



# Appeals Policy

## Introduction & Scope

The appeals policy is available to learners and centres who may wish to appeal against decisions made by the British Safety Council.

This policy is in place to ensure that appeals are dealt with thoroughly and fairly and sets out how to appeal, it covers the following:

### Appeals from Centres with regard to:

- Assessment decisions in relation to BSC not applying procedures properly, fairly or consistently
- BSC's decision in relation to offering a BSC qualification
- The content of an RQA report
- Decisions to decline a request for making reasonable adjustments or special considerations
- Actions taken against them following an investigation into malpractice or maladministration.
- Decisions made by BSC following an investigation to a complaint against the centre

### Appeals from Learners with regard to:

- Assessment decisions in relation to BSC not applying procedures properly, fairly or consistently
- Decisions to decline a request for making reasonable adjustments or special considerations
- Actions taken against them following an investigation into malpractice or maladministration.

The appeals policy does not cover making judgements about a learners assessments/work and will not involve remarking. However, remarking may be completed following an appeal if it's declared that processes haven't been followed correctly.

Should the outcome of an appeal bring into question the accuracy of grades awarded to other learners in the same assessment, BSC will take the necessary steps to protect their interest.

## The responsibilities of the Centre

BSC enables centres to appeal, on behalf of learners and centre staff involved in the management and any delivery of our qualifications must be aware of the contents of this policy.

Centres must have internal appeal arrangements which learners can access if they wish to appeal against a decision taken by the centre. If an individual wishes to appeal against a decision taken by a centre it must first of all go through the centre's appeals process before bringing the matter to BSC.



## **Fees**

There will be a charge for the submission of an appeal to each of stages 1 (initial review) and 2 (the independent review). A fee of £135 is charged must be included with the request. This charge will be refunded in full if the appeal is upheld.

## **Before you appeal**

### **- Appeals relating to the decisions or actions of a BSC centre**

Learners who wish to appeal their assessment results or a related decision should be supported by their centre and should have exhausted their centre's own appeals process before appealing to us. Learners must provide us with evidence that they have first appealed to their centre. It is expected that learners will only appeal directly to us in exceptional circumstances.

### **- Appeals relating to BSC decisions**

If a centre wishes to appeal a decision made by BSC within the scope stated within this policy they may do so in line with this policy.

## **Making an appeal**

Appellants have 14 working days, from receipt of the decision, in which to submit the appeal. This must be in writing and clearly outline the grounds on which the appeal is being submitted.

Centres appealing on behalf of their learners must obtain written permission from their learners before doing so.

An appeals form must be completed with all of the required detail and is attached to this policy. This is available from the BSC website.

## **Grounds for appeal**

The following are grounds for an appeal against assessment decisions which is pursued by the appeals process, examples being (this list is not exhaustive):

- Procedural or organisational irregularities in the conduct of an assessment.
- The assessment did not follow the assessment plan for the unit.
- Misleading information in relation to the assessment has been given.
- Insufficient or inappropriate instructions or guidance has been provided.
- Insufficient opportunity to be able to demonstrate knowledge / skills or competence has been provided.



## **Handling appeals**

BSC will acknowledge result of the appeal with 48 hours and respond within 14 working days, however some cases the process may take longer. In these instances, BSC will contact all concerned and inform them of the revised timescale.

Following the review of the appeal, BSC will write to the appellant with details of the decision to either:

- Amend the original decision in light of the new rationale/evidence being put forward which has been reviewed.
- To confirm BSC stands by the original decision and in doing so the rationale for this decision. BSC will also request that it is confirmed, in writing within 14 days, whether the appellant now accepts this decision or if they wish to proceed to the independent review appeals process.

## **Independent Review**

If the appellant is not satisfied with the decision following the initial appeal and wants to proceed to the next appeal stage, BSC will arrange for an independent review to be carried out. All independent reviews will incur an additional fee upon submission.

Where the outcome of the review is upheld and in favour of the appellant, BSC will refund the fee in full.

The independent reviewer must meet the following criteria:

- They will not be an employee of BSC.
- They must have the relevant competence to make a decision in relation to the appeal.
- They must not have a personal interest in the decision being appealed.

The independent reviewer will review all the evidence from the previous review stages and review whether BSC have applied the procedures fairly, appropriately and consistently in line with the BSC policies and procedures.

The independent review process may involve:

- A discussion with the appellant and BSC personnel.
- A request for further information from the appellant or BSC personnel.
- A centre visit.

The Independent Reviewer's decision is final in relation to how BSC will consider such appeals and BSC will inform the appellant of the outcome of the review within 14 days of receipt of the independent appeal. However, in some cases the process may take longer and these instances BSC will contact all concerned and inform them of the revised timescale.

## **Taking an appeal further**

If the centre and/or learner is still unhappy with the outcome, they are entitled to raise the matter with the relevant regulatory authority for the qualification. Each of these organisations will have a formal procedure in place to handle appeals.



### **Successful Appeals and/or Issues Brought to our Attention by a Regulator**

If any part of an appeal is upheld we will give due regard to the outcome (as part of our review process) and determine how best we can improve our service and/or processes. In particular, we will review our procedures to assess the impact on our product development, delivery or awarding arrangements and assessment process as appropriate.

In situations where the outcome of an appeal or a notification from the regulators indicates a failure in our processes, we will give due consideration to the outcome and we will take all reasonable steps to:

- Identify any other learner and/or centre that may have been affected by that failure,
- Correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure,
- Ensure that the failure does not reoccur in the future

### **Contact details for this policy**

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