

CILEx Enquiries and Appeals Policy



Level 3 and Level 6 Professional Qualifications Level 3 and Level 4 Legal Services Knowledge Qualifications

1. Introduction

This document sets out the CILEx Enquiries and Appeals Policy for CILEx knowledge qualifications including:

- Level 3 and Level 6 Professional Qualifications
- Level 3 and Level 4 Legal Services Knowledge Qualifications

[The CILEx Enquiries and Appeals Policy for the CILEx Level 3 Diploma in Law and Legal Skills (Tech Level) is set out separately in CILEx Enquiries and Appeals Policy Level 3 Diploma in Law and Legal Skills.]

The policy addresses enquiries and appeals in relation to examination and assessment results and reasonable adjustments, access arrangements and special consideration decisions.

This policy does not address appeals against malpractice or maladministration decisions and associated sanctions. The CILEx Centre Malpractice and Maladministration policy and CILEx Learner Malpractice policy are available on the CILEx website. These two policies address appeals against malpractice or maladministration decisions and sanctions.

Further information about the CILEx Risk Management Policy for accredited centres and appeals against sanctions imposed on centres in accordance with the CILEx Risk Management Policy are found in the *CILEx Accredited Centre Handbook*. All CILEx policy documents are available on the CILEx website.

2. Purpose

CILEx is responsible for securing and maintaining the standards of its qualifications. Consequently, CILEx has developed policies and procedures to underpin the delivery, award and certification of its qualifications to protect users of its qualifications, including learners and accredited centres, and ensure that valid decisions are made following consideration of all available evidence. CILEx seeks to be fair and transparent in its dealings with accredited centres and learners. CILEx has in place procedures for enquiring and appealing CILEx results and decisions.

3. Scope

This policy applies to CILEx learners undertaking CILEx knowledge qualifications and CILEx centres accredited to deliver CILEx knowledge qualifications, CILEx Awarding

Organisation staff and assessors.

4. Enquiries and appeals regarding examination results

4.1 What are examination result enquiries and appeals?

CILEx issues examination results to learners after the quality assurance procedures have been completed.

Learners and centres, on behalf of a learner, are entitled to question an examination result issued by CILEx, this is known as a result enquiry. A result enquiry can be requested irrespective of the grade the learner received. There are two types of result enquiry; a clerical check and a re-mark. In the event that the centre/learner is dissatisfied with the outcome of a re-mark and considers that CILEx has not followed due process, the learner/centre can request a Stage 1 Appeal. If the centre/learner continues to be dissatisfied that CILEx has not followed due process, a Stage 2 Appeal can be requested.

(i) Clerical check – an explanation

This involves a clerical check of all procedures leading to the issue of the result to the learner, including checking the learner's answer script to ensure the result issued to the learner is accurate and reflects the marks the examiner awarded on the answer script. In the event that a clerical check identifies potential issues with the marking of a script, arrangements are made for a re-mark of the script to be carried out.

CILEx provides written confirmation of the outcome of a clerical check in the form of a letter confirming the learner's examination result. A clerical check does not provide additional feedback or commentary on a learner's performance.

An amended results notification is provided if the clerical check outcome leads to a change of examination result. An amended credit certificate is provided if the clerical check outcome leads to a change of grade. The outcome of the clerical check is sent within 15 working days of receipt of the clerical check request. The outcome of the clerical check, if different from the original mark awarded, overrides the original mark awarded.

(ii) Re-mark – an explanation

A re-mark involves the re-marking of a learner's answer script in accordance with the approved marking scheme. The re-marking exercise is normally undertaken by a member of CILEx's qualified assessment personnel who did not carry out the initial marking of the learner's answer script. The outcome of a re-mark is the issue of an examination result to a learner. A re-mark does not provide additional feedback or commentary on a learner's performance.

