

# Access to HE Diploma Learner Appeals Policy

## Policy

### Introduction

This Policy sets out Gateway Qualifications' process for handling and consideration of appeals from learners following assessment decisions relating to Access to HE Diplomas.

### Purpose

Learners who wish to appeal about their assessment results or a decision affecting their learning must have exhausted their centre's own appeals process before appealing to Gateway Qualifications. Learners must provide Gateway Qualifications with evidence that they have first appealed to their Centre. It is expected that learners will only appeal directly to Gateway Qualifications in exceptional circumstances.

### Scope:

This policy covers appeals from learners regarding Access to HE Diplomas.

This policy does not cover:

- appeals from Centres, these are covered by the Gateway Qualifications' Appeals Policy and Procedure
- learner appeals for qualifications awarded by Gateway Qualifications other than Access to HE Diplomas; these are covered by the Gateway Qualifications' Appeals Policy and Procedure
- complaints.

Complaints are distinct from appeals and are considered separately within the Feedback and Complaints Policy.

### Audience

This policy applies to:

- Learners undertaking an Access to HE Diploma
- Recognised Centres approved to deliver Access to HE Diplomas

### Learner concerns about assessment decisions: Formal representations

Once an assignment has been assessed, a learner is not permitted to resubmit all or part of the assessed work in order to improve the final unit grade.

If a learner has concerns about assessment decisions relating to the achievement of credits or grades, they should discuss these with the relevant member of the course team when the assessed work is first returned to them.

Learners may sometimes ask for unconfirmed grades to be reviewed. This situation should be managed through the formal representation process. Unconfirmed grades are assessment grades not submitted for external moderation and the Final Awards Board.

The procedure for **representations** at the centre applies when a learner asks for unconfirmed grade indicators to be reviewed and reconsidered after work has been graded but prior to moderation.

- a. If a learner wishes to ask for reconsideration of one or more of the grade indicators given by a tutor for any individual unit, they must do so at the earliest opportunity. This will normally be within one week of receiving the graded work.
- b. In the first instance, the tutor will discuss the assessed work with the learner to explain the grading decisions made.
- c. If the learner is not satisfied with the explanation and wishes to pursue a representation, the relevant learner work will be considered by the internal moderator or considered through such other alternative mechanisms as have been approved for the purpose by Gateway Qualifications. A formal record of the learner's representation will be made.
- d. The formal records of all representations will be considered by the external moderator, who will:
  - i) confirm that the representations process has been properly operated and,
  - ii) may sample and review individual cases.
- e. A learner may appeal the grading decision that results as a consequence of a representation to their centre. The circumstances upon which a request for an appeal can be made are limited and detailed further below.
- f. Under no circumstances may a tutor make any change to grade indicators or unit grades without the involvement of the internal moderator and without a formal record (as prescribed) being made.

If the internal consideration concludes that an error of judgement has been made, the relevant assignment(s) is/are reassessed and new feedback, relating to any revised unit grade indicators, is provided.

## Appeals that can be taken to the Final Awards Board

The grounds for appeal about the award of credits or grades on the Access to HE Diploma are restricted to:

- evidence of administrative or procedural error
- extenuating circumstances that, for good reason, could not be notified prior to the Final Awards Board.

Extenuating circumstances are defined as any event or situation, usually personal or health-related (but not limited to these), that is unforeseen and outside a learner's control but has negatively impacted a learner's ability to lodge an appeal prior to the Final Awards Board.

The Final Awards Board cannot receive new representations about academic judgements. If a learner has concerns about assessment decisions relating to the achievement of credits or grades, they should discuss these with the relevant member of the course team when the assessed work is first returned to them. They may subsequently make a representation

through the formal representation procedure described above. However, a learner may appeal the grading decision that results as a consequence of a representation, but only on the grounds detailed above.

Where judgements made by the Final Awards Board lead to a learner being allowed further time for the submission of work, the final assessment decisions about that work and the resulting learner record must be signed off by either a representative from Gateway Qualifications with appropriate authority, such as the lead moderator, or chair of the Final Awards Board.

## Appeals as a consequence of decisions made by Final Awards Boards

In these circumstances, the grounds for appeal are still restricted to:

- evidence of administrative or procedural error in the assessment process
- extenuating circumstances that, for good reason, could not be notified prior to the Final Awards Board.

## Appeals process

If a learner is dissatisfied with the decisions of the Final Awards Board and wishes to appeal their grades or who has identified administrative or procedural error(s), they must, in the first instance, contact their centre. Gateway Qualifications will only consider an appeal directly from a learner if they have first appealed to their centre. If the centre does not support the appeal, the learner may still appeal directly to Gateway Qualifications.

Appeals must be received within two calendar months from the date of the Final Awards Board. However, to best support the learner's interests, it would be advisable to submit appeals as soon as possible after the date of the Final Awards Board.

The Gateway Qualifications' appeals form must be used to submit an appeal which is available from <https://www.gatewayqualifications.org.uk/advice-guidance/policies/appeals-form/>, or upon request from Gateway Qualifications. Relevant reports, documentation and supporting evidence must be provided. Information submitted must include:

- Centre name, address and Centre reference number
- Contact details
- Details of the cohort ID or learner registration number (name not required)
- Access to HE Diploma title and unit(s) of the qualification to which the appeal relates and/or nature of the decision against which an appeal is being lodged.
- Detailed outline and reasons for the appeal
- Where the appeal is on behalf of a learner regarding an assessment result made by the Centre, evidence that the learner has first appealed to their Centre
- Contents and outcome of any relevant investigation carried out by the Centre relating to the issue.
- Date of any report and the name, position and signature of the appellant.

Gateway Qualifications will review the appeal submission to establish that reasonable grounds for the appeal have been provided and whether the appeal is in scope of this Policy.

