

VQ Appeals Policy

1 Introduction

- 1.1 This policy is aimed at centres which are involved in the delivery and assessment of RSL Vocational Qualifications. It should be used for any qualifications which are awarded from October 2021 onwards.
- 1.2 The purpose of this policy is to set out the procedures that centres should follow if they or a learner wish(es) to appeal the result of a unit or qualification. It supersedes all previous RSL VQ appeals policies.
- 1.3 RSL treats all appeals in confidence and will not make details available to any other parties.
- 1.4 The date of issue of this policy is **October 2021**. This policy will be in effect until further notice. Any revisions of this policy in the meantime will be flagged and posted on our website.

2 Grounds for appeal

- 2.1 Appeals must clearly set out the grounds for appeal (ie. the reasons why the centre or learner believes that the result is incorrect and should be changed). For results based on Teacher Assessed Grades (TAGs)¹, the onus to set out the grounds of appeal is on the learner rather than the centre.
- 2.2 The admissible grounds of appeal are:

For results based on completed assessment:

- (i) RSL's decision with regard to moderation was incorrect
- (ii) RSL did not follow correct moderation / quality assurance procedures
- (iii) RSL made an administrative error in relation to the result

For results based on Teacher Assessed Grades (TAGs):

- (i) the centre did not follow its procedures properly and consistently (including any failure of quality assurance)
- (ii) the centre made an administrative error in relation to the TAG
- (iii) the centre did not follow correct procedures in conducting its own appeal review

¹ As of the date of this policy, TAGs are not in force, but Ofqual's [Contingencies for 2021-22](#) for VTQs allows for their re-introduction in the event that normal assessment processes cannot take place due to Covid-19.

- (iv) the result does not reflect a reasonable exercise of academic judgement on the part of the centre
- (v) RSL did not follow correct moderation / quality assurance procedures
- (vi) RSL made an administrative error in relation to the result

2.3 Centres may also appeal decisions made by RSL about the outcome of a

- (i) request for reasonable adjustment or special consideration
- (ii) malpractice or maladministration case.

In respect of (ii) above, centres may appeal at the stage at which they are issued with formal sanctions and an action plan by RSL, or where RSL has failed to deliver the outcomes of a malpractice investigation or information about sanctions in accordance with published timescales. In these cases, RSL will review the investigation and make a final decision about whether the decision was justified in accordance with the terms of the malpractice and maladministration policy. Centres may not appeal on the basis that a malpractice case is on hold pending further evidence to be submitted.

3 Timescales

- 3.1 For all appeals, the centre will normally be informed of an outcome in writing within **30 working days** of the appeal being lodged. If this timescale needs to be extended, for example because of a need to collate and analyse or assess significant quantities of evidence, this will be conveyed to the centre as soon as possible.
- 3.2 If no response to the appeal decision is received within 30 working days of the decision being communicated to the centre, RSL will close the appeal and no further correspondence will be entered into.

4 Fees

4.1 First level appeals:

- (i) For Level 1 and 2 qualifications, a fee of **£40** per learner unit applies. Where an appeal is made for multiple units in relation to the same learner (including multi-unit qualifications) or multiple appeals are made for learners in the same cohort, a ceiling (maximum fee) of **£240** applies.
- (ii) For Level 3 qualifications and above, a fee of **£60** per learner unit applies. Where an appeal is made for multiple units in relation to the same learner (including multi-unit qualifications) or multiple appeals are made for learners in the same cohort, a ceiling (maximum fee) of **£300** applies.

4.2 Second level appeals are subject to a fee of **£100** per learner (up to a maximum of **£400**).

- 4.3 If an appeal is upheld, fees will be refunded.
- 4.4 Payment must be received before the appeal is considered.

5 Centre review

- 5.1 All appeals must first be reviewed by the centre. Every centre must have in place an internal appeals process as a condition of their centre approval. RSL will not accept appeals which have not already been through this centre review stage.
- 5.2 For results based on TAGs, the internal appeals process must allow learners to appeal a result where they believe the centre did not follow its internal processes correctly or made an administrative error when submitting grades to RSL.
- 5.3 Where such errors are identified, these must be flagged clearly in the subsequent submission to RSL. Where a learner requests a review on the basis of administrative error only, but then goes on to seek an appeal on the basis of a failure to follow the centre procedure properly or consistently, the centre should review the procedural grounds prior to submitting the appeal on the learner's behalf.
- 5.4 For results based on completed assessment, the centre may decide to escalate the appeal to RSL following the completion of the internal review process. For results based on Teacher Assessed Grades, the learner may have the right to instruct the centre to escalate the appeal to RSL if they are unhappy with the outcome of the internal review.