The outcome of the re-mark is sent out within 6 weeks of receipt of the (re-mark) request. The outcome of the re-mark, if different from the original mark (and, if applicable, grade awarded) overrides the original mark/grade awarded (even if it is a lower mark or grade than the original mark or grade). The outcome of a re-mark overrides the outcome of a clerical check, in the event that a learner has also requested

a clerical check. An amended results notification is provided if the re-mark leads to a change of examination result. An amended credit certificate is provided if the re-mark leads to a change of grade.

If a learner/centre is dissatisfied with the outcome of the re-marking process, they may apply for a Stage 1 Appeal (see (iii) below).

Re-marks cannot be requested for Level 3 Unit 1: Introduction to Law and Practice.

The re-mark process does not take into account any special consideration for illness, bereavement or other factors which may have affected the learner's performance. Learners seeking special consideration must read the *CILEx Special Consideration Policy and Procedures – Level 3 and Level 6 Professional Qualifications and Level 3 and Level 4 Legal Services Knowledge Qualifications*, and ensure they apply by the deadlines, shortly after the examination has been taken.

(iii) Stage 1 Appeal – an explanation

Stage 1 Appeals are considered by the **CILEx Internal Review Panel**. The membership of the CILEx Internal Review Panel comprises Senior Managers at CILEx with no direct interest in the case. The CILEx Internal Review Panel will only consider a Stage 1 Appeal when a re-mark has been requested, processed and the outcome has been issued to the learner/centre, or, for Level 3 Unit 1 Introduction to Law and Practice only, a clerical check has been requested, processed and the outcome issued to the learner/centre. The CILEx Internal Review Panel will consider whether the correct procedures were followed consistently during the enquiry stage and whether they were applied properly and fairly in arriving at judgements.

If a learner/centre is dissatisfied with the outcome of the Stage 1 Appeal, they may apply for a Stage 2 Appeal (see (iv) below).

(iv) Stage 2 Appeal – an explanation

Stage 2 Appeals are considered by the **CILEx Independent Review Panel**. The membership of Independent Review Panel includes independent members who are not assessors working for CILEx or members of CILEx staff.

The Independent Review Panel will draw upon the facts from the enquiry stage and the Stage 1 Appeal (CILEx Internal Review Panel). The Independent Review Panel will consider whether CILEx has followed required procedures consistently and has applied them properly and fairly in arriving at judgements. The Independent Review Panel is not concerned with making judgements about a learner's work. It is not authorised to re-mark a learner's work.

The decision of the Independent Review Panel is final. No further appeal is permitted after the independent review.

4.2 Procedures for enquiries and appeals regarding examination results

(i) Procedures for Clerical Checks

To apply for a clerical check, learners/centres must complete the **Results Enquiry form** and send it to the Assessment team by the deadlines set out in **Appendix A: Key Dates and Deadlines**. Where the application is made by a learner, the learner must include the appropriate fee (see **Appendix B**) with the Results Enquiry form. Where the application is made by the accredited centre, then CILEx will invoice the centre within 5 working days of the application being received for the appropriate fee (see **Appendix B**).

(ii) Procedures for Re-marks

To request a re-mark, centres/learners must complete the **Results Enquiry form** and send it to the Assessment team by the deadlines set out in **Appendix A: Key Dates and Deadlines**. Where the application is made by a learner, the learner must include the appropriate fee (see **Appendix B**) with the Results Enquiry form. Where the application is made by the accredited centre, then CILEx will invoice the centre within 5 working days of the application being received for the appropriate fee (see **Appendix B**).

(iii) Procedures for Stage 1 Appeals

Learners/centres must request a Stage 1 Appeal within 20 working days of the date of the notification of the re-mark outcome (or clerical check outcome for Level 3 Unit 1 Introduction to Law and Practice only) using the **Stage 1 Appeal form**. The **Stage 1 Appeal form** must be sent to the Assessment team. Where the application is made by a learner, the learner must include the appropriate fee (see **Appendix B**) with the Stage 1 Appeal form. Where the application is made by the accredited centre, then CILEx will invoice the centre within 5 working days of the application being received for the appropriate fee (see **Appendix B**).

