Assessment Appeals Policy and Procedure

Item	Details
Policy owner	Kirsty Noble
Position	Quality Director
Version	Version 2
Applies to	Learners and Staff
Effective from	August 2026
Review cycle	August 2027

1. Policy Statement

Skills-UK, Education & Training Limited is committed to ensuring that assessment decisions are fair, consistent, transparent and made in accordance with the requirements of the relevant programme, qualification and awarding organisation.
Skills-UK operates internal quality assurance arrangements to support the quality and consistency of assessment.

Learners have the right to raise concerns about assessment decisions and, where appropriate, to appeal decisions they believe have not been made fairly, consistently or in accordance with the relevant assessment requirements.

Appeals will be considered objectively, impartially and within reasonable timescales. Learners will not be disadvantaged for raising a genuine concern or making an appeal in good faith.

2. Purpose and Scope

The purpose of this policy and procedure is to:

- provide learners with a clear process for challenging assessment decisions;
- provide an opportunity to resolve assessment concerns informally where appropriate;
- establish a fair and impartial formal appeals process;
- enable learners to appeal decisions relating to reasonable adjustments or special consideration where applicable;
- enable learners to challenge decisions or actions arising from malpractice or maladministration investigations where applicable;

- explain how an appeal may be escalated to the relevant awarding organisation; and
- ensure appropriate records of appeals, decisions and outcomes are maintained.

This policy applies to learners undertaking learning or assessment with Skills-UK and to staff involved in teaching, assessment, internal quality assurance and qualification administration.
The scope reflects the principal categories covered by Ofqual's current appeals requirements: assessment results, reasonable adjustments and special consideration, and action following malpractice or maladministration investigations.

3. Grounds for Appeal

A learner may appeal where they believe that:

- an assessment decision has not been made in accordance with the relevant assessment criteria or qualification requirements;
- assessment procedures have not been applied fairly or consistently;
- the assessment process or relevant procedures were not followed correctly;
- relevant assessment evidence has not been appropriately considered;
- a decision concerning a reasonable adjustment or special consideration has not been appropriately considered or applied;
- a decision or action following an investigation into malpractice or maladministration should be reviewed; or
- another material procedural issue may have affected the assessment decision.

An appeal must identify the decision being challenged and, wherever possible, explain the grounds for the appeal and provide any relevant supporting information or evidence.
An appeal is not an opportunity to award achievement where the required assessment criteria have not been demonstrated.

4. Roles and Responsibilities

Quality Director / Nominated Centre Co-ordinator

The Quality Director, or an appropriately nominated Centre Co-ordinator, is responsible for:

- ensuring learners and relevant staff are aware of the appeals process;
- ensuring appeals are managed in accordance with this procedure;
- appointing an appropriately competent and impartial person to review a formal appeal;
- ensuring awarding organisation requirements are followed where applicable;
- communicating formal appeal outcomes;
- maintaining appropriate records of appeals and outcomes; and
- monitoring appeals for trends, recurring issues or opportunities for quality improvement.

Tutors and Assessors

Tutors and Assessors are responsible for:

- making assessment decisions against the appropriate assessment criteria and requirements;

- maintaining accurate assessment evidence and records;
- explaining assessment decisions and feedback to learners;
- attempting to resolve assessment concerns informally where appropriate;
- cooperating with formal appeal investigations; and
- providing relevant assessment records or evidence when requested.

Internal Quality Assurer / Independent Reviewer

The IQA or other person appointed to review an appeal is responsible for:

- reviewing the appeal objectively and impartially;
- considering the relevant assessment evidence, records and procedures;
- determining whether assessment procedures and criteria were applied appropriately;
- having no personal interest in the decision being appealed; and
- recording the reasons for the appeal outcome.

Where practicable, the person determining the formal appeal will not have made the original assessment decision.
This impartiality principle is consistent with Ofqual's requirements that appeal decisions be taken by competent individuals without a personal interest in the decision being appealed.

Learners

Learners are responsible for:

- raising assessment concerns promptly;
- explaining the grounds for their appeal;
- providing relevant information or evidence where available; and
- engaging appropriately with the appeals process

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5. Stage One – Informal Appeal

Where possible and appropriate, learners should initially discuss their concern with the Tutor or Assessor responsible for the assessment.
The Tutor or Assessor should:

- listen to the learner's concerns;
- explain the assessment decision and relevant criteria;
- review the assessment evidence where appropriate;
- correct any clear administrative or procedural error; and
- explain the learner's right to make a formal appeal if the matter cannot be resolved.

A learner may approach the Quality Director or nominated Centre Co-ordinator directly where they do not feel able to raise the matter with the original Tutor or Assessor.
The informal stage should not prevent or unreasonably delay a learner from making a formal appeal.

6. Stage Two – Formal Appeal

Where the matter cannot be resolved informally, or where the nature of the concern makes informal resolution inappropriate, the learner may submit a formal appeal.