6 First level appeal

- 6.1 An appeal is not an investigation by RSL, but an evaluation of the result appealed against in light of the stated grounds of appeal.
- 6.2 The first level appeal involves a review by the RSL Appeals Panel of the case and evidence submitted by the centre.
- 6.3 A completed 'RSL VQ Appeal Application Form' should be emailed to vgappeals@rslawards.com no later than **20 working days** from the date of confirmation of grades. Appeals cannot be lodged before grades are confirmed.
- 6.4 For results based on TAGs, where submission of an appeal to RSL is delayed because of centre processes and through no fault of the learner, RSL will apply deadlines flexibly.
- 6.5 All appeals must be made in writing using the appeals form. Clear grounds for appeal, in accordance with those outlined above, must be provided, along with any relevant evidence, including details of the internal appeals process which was followed. If insufficient evidence is provided this may delay the outcome of the appeal.

- 6.6 RSL will not enter into correspondence with the centre about an active appeal, other than to clarify procedures and timescales, or to ask for relevant evidence or information (details / records of processes, minutes of meetings, etc.)
- 6.7 Consideration of appeals will focus on whether correct procedures were followed, including (where appropriate) procedures related to academic judgement. This means making a determination as to whether the evidence which was used to make that judgement, *or* the judgement itself in the context of the evidence used, was reasonable. This determination is not impacted by whether an alternative judgement might have been more or less reasonable; but simply by whether the judgement, considered on its own terms, was reasonable. Learner work will not normally be directly reviewed as part of the consideration of an appeal.
- 6.8 The Appeals Panel will make a judgement about whether the appeal should be upheld or rejected. An appeal will be upheld if it is found that the balance of evidence indicates that the stated grounds for appeal are correct.
- 6.9 If an appeal is upheld, RSL will consider whether other learners may be affected by the issue which has come to light, and take appropriate action.
- 6.10 Where RSL finds evidence of a centre failing to apply procedures properly, this may be considered malpractice in which case a separate malpractice investigation will be opened.
- 6.11 Where an appeal is upheld and revised results are re-issued, this may be delayed pending the outcome of a malpractice investigation where required.
- 6.12 Where the appeal is not upheld but learners remain dissatisfied with their results, they may move to the second level of appeal.

7 Second level appeal

- 7.1 If the appellant is unhappy with the outcome of the first level appeal, they may lodge a second level appeal.
- 7.2 The second level appeal is a review of the first level appeal by an independent representative who has no direct involvement with RSL. The recommendation of the independent representative will be reviewed by the RSL Compliance Committee and a final decision taken. This stage of the appeal process will not revisit the appeal itself but reviews the process by which decisions were reached to ensure that these were carried out in a fair and compliant way.
- 7.3 A completed 'RSL VQ Appeal Application Form' should be emailed to vqappeals@rslawards.com no later than **14 working days** from the date of the previous decision, including 'Second Level Appeal Application' in the subject line of the email.
- 7.4 As much information as possible should be provided in order to enable a thorough investigation to be carried out, including why the appellant is dissatisfied with the outcome of the first level

appeal. This should however *not* include new information which could reasonably have been presented as part of the first level appeal. If insufficient information is provided, this may delay the outcome of the appeal.

- 7.5 Where an appeal is upheld and revised results are re-issued, this may be delayed pending the outcome of a malpractice investigation where required.
- 7.6 Where the appeal is not upheld but learners are dissatisfied with their results, learners may opt to re-take an assessment at the next available opportunity (please contact RSL for further information) or move to the final level of appeal.

8 Final level appeal

- 8.1 If a learner is unhappy with the decisions reached in the second level appeal, they may take their appeal to the relevant regulator. For England (incorporating any centres outside England, Wales or Northern Ireland), this is Ofqual www.ofqual.gov.uk, for Wales, Qualifications Wales www.qualificationswales.org, and for Northern Ireland, CCEA Accreditation www.ccea.org.uk.