CILEx will send an acknowledgement letter to confirm receipt of a Stage 1 Appeal form within 5 working days of its receipt by CILEx. A learner/centre, who has not received an acknowledgement within 5 working days, must contact the Assessment team.

The outcome of a Stage 1 Appeal will be notified to the learner/centre within 25 working days of the date of the acknowledgement letter.

If the CILEx Internal Review Panel finds that the correct procedures have not been followed, it will inform the learner/centre and remedial action will be taken. This may or may not include reconsideration of the assessment result. The fees paid will be refunded by CILEx.

(iv) Procedures for Stage 2 Appeal

A Stage 2 Appeal can only be requested if a Stage 1 Appeal has been requested and the outcome received by the learner/centre. Applicants (learners/centres) must provide a clear reason why it is considered that CILEx did not follow due process and a reason for escalating the appeal to the Independent Review Panel. Applicants must apply for a Stage 2 Appeal within 20 working days of the date of the notification of the Stage 1 Appeal outcome, using the **Stage 2 Appeal form**. Where the application is made by a

learner, the learner must include the appropriate fee (see **Appendix B**) with the Stage 2 Appeal form. Where the application is made by the accredited centre, then CILEx will invoice the centre within 5 working days of the application being received for the appropriate fee (see **Appendix B**).

CILEx will send an acknowledgement letter to confirm receipt of a Stage 2 Appeal form within 5 working days of its receipt by CILEx. An applicant, who has not received an acknowledgement within 5 working days, must contact the Assessment team.

Independent Review Panel meetings are held a maximum of 40 working days after a request for a Stage 2 Appeal has been received.

If the Independent Review Panel finds that the appropriate procedures have not been followed, it will inform the learner/centre and recommend appropriate action to CILEx accordingly. This may or may not include reconsideration of the examination result. The fees paid will be refunded by CILEx.

If the Independent Review Panel confirms the decision of the CILEx Internal Review Panel, the learner/centre is advised accordingly.

The decision of the Independent Review Panel is issued within 5 working days of the Panel meeting. The decision of the Independent Review Panel is final.

5. Enquiries and appeals regarding Professional Skills assessment results

5.1 What are Professional Skills assessment enquiries and appeals?

The tasks for the Professional Skills assessments are initially marked by the learner's accredited centre before being quality assured by CILEx assessors. It is only when a centre considers that a learner has met the criteria for a pass that the learner's assessments can be submitted to CILEx for consideration.

Learners who wish to challenge their accredited centre assessor's decision that their work has not met the pass criteria must raise their concerns with their tutor/s. If a learner is not satisfied that their concerns have been addressed by their centre, they are advised to write to the Assessment team at CILEx.

CILEx issues Professional Skills assessment results to learners after the CILEx quality assurance procedures have been completed. CILEx also writes to each centre to inform the centre of its decisions and the reasons for those decisions. Learners receiving a Fail result are entitled to request a results enquiry, but are advised to speak to their centre in the first instance as CILEx will have forwarded to the centre the rationale for the Fail result. Where a learner/centre considers the reasons forwarded to the centre insufficient or unfounded, the learner or centre, acting on behalf of the learner, may request a results enquiry. There are two types of result enquiry; a clerical check and a quality assurance review. In the event that the centre/learner is dissatisfied with the outcome of a quality assurance review and considers that CILEx has not followed due process, the learner/centre can request a Stage 1 Appeal. If the centre/learner continues to be dissatisfied that CILEx has not followed due process, a Stage 2 Appeal can be requested.

(i) Clerical check – an explanation

This involves a clerical check of all procedures leading to the issue of the result to the learner. CILEx provides written confirmation of the outcome of a clerical check in the form of a letter confirming the learner's grade for the Professional Skills assessment. A clerical check does not provide additional feedback or commentary on a learner's performance. In the event that a clerical check identifies potential issues with the CILEx moderation of a Professional Skills assessment, arrangements are made for a quality assurance review of the assessment.

