

Appeals Policy and Procedure

Purpose

The purpose of this Policy and Procedure is to set out Gateway Qualifications' approach to handling and considering appeals.

The Policy and Procedure applies to appeals relating to qualifications assessed by Gateway Qualifications' Recognised Centres ("Centres"), including Access to HE Diplomas and assessments set and marked by Gateway Qualifications. This includes where Gateway Qualifications provides End-point Assessment and is therefore applicable to Apprenticeship Training Providers ("Providers").

Scope

This Policy applies to all Gateway Qualifications' Centres/Providers who are delivering and/or using our qualifications, including Access to HE Diplomas and End-point Assessment (EPA). This Policy covers appeals submitted by:

- A Learner in relation to an assessment decision made by the Centre where procedures have not been applied consistently or that procedures were not followed properly and fairly, and, as a result, the Learner disagrees with the decision made by the Centre and wishes to challenge the outcome.
- A Centre where evidence suggests Gateway Qualifications did not apply procedures consistently or that procedures were not followed properly and fairly in relation to the results of assessments.
- An Apprentice, a Provider or Employer in relation to an End Point Assessment decision made by Gateway Qualifications where procedures have not been applied consistently or that procedures were not followed properly and fairly, and, as a result, the Apprentice, provider or employer disagrees with the decision made by Gateway Qualifications and wishes to challenge the outcome.
- A Centre, Employer, Provider, Learner/Apprentice regarding decisions relating to Gateway Qualifications' decision to decline a request to make reasonable adjustments or give special considerations.
- A Centre, Learner/Apprentice, Provider or Employer regarding decisions relating to Gateway Qualifications not applying reasonable adjustments or special considerations as confirmed.
- A Centre, Learner/Apprentice, Provider or Employer regarding decisions relating to any action to be taken against a Learner/Apprentice or a Centre, Provider or Employer following the outcome of an investigation into malpractice or maladministration.
- A Centre or Provider in relation to an application of a Gateway Qualifications sanction.

For Learners who wish to appeal about their Access to HE assessment results or decisions affecting their learning, they should refer to the separate Access to HE Learner Appeals Policy.

Audience

This Policy is intended for the following audience:

- Recognised Centres (“Centres”) in relation to the offer of qualifications with the exception of End-point assessment - including all Centre staff, associates, freelance staff and contractors
- Apprenticeship Training Providers (“Providers”) in relation to End-point assessment – including all staff, associates, freelance staff and contractors
- Learners/Apprentices
- Gateway Qualifications’ Board of Trustees and Committee members
- Gateway Qualifications’ staff
- Gateway Qualifications’ wider workforce – including consultants, qualification developers, assessment associates, External Quality Assurers, Markers, Independent End-point Assessors, Internal Quality Assurers, Centre and Subject Moderators.

Definitions

- **Awarding Organisation (AO)** - An organisation recognised by a Regulator in respect of the developing, delivering, and awarding qualifications.
- **Appeal** - A formal request made by a learner or Centre to review a decision made by Gateway Qualifications. This could relate to assessment results, administrative errors, or other decisions affecting a learner’s outcomes.
- **Apprentice** - An individual undertaking a government-funded apprenticeship standard as a paid employee for that role as defined by IfATE/Skills England to acquire the relevant skills, knowledge and behaviours. An apprentice will undertake an end-point assessment with an independent assessor for the standard.
- **Assessment** - The process of evaluating a learner’s or apprentice’s knowledge, skills and understanding against a predefined criteria. This involves evidence through various assessment methods, such as written exams, practical demonstrations, projects, or portfolios, to determine whether the learner has met the required learning outcomes.
- **Candidate** - A learner/apprentice who is preparing to demonstrate their knowledge, skills and competencies through an externally set assessment.
- **Centre** - An organisation undertaking the delivery of an assessment (and potentially other activities) to learners on behalf of an awarding organisation. Centres are typically educational institutions, training providers, or employers.
- **End-point Assessment (EPA)** - The process that tests the knowledge, skills and behaviours that an apprentice has gained during training. Unique to each standard, EPA demonstrates the competence of an apprentice in their role.
- **Enquiry About Results** - A request from a Centre or learner for a review of the marking of a learner’s assessment. An enquiry about results is not an appeal, although an appeal may be the next step.
- **Learner** - An individual who is pursuing a qualification offered by Gateway Qualifications. A learner is actively engaged in the process of acquiring knowledge, skills and competencies through educational or training activities. The standard practice is to refer to these individuals as learners, however, EPA refers to learners as apprentices.
- **Provider** - An organisation that offers educational programs and courses of training. In an EPA context, these can be independent training providers, colleges, or

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employer providers. They will be the organisation undertaking the delivery of the off the job training for an apprentice who is undertaking an apprenticeship standard as defined by IfATE/Skills England and is funded by either the DfE or privately by the employer.