Where this is not the case, Gateway Qualifications may request further information or notify the appellant of alternative courses of action.

## Timescales

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| Appeal submitted   | Within two calendar months from the date of the Final Awards Board*          |
| Gateway Qualifications acknowledges receipt of appeal  | Within 2 working days of receipt of the appeal                               |
| Gateway Qualifications notifies outcome of Stage 1 review  | Within 20 working days of appeal receipt                                     |
| Appellant writes to confirm request to proceed to Stage 2 of the appeals process following Stage 1 outcome | Within 15 working days from date of Stage 1 outcome*                         |
| Gateway Qualifications Stage 2 outcome notification  | Within 20 working days of confirmation from appellant to proceed to Stage 2. |

\*Gateway Qualifications will not accept an appeal outside of this timeframe.

The details of any appeals and the outcome of those appeals will help inform Gateway Qualifications' risk rating of providers and the delivery of each diploma at a provider. It must be included in the provider's annual Self-Assessment Review, including actions to address any issues identified where appropriate.

## Initial review

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Gateway Qualifications will undertake an initial review of the appeal submission to ensure that there are reasonable grounds for the basis of the appeal within the scope of this Policy.

## Formal appeals process

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### Stage 1: Independent review

Gateway Qualifications will appoint an individual to review the appeal. The reviewer will:

- not have been involved in the original decision
- will have no personal interest in the decision and be competent to review the appeal
- review all relevant information considered as part of the original decision and the written submission along with any new information presented

The Stage 1 process may also involve:

- a discussion with the appellant or the affected learner(s) and any Gateway Qualifications' representatives
- a request for further information from the appellant, the learner(s) or Gateway Qualifications
- a Centre visit by authorised Gateway Qualifications staff.

Following the review of the appeal at Stage 1, Gateway Qualifications will write to the appellant with details of, and summarised reasons for, the decision, within 20 working days, to either:

1. amend the original decision; or
2. uphold the original decision.

Where the outcomes of the Stage 1 review lead to a learner being allowed further time for the submission of work, the final assessment decisions about that work and the resulting learner record must be signed off by someone with appropriate authority, such as the lead moderator, Gateway Qualifications Access to HE Quality Manager or chair of the Final Awards Board.

If the original decision is upheld following the Stage 1 review, the appellant may proceed to Stage 2 by writing to Gateway Qualifications. The request must clearly set out the grounds of appeal along with all supporting documentation. The appellant must make this request within 15 working days of the notification date of the Stage 1 outcome.

## **Stage 2 Appeals panel**

At Stage 2 Gateway Qualifications will convene a panel.

The panel will review all the evidence considered in Stage 1, any additional evidence that might have emerged and whether Gateway Qualifications has applied procedures fairly, appropriately and consistently in line with the Policy.

The panel will include:

- a minimum of three individuals
- at least one individual who is not an employee of Gateway Qualifications
- individuals with relevant competence to make a decision in relation to the appeal

Panel members involved in making a decision regarding the appeal panel will not have a personal interest in the outcome of the appeal and will not have been involved in the original decision. The panel may also call any representatives relevant to the case to attend the panel.

Where the outcomes of the Stage 2 appeals panel leads to a learner being allowed further time for the submission of work, the final assessment decisions about that work and the resulting learner record must be signed off by Gateway Qualifications Access to HE Quality Manager or chair of the appeals panel.

The Stage 2 decision is final. The outcome of the review will be advised within 20 working days of the panel.

## **Where an appeal is upheld**

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In situations where an appeal has been upheld, Gateway Qualifications will give due consideration to the outcome and will, as appropriate, take actions such as:

- Amend the record of the learner(s)/Centre concerned.
- Identify any other learners who may have been affected and correct or, where it cannot be corrected, mitigate as far as possible the effect of the any finding.

## What to do if you are not satisfied with the outcome

If the Gateway Qualifications' appeals procedure has been exhausted and the learner is not satisfied with the outcome, the complaints process of QAA, the relevant regulatory body for Access to HE Diplomas may be followed. To contact, email: [ahe@qaa.ac.uk](mailto:ahe@qaa.ac.uk)

## Fees

Gateway Qualifications reserves the right to charge learners a fee to cover the administration costs where the appeal about a result is not upheld. This may be applied at upon conclusion of the appeal.

Fees are invoiced as follows:

- Stage 1 £150
- Stage 2 £300

## Situations brought to our attention by the regulators

Where a regulator or others notify us of failures that have been discovered in the assessment process of another awarding organisation(s), we will review whether or not a similar failure could affect our own assessment processes and arrangements, consider whether any remedial action is necessary in relation to assessments that have been undertaken, and consider appropriate amendments to those processes for the future.

## Review arrangements and monitoring

Gateway Qualifications will review this policy annually and as part of its self-evaluation arrangements, revise it when necessary in response to customer feedback, findings from internal and external monitoring arrangements, changes in internal practices, actions from the regulatory authorities or other external agencies, or where there may be changes in legislation.

If you would like to provide any views on this policy, please contact us via the details provided at the end of this document.

Gateway Qualifications' Access to HE Committee is responsible for monitoring the effectiveness of the application of this policy. An annual summary is also submitted to the Board of Trustees for monitoring and ratification.

## Contact details

If you wish to discuss any aspect of this policy and/or have a related query please contact the support team by:

Telephone: 01206 911211  
Email: [enquiries@gatewayqualifications.org.uk](mailto:enquiries@gatewayqualifications.org.uk)

Post: Gateway Qualifications, 6 Gateway House, Tollgate Business Park,  
COLCHESTER, CO3 8AB

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### QAA licensing criteria

**Criteria 30, Criteria 31 Operations**

**Criteria 50 (n), Criteria 54 (d and e): Provider and Course Recognition**