO, Awarding Organisation or university partner will review the appeal in line with its own published appeals policy and current process.

Stage 4: Outcome of the external appeal

The AO, Awarding Organisation, university partner or examination body will communicate the

outcome of the appeal in line with its own process.

Possible outcomes may include, depending on the external organisation's policy:

- Appeal not accepted because it does not meet the grounds or timescales.
- Appeal not upheld and the original decision remains unchanged.
- Appeal upheld and the result, grade or decision is amended.
- Appeal upheld and the assessment is reviewed, remarked or reconsidered.
- A further action is required, such as reassessment, moderation or additional review.

TDM will record the outcome and notify relevant internal staff where action is needed.

Where an appeal is upheld, TDM will work with the learner, employer and external organisation to implement any required action.

Where an appeal is not upheld, TDM will explain any further escalation routes available under the external organisation's process.

Timescales

Learners should raise an appeal enquiry with TDM as soon as possible after receiving the result or decision.

Different AOs, Awarding Organisations and university partners have different appeal deadlines. Learners must follow the timescale set by the organisation that made the decision.

Where the relevant external organisation's process requires an appeal within a specific deadline, TDM will support the learner to understand and work within that deadline. However, TDM cannot extend external appeal deadlines.

Where a learner approaches TDM close to or after an external deadline, TDM will still provide advice, but the external organisation may refuse to accept the appeal.

Appeal Fees

TDM does not charge learners for the initial internal review of whether there may be grounds for appeal.

However, some AOs, Awarding Organisations or university partners may charge a fee to submit or process an appeal. Where a fee applies, TDM will confirm the amount to the learner and/or employer before the appeal is submitted.

Any applicable fee must be paid in advance unless the AO, Awarding Organisation, university partner or TDM confirms otherwise.

Where an appeal fee is refunded by the AO, Awarding Organisation or university partner following a

successful appeal, TDM will follow the relevant financial process to ensure the refund is handled appropriately.

Employer Involvement

Where the learner is an apprentice, the employer may need to be informed or involved where:

- The appeal relates to an apprenticeship assessment outcome.
- The employer is responsible for paying an appeal or resit fee.
- The outcome may affect progression, completion, resit planning or certification.
- Employer evidence is relevant to the appeal.
- Employer consent or support is required under the AO process.

TDM will ensure employer communication is handled appropriately and in line with confidentiality, data protection and apprenticeship requirements.

Reasonable Adjustments, Special Considerations and Exceptional Circumstances

Where a learner believes their assessment performance was affected by disability, health, personal circumstances, technical issues or other external factors, this may need to be considered under a reasonable adjustment, special consideration, exceptional circumstances or mitigating circumstances process.

These processes are separate from appeals and must normally be requested before the assessment, submission or examination, or as soon as possible after the issue occurs.

TDM will advise learners which process applies depending on the programme, assessment body and timing of the concern.

An appeal may not be accepted where the issue should reasonably have been raised through a reasonable adjustment, special consideration or exceptional circumstances process before the result was issued.

Document Management

Document Name and Reference	Appeals Policy -TDMPP049
Classification	External
Policy Ownership	This policy is owned by all staff at TDM
Policy lead originator and point of contact in relation to its content:	Carly Barnes Quality Manager
Policy and procedure approval	Elizabeth Hoyos-Operations Director

Signature	
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Version Control					
Issue Date	Revision Number *	Revision Date*	Revision Changes*	Initials	Next revision Date
23/01/17	6	05/02/21	Issued	EH	Annually
23/01/17	7	30/05/23	- Updated details from 'apprentice' to 'learner' and from 'you' to 'the learner'. - Included University of Wolverhampton and University of Staffordshire in list of End Point Assessment Organisations & Awarding Organisations. - Updated appeal process to Support Team and that email address. - Updated fee costs for appeal - Added 'Document Management' box.	CB,EH	May 2024
23/01/17	8	02/04/25	- Updated to change TDM response time to 1 working day from 5 for initial enquiry on appealing. - Updated Appeal Fee to £300 for both Accelerate People and BCS. - Renamed from Appeals Policy & Procedure to Appeals Policy - Removed Institute of Sales Professionals - Updated Staffordshire University to University of Staffordshire.	CB	April 2026
23/01/17	9	21/07/26	- Updated terminology of AO and EPA to Apprenticeship Assessment and Assessment Organisation. - Removed C&G and University of Wolverhampton and added University of Worcester and 1st for Awarding. - Removed fee amount and referred to relevant bodies for this information. - Added in Employer Involvement. - Added more detail in the Appeals Process. - Added in Principles and examples of what can or cannot be appealed. - Added outcome of external appeal. - Added in Reasonable Adjustments, Special Considerations and Exceptional Circumstances. - Updated formatting in line with other policies such as adding a clear Scope and Purpose	CB	July 2027

*Significant changes or reviewed