Responsibilities

Centre/Provider Responsibilities

Gateway Qualifications' Centres must also operate an effective and appropriate appeals process for the benefit of Learners.

Centres must have an appeals process that includes having a named contact at the Centre. These arrangements must be transparent and accessible in order that appeals from Learners can be received, considered, and decided upon.

Where a qualification is assessed through centre-devised assessments Centres must have exhausted their own appeals policy and procedure before an appeal is submitted to Gateway Qualifications.

All Centre staff and contractors must be fully informed of the contents of both Gateway Qualifications' and the Centre's Policy and procedures in relation to appeals.

Centres must make Learners aware of the Centre's own appeals process. Learners should also have the content of Gateway Qualifications' Appeals Policy and Procedure explained to them in terms of what an appeal is and what they should do if they wish to make an appeal.

Centres must retain Learner assessment evidence according to the requirements set out in the Centre Agreement Terms and Conditions in order to support any appeal request from its Learners.

For End Point Assessment, we recommend that Providers provide an appeals procedure to cover any aspects of the delivery confirmed prior to entry to Gateway for EPA.

Gateway Qualifications Responsibilities

Gateway Qualifications will operate in accordance with this Policy.

Gateway Qualifications will ensure that appeal decisions are taken by individuals who have no personal interest in the decision being appealed and have the appropriate competence to make decisions on such matters.

Decisions on appeals will be provided within the timescales specified below.

Should Gateway Qualifications find any failure in its assessment process, steps will be taken to:

- identify any Learner/Apprentice(s) who have been affected by the failure
- correct or, where it cannot be corrected, mitigate as far as possible the effect of any failure; and
- ensure that the failure does not recur in the future.

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Related Policies and Documents

This Policy should be read alongside the following:

- Access to HE Diploma Learner Appeals Policy
- Centre Agreement Terms and Conditions
- Conflicts of Interest Policy and Procedure
- Feedback and Complaints Policy
- Malpractice and Maladministration Policy and Procedure
- Sanctions Policy
- [Enquiries about Results - Gateway Qualifications](#)

Equity, Diversity and Inclusion Statement

Throughout the development of the policies and processes cited in this document, we have given due regard to the need to eliminate discrimination, harassment and victimisation, to advance equality of opportunity, and to foster good relations between people who share a relevant protected characteristic (as cited under the Equality Act 2010) and those who do not share it.

Appeals – Centre assessed

Where a Learner has been assessed by a Gateway Qualifications' Centre, they must first appeal to the Centre using the Centre Appeals Policy. Only once that process is complete may they appeal to Gateway Qualifications. Learners must provide Gateway Qualifications with evidence that they have first appealed to their Centre.

As a Centre, if the appeal is being made on behalf of Learners, written permission must be obtained from the Learner(s) concerned, as grades/results can go down as well as up (where applicable) as a result of an investigation.

The Gateway Qualifications' [appeals form](#) must be used to submit an appeal. Relevant reports, documentation and supporting evidence must be provided. ** Whilst Gateway Qualifications will aim to complete the review within 20 working days, there may be circumstances where this may take longer, in which case the appellant will be notified.

Appeals - Externally assessed including End-point Assessment

Where a learner has been assessed and awarded a result by Gateway Qualifications, they must first liaise with their Centre, who will submit an ["Enquiry About Results"](#) form on their behalf, via our website. Gateway Qualifications will then follow the internal "Enquiry About Results" procedure.

This is applicable to the following qualifications:

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603/2903/8	Gateway Qualifications Entry Level Award in British Values (Entry 3)
603/1994/X	Gateway Qualifications Level 1 Award in British Values
603/5966/3	Gateway Qualifications Level 1 Award in Equality and Diversity
603/5967/5	Gateway Qualifications Entry Level Award in Equality and Diversity (Entry 3)
603/3356/X	Gateway Qualifications Entry Level Award in Mental Wellbeing (Entry 3)
603/3357/1	Gateway Qualifications Level 1 Award in Mental Wellbeing
603/4635/8	Gateway Qualifications Entry Level Award in Keeping Safe and Healthy (Entry 3)
603/4636/X	Gateway Qualifications Level 1 Award in Keeping Safe and Healthy
610/2664/5	Gateway Qualifications Level 1 in Digital Functional Skills
601/5426/3	Gateway Qualifications Level 2 Award In ESOL Skills for Life (Reading)
601/5427/5	Gateway Qualifications Level 2 Award In ESOL Skills for Life (Writing)
610/3723/0	Gateway Qualifications Level 3 End-point assessment for ST0071 Customer Service Specialist
610/3724/2	Gateway Qualifications Level 2 End-point assessment for ST0072 Customer Service Practitioner
610/3719/9	Gateway Qualifications Level 3 End-point assessment for ST0070 Business Administrator
610/3721/7	Gateway Qualifications Level 3 End-point assessment for ST0384 Team Leader or Supervisor
610/3722/9	Gateway Qualifications Level 5 End-point assessment for ST0385 Operations or Departmental Manager

End-point Assessment

When an Apprentice has been assessed by Gateway Qualifications, the Apprentice, provider, or employer must make the appeal. If an appeal is submitted on behalf of the Apprentice, the provider or employer is required to have the Apprentice's consent.