An amended results notification and a credit certificate are provided if the clerical check leads to a Pass being awarded. The outcome of the clerical check, if different from the original grade awarded, overrides the original grade awarded.

(ii) Quality Assurance Review – an explanation

A quality assurance review involves a review of the learner's assessment in accordance with the approved assessment criteria for the unit. The review exercise is normally undertaken by a member of CILEx's qualified assessment personnel who did not carry out the initial quality assurance review of the learner's assessment.

The outcome of the review is sent within 6 weeks of receipt of the review request. If the review leads to a Pass being awarded, an amended results notification and credit certificate are provided to the learner. The outcome of the review is the issue of a grade to the learner. A quality assurance review does not provide additional feedback or commentary on a learner's performance.

If a learner/centre is dissatisfied with the outcome of the quality assurance review process, they may apply for a Stage 1 Appeal (see (iii) below).

(iii) Stage 1 Appeal – an explanation

Stage 1 Appeals are considered by the **CILEx Internal Review Panel**. The membership of the CILEx Internal Review Panel comprises Senior Managers at CILEx with no direct interest in the case. The CILEx Internal Review Panel will only consider a Stage 1 Appeal when a quality assurance review has been requested, processed and the outcome has been issued to the learner/centre. The CILEx Internal Review Panel will only consider whether the correct procedures were followed consistently during the results enquiry stage and whether they were applied properly and fairly in arriving at judgements.

If a learner/centre is dissatisfied with the outcome of the Stage 1 Appeal, they may apply for a Stage 2 Appeal (see (iv) below).

(iv) Stage 2 Appeal – an explanation

Stage 2 Appeals are considered by the **CILEx Independent Review Panel**. The membership of Independent Review Panel includes independent members who are not assessors working for CILEx or members of CILEx staff.

The Independent Review Panel will draw upon the facts from the enquiry stage (clerical check (if requested) and quality assurance review) and the 1st appeal stage (CILEx Internal Review Panel). The Independent Review Panel will only consider whether CILEx has followed required procedures consistently and has applied them properly and fairly in arriving at judgments. The Independent Review Panel is not concerned with making judgements about a learner's work. It is not authorised to re-assess a learner's work.

The decision of the Independent Review Panel is final. No further appeal is permitted after the independent review.

5.2 Procedures for enquiries and appeals regarding Professional Skills assessment results

(i) Procedures for Clerical Checks

To apply for a clerical check, learners/centres must complete the **Results Enquiry form** and send it to the Assessment team by the deadlines set out in **Appendix A: Key Dates and Deadlines**. Where the application is made by a learner, the learner must include the appropriate fee (see **Appendix B**) with the Results Enquiry form. Where the application is made by the accredited centre, then CILEx will invoice the centre within 5 working days of the application being received for the appropriate fee (see **Appendix B**).

(ii) Procedures for Quality Assurance Reviews

To request a quality assurance review, learner/centres must complete the **Results Enquiry form** and send it to the Assessment team by the deadlines set out in **Appendix A: Key Dates and Deadlines**. Where the application is made by a learner, the learner must include the appropriate fee (see **Appendix B**) with the Results Enquiry form. Where the application is made by the accredited centre, then CILEx will invoice the centre within 5 working days of the application being received for the appropriate fee (see **Appendix B**).

(iii) Procedures for Stage 1 Appeals

Learners/centres must apply for a Stage 1 Appeal within 20 working days of the date of the notification of the quality assurance review outcome using the **Stage 1 Appeal form**. The Stage 1 Appeal form must be sent to the Assessment team. Where the application is made by a learner, the learner must include the appropriate fee (see **Appendix B**) with the Stage 1 Appeal form. Where the application is made by the accredited centre, then CILEx will invoice the centre within 5 working days of the application being received for the appropriate fee (see **Appendix B**).

CILEx will send an acknowledgement letter to confirm receipt of a Stage 1 Appeal form within 5 working days of its receipt by CILEx. A learner/centre who has not received an acknowledgement within 5 working days, must contact the Assessment team.