Formal appeals should normally be submitted **within 28 calendar days of the assessment decision or the learner being notified of the decision being challenged**. Skills-UK may consider an appeal submitted outside this timescale where there are exceptional circumstances or where it would otherwise be reasonable and fair to do so. The appeal should be submitted using the Skills-UK Appeals Form or in another accessible written format agreed with Skills-UK.

The appeal should include, where applicable:

- the learner's name and programme or qualification;
- the assessment or decision being appealed;
- the date of the decision;
- the reason for the appeal;
- the outcome the learner is seeking; and
- any relevant supporting evidence.

Reasonable adjustments will be made to the appeals process where required to enable a learner to access the procedure.

7. Formal Appeal Review

The Quality Director or nominated Centre Co-ordinator will arrange for the appeal to be considered by an appropriately competent and impartial reviewer.
The reviewer may consider:

- the learner's appeal and supporting evidence;
- the assessment evidence;
- the relevant assessment criteria;
- assessor feedback and records;
- internal quality assurance records;
- relevant Skills-UK policies and procedures;
- awarding organisation requirements; and
- information from relevant staff.

The learner and relevant staff may be asked to provide further information where required.

The reviewer must consider whether the original decision was reached fairly, consistently and in accordance with the relevant requirements.

8. Appeal Outcomes

Possible outcomes may include:

- the original decision being upheld;
- the original decision being amended where this is supported by the assessment evidence and relevant requirements;
- assessment evidence being reviewed or reassessed by another appropriately competent person;
- a further assessment opportunity being arranged where permitted;
- a decision concerning reasonable adjustments or special consideration being reconsidered;
- a malpractice or maladministration decision being reconsidered where appropriate; or

- corrective action being taken where a procedural or quality assurance issue has been identified.

Any revised assessment decision must remain supported by appropriate evidence and meet the relevant qualification or assessment requirements.
The learner will normally be notified of the formal appeal outcome **in writing within 14 calendar days of receipt of the completed appeal and relevant supporting information**.
Where an appeal is complex or further information is required and this timescale cannot reasonably be met, Skills-UK will inform the learner of the reason for the delay and provide an updated timescale.
The written outcome will explain the decision and, where appropriate, the next stage available to the learner.

9. Escalation to the Awarding Organisation

Where an appeal concerns a regulated qualification and the learner remains dissatisfied after completing the Skills-UK internal appeals process, the matter may be eligible for escalation to the relevant awarding organisation.
Skills-UK will advise the learner of the appropriate awarding organisation process where applicable.
Any escalation will be made in accordance with the **requirements, eligibility criteria and timescales specified by the relevant awarding organisation**.
Skills-UK will provide relevant information and records to the awarding organisation where required and permitted.
Awarding organisations are required to maintain appeals processes for the qualifications to which the relevant Ofqual conditions apply, but they may specify their own reasonable requirements and timescales.

10. Regulatory Escalation – Ofqual

Ofqual regulates qualifications and awarding organisations in England. It is **not a further general assessment appeal stage for Skills-UK learners** and cannot directly change a learner's grade.
Where a learner has concerns about an Ofqual-regulated awarding organisation, they would normally be expected to complete the awarding organisation's relevant complaints or appeals process first.
Ofqual may consider certain complaints concerning an awarding organisation, including concerns that it has not followed its procedures or complied with regulatory requirements.
Ofqual does not generally investigate complaints about the quality of teaching or training provided by an individual training provider, and it does not have the power to change grades awarded by an awarding organisation.
For certain qualifications, a specific regulatory review process may be available after the awarding organisation's final appeal stage. Where applicable, Skills-UK will provide or signpost learners to the relevant current information.

11. Records and Confidentiality

Skills-UK will maintain appropriate records of formal assessment appeals, including:

- the nature and grounds of the appeal;
- relevant assessment evidence and documentation;

- persons involved in reviewing the appeal;
- the decision and reasons;
- communications with the learner;
- any action taken; and
- any resulting quality improvement activity.

Information relating to an appeal will be handled appropriately and shared only with individuals who require access for the purpose of considering, investigating, quality assuring or responding to the appeal, or where disclosure is otherwise required.
Records will be retained in accordance with Skills-UK's data protection and document retention requirements and any applicable awarding organisation requirements.

12. Monitoring and Quality Improvement

The Quality Director will monitor formal appeals and their outcomes to identify:

- recurring assessment issues;
- inconsistencies in assessment practice;
- training or standardisation requirements;
- weaknesses in procedures or documentation; and
- opportunities to improve the learner experience.

Where an appeal identifies a wider assessment or quality issue, Skills-UK will take appropriate corrective action and consider whether other learners may have been affected.

13. Related Policies and Procedures

This policy should be read alongside, where applicable:

- Access to Fair Assessment Policy
- Reasonable Adjustments and Special Consideration Policy/Procedure
- Malpractice and Maladministration Policy
- Internal Quality Assurance Policy/Procedure
- Equality, Diversity and Inclusion Policy
- Complaints Policy
- Data Protection Policy