Appeals process

The below table outlines the timescales associated with the Appeals Process for all qualifications including End-point Assessment.

Timescales

Stage	Timescales
Appeal submitted	Within 10 working days of decision being appealed*
Gateway Qualifications acknowledges receipt of appeal	Within 2 working days of receipt of the appeal
Gateway Qualifications notifies outcome of Stage 1 review	Within 10 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. Please note, EPA will be paused when a request to appeal is submitted, any booked assessments or resits / retakes will be suspended pending the outcome of the appeal.

** There may be circumstances whereby timescales may need to be different, such as for EPA-related appeals where timescales may need to be shorter to support timely completion or more complex cases where timescales may need to be longer. In these case Gateway Qualifications will notify the appellant of any changes to the timescale.

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

Where this is not the case, Gateway Qualifications may request further information, notify that there are no grounds for appeal or notify the appellant of alternative courses of action.

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 Apprentice/Learner(s) and any Gateway Qualifications' representatives.
- a request for further information from the appellant, the Apprentice/Learner(s), Employer / Provider or Gateway Qualifications.
- a Centre visit by authorised Gateway Qualifications staff (Not applicable to EPA)
- A visit to the employer's location or that at which the assessment was carried out, if location or provision of resource to complete the assessment at said location is the cause for the appeal.

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 the appropriate timescales (as detailed above) to either:

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

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 the appropriate timescales (as detailed above) 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 Chair
- 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.

The Stage 2 decision is final. The outcome of the review will be advised within the appropriate timescale (as detailed above) of the panel.

Where an appeal is upheld

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)/Apprentice/Centre concerned.
- Identify any other Learners/Apprentices who may have been affected and then correct or, where it cannot be corrected, mitigate as far as possible the effect of any finding.

What to do if you are not satisfied with the outcome

If Gateway Qualifications' appeals procedure has been exhausted and you are not satisfied with the outcome, the complaints process of the relevant regulatory body may be followed:

In England	Ofqual: https://www.gov.uk/government/organisations/ofqual/about/complaints-procedure
In Wales	QAA – Access to HE Diplomas: ahe@qaa.ac.uk Qualifications Wales: enquiries@qualificationswales.org

Fees

Gateway Qualifications reserves the right to charge Centres or Learners a fee to cover the administration costs where the appeal about a result is not upheld. This may be applied at **any stage of the appeals process**.

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Fees are invoiced as follows:

- Stage 1 £150
- Stage 2 £300

Situations brought to our attention by the regulators

Where a regulator or other third party notifies 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 periodically review this Policy and associated procedures and revise as necessary. As part of the review consideration will be given to feedback received and regulatory/legislative requirements.

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

Gateway Qualifications' Quality and Standards and Access to HE Committees are 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.

Legal and Regulatory References

UK regulators require all awarding organisations to establish and maintain their compliance with regulatory conditions and criteria. As part of this process, policies that relate to Gateway Qualifications' status as an awarding organisation will reference any conditions and criteria that they address.

This Policy addresses the following legislation and/or regulatory requirements:

Regulator or Relevant Governing Body	Reference Details	Legislation/Regulatory Reference
Ofqual	General Conditions of Recognition	Condition No: I1 Appeals Process
Qualifications Wales	Standard Conditions of Recognition	Condition No: I1 Appeals Process
Quality Assurance Agency	QAA Licensing Criteria	Criteria: 30, 31 Operations 50, 54e Provider and Course Recognition

Contact us

If you have any queries about the contents of the policy, please contact:

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 Email: enquiries@gatewayqualifications.org.uk
 Post: Gateway Qualifications, Gateway House, 6 Tollgate Business Park,
 COLCHESTER, CO3 8AB

Document Controls

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Version	9.1
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Revision History

Revision Date	Version	Updated By	Summary of Changes
May 2025	9.1	Centre Compliance Manager	<p>Policy transferred to the new policy document template.</p> <p>Added clarity to “Centre/provider responsibilities”</p> <p>Included GQ-related appeals re reference to “Enquiry About Results”</p>