The outcome of a Stage 1 Appeal will be notified to the learner/centre within 25 working days of the date of the acknowledgement letter.

If the CILEx Internal Review Panel finds that the correct procedures have not been followed, it will inform the learner/centre and remedial action will be taken. This may or may not include reconsideration of the assessment result. The fees paid will be refunded by CILEx.

(iv) Procedures for Stage 2 Appeals

A Stage 2 Appeal can only be requested if a Stage 1 Appeal has been requested and the outcome received by the learner/centre. Applicants (learners/centres) must provide a clear reason why it is considered that CILEx did not follow due process and a reason for escalating the appeal to the Independent Review Panel. Applicants must apply for a Stage 2 Appeal within 20 working days of the date of the notification of the Stage 1 Appeal outcome using the **Stage 2 Appeal form**. Where the application is made by a learner, the learner must include the appropriate fee (see **Appendix B**) with the Stage 2 Appeal form. Where the application is made by the accredited centre, then CILEx will invoice the centre within 5 working days of the application being received for the appropriate fee (see **Appendix B**).

CILEx will send an acknowledgement letter to confirm receipt of a Stage 2 Appeal form within 5 working days of its receipt by CILEx. Applicants, who have not received an acknowledgement within 5 working days, must contact the Assessment team.

Independent Review Panel meetings are held a maximum of 40 working days after a request for a Stage 2 Appeal has been received.

If the Independent Review Panel finds that the appropriate procedures have not been followed, it will inform the applicant (learner/centre) and recommend appropriate action to CILEx accordingly. This may or may not include reconsideration of the assessment result. The fees paid will be refunded by CILEx.

If the Independent Review Panel confirms the decision of the CILEx Internal Review Panel, the applicant (learner/centre) is advised accordingly.

The decision of the Independent Review Panel is issued within **5 working days** of the Panel meeting. The decision of the Independent Review Panel is final.

6 Appeals regarding reasonable adjustments/access arrangements decisions

6.1 What are appeals regarding reasonable adjustments/access arrangements decisions?

CILEx learners are entitled to request reasonable adjustments in accordance with the *CILEx Reasonable Adjustments Policy and Procedures – Level 3 and Level 6 Professional Qualifications and Level 3 and Level 4 Legal Services Knowledge Qualifications* or access arrangements in accordance with the *CILEx Access Arrangements Policy and Procedures – Level 3 and Level 6 Professional Qualifications and Level 3 and Level 4 Legal Services Knowledge Qualifications*.

A learner or centre, on behalf of a learner, is entitled to appeal the outcome of a

reasonable adjustments/access arrangements application. CILEx has in place a 2 stage appeals process (Stage 1 Appeal and Stage 2 Appeal). If a learner/centre is dissatisfied with the outcome of the Stage 1 Appeal, the learner/centre can request a Stage 2 Appeal.

Important: If a learner or centre, on behalf of a learner, would like a reasonable adjustments/access arrangements application to be reconsidered by CILEx because they have new information/evidence, this is **not** considered to be an appeal. Learners/centres in this situation should contact the Assessment team at CILEx with the new information/ evidence in order that the application can be reassessed.

(i) Stage 1 Appeal – an explanation

Stage 1 Appeals are considered by the **CILEx Internal Review Panel**. The membership of the CILEx Internal Review Panel comprises Senior Managers at CILEx with no direct interest in the case. In order to appeal a reasonable adjustments/access arrangements decision, learners/centres must have submitted the reasonable adjustments/access arrangements application by the published deadline for reasonable adjustments/access arrangements applications. Only in exceptional circumstances will appeals of reasonable adjustments/access arrangements decisions be accepted for reasonable adjustments/access arrangements applications which were not submitted by the published deadline.

The CILEx Internal Review Panel will re-consider the original application for reasonable adjustments/access arrangements, the supporting evidence submitted with the application and the rationale for the decision, to determine whether CILEx applied its policy and procedures properly and fairly in arriving at judgements. The CILEx Internal Review Panel will only consider the evidence which was presented to CILEx with the original reasonable adjustments/access arrangements application.

If a learner/centre is dissatisfied with the outcome of the Stage 1 Appeal, they may apply for a Stage 2 Appeal (see (ii) below).

(ii) Stage 2 Appeal – an explanation

Stage 2 Appeals are considered by the **CILEx Independent Review Panel**. The membership of Independent Review Panel includes independent members who are not assessors working for CILEx or members of CILEx staff.

The Independent Review Panel will draw upon the facts from the application and the 1st appeal stage (CILEx Internal Review Panel). The Independent Review Panel will only consider whether CILEx has followed required procedures consistently and has applied them properly and fairly in arriving at judgments. The Independent Review Panel will only consider the evidence which was presented to CILEx with the original reasonable adjustments/access arrangements application.

The decision of the Independent Review Panel is final. No further appeal is permitted after the independent review.

6.2 Procedures for appeals regarding reasonable adjustments/access arrangements decisions

(i) Procedures for Stage 1 Appeals

The learner/centre must request a Stage 1 Appeal within 20 working days of the date of the CILEx decision letter in relation to the reasonable adjustments/access arrangements application, using the **Stage 1 Appeal form**. Applicants are not permitted to submit any additional evidence or supporting documentation as part of the appeals process. The Stage 1 Appeal form must be sent to the Assessment team. Where the application is made by a learner, the learner must include the appropriate fee (see **Appendix B**) with the Stage 1 Appeal form. Where the application is made by the accredited centre, then CILEx will invoice the centre within 5 working days of the application being received for the appropriate fee (see **Appendix B**).

CILEx will send an acknowledgement letter to confirm receipt of a Stage 1 Appeal form within 5 working days of its receipt by CILEx. A learner/centre, who has not received an acknowledgement within 5 working days, must contact the Assessment team.

The outcome of a Stage 1 Appeal will be notified to the learner/centre within 25 working days of the date of the acknowledgement letter.

If the CILEx Internal Review Panel finds that the correct procedures have not been followed, it will inform the applicant and remedial action will be taken. This may or may not include changing the decision on the application. The appeals fee paid will be refunded by CILEx.

(ii) Procedures for Stage 2 Appeals

A Stage 2 Appeal can only be requested if a Stage 1 Appeal has been requested and the outcome received by the learner/centre. The applicant must provide a clear reason why it is considered that CILEx did not follow due process and a reason for escalating the appeal to the Independent Review Panel. The applicant must apply for a Stage 2 Appeal within 20 working days of the date of the notification of the Stage 1 Appeal outcome, using the **Stage 2 Appeal form**. The Stage 2 Appeal form must be sent to the Assessment team. Where the application is made by a learner, the learner must include the appropriate fee (see **Appendix B**) with the Stage 2 Appeal form. Where the application is made by the accredited centre, then CILEx will invoice the centre within 5 working days of the application being received for the appropriate fee (see **Appendix B**).

CILEx will send an acknowledgement letter to confirm receipt of a Stage 2 Appeal form within 5 working days of its receipt by CILEx. A learner/centre, who has not received an acknowledgement within 5 working days, must contact the Assessment team.

Independent Review Panel meetings are held a maximum of 40 working days after a request for a Stage 2 Appeal has been received.

If the Independent Review Panel finds that the appropriate procedures have not been followed, it will inform the learner/centre and recommend appropriate action to CILEx

accordingly. The fees paid will be refunded by CILEx.

If the Independent Review Panel confirms the decision of the CILEx Internal Review Panel, the learner/centre is advised accordingly.

The decision of the Independent Review Panel is issued within 5 working days of the Panel meeting. The decision of the Independent Review Panel is final.

7 Enquiries and appeals regarding special consideration decisions

7.1 What are appeals regarding special consideration decisions?

CILEx learners are entitled to request special consideration in accordance with the *CILEx Special Consideration Policy and Procedures – Level 3 and Level 6 Professional Qualifications and Level 3 and Level 4 Legal Services Knowledge Qualifications*.

A learner or centre, on behalf of a learner, is entitled to appeal the outcome of a special consideration application. CILEx has in place a 2 stage appeals process (Stage 1 Appeal and Stage 2 Appeal). If a learner/centre is dissatisfied with the outcome of the Stage 1 Appeal, the learner/centre can request a Stage 2 Appeal.

(i) Stage 1 Appeal – an explanation

Stage 1 Appeals are considered by the **CILEx Internal Review Panel**. The membership of the CILEx Internal Review Panel comprises Senior Managers at CILEx with no direct interest in the case. In order to appeal a special consideration decision, learners/centres must have submitted the special consideration application and supporting evidence by the published deadline for special consideration applications and the learner must have failed the examination by 5% or less.

The CILEx Internal Review Panel will re-consider the original application for special consideration, the supporting documentation submitted with the application and the rationale for the decision to determine whether CILEx applied its policy and procedures properly and fairly in arriving at judgements. The CILEx Internal Review Panel will only consider the evidence which was presented to CILEx with the special consideration application, by the published deadline.

If a learner/centre is dissatisfied with the outcome of the Stage 1 Appeal, they may apply for a Stage 2 Appeal (see (ii) below).

(ii) Stage 2 Appeal – an explanation

Stage 2 Appeals are considered by the **CILEx Independent Review Panel**. The membership of Independent Review Panel includes independent members who are not assessors working for CILEx or members of CILEx staff.

The Independent Review Panel will draw upon the facts from the application and the 1st appeal stage (CILEx Internal Review Panel). The Independent Review Panel will only consider whether CILEx has followed required procedures consistently and has applied them properly and fairly in arriving at judgments.

The decision of the Independent Review Panel is final. No further appeal is permitted after the independent review.

8.2 Procedures for enquiries and appeals regarding special consideration decisions

(i) Procedures for Stage 1 Appeals

Learners/centres must apply for a Stage 1 Appeal within 20 working days of the release of the examination results, using the **Stage 1 Appeal form**. The Stage 1 Appeal form must be sent to the Assessment team. Where the application is made by a learner, the learner must include the appropriate fee (see **Appendix B**) with the Stage 1 Appeal form. Where the application is made by the accredited centre, then CILEx will invoice the centre within 5 working days of the application being received for the appropriate fee (see **Appendix B**).

Learners/ centres are not permitted to submit any additional evidence or supporting documentation as part of the appeals process.

CILEx will send an acknowledgement letter to confirm receipt of a Stage 1 Appeal form within 5 working days of its receipt by CILEx. A learner/centre, who has not received an acknowledgement within 5 working days, must contact the Assessment team.

The outcome of a Stage 1 Appeal will be notified to the learner/centre within 25 working days of the date of the acknowledgement letter.

If the CILEx Internal Review Panel finds that the correct procedures have not been followed, it will inform the learner/centre and remedial action will be taken. This may or may not include changing the decision on the application. The fees paid will be refunded by CILEx.

(ii) Procedures for Stage 2 Appeals

A Stage 2 Appeal can only be requested if a Stage 1 Appeal has been requested and the outcome received by the learner/centre. Applicants (learners/centres must provide a clear reason why it is considered that CILEx did not follow due process and a reason for escalating the appeal to the Independent Review Panel. Applicants must apply for a Stage 2 Appeal within 20 working days of the date of the notification of the Stage 1 Appeal outcome using the **Stage 2 Appeal form**. The Stage 2 Appeal form must be sent to the Assessment team. Where the application is made by a learner, the learner must include the appropriate fee (see **Appendix B**) with the Stage 2 Appeal form. Where the application is made by the accredited centre, then CILEx will invoice the centre within 5 working days of the application being received for the appropriate fee (see **Appendix B**).

CILEx will send an acknowledgement letter to confirm receipt of a Stage 2 Appeal form within 5 working days of its receipt by CILEx.

Independent Review Panel meetings are held a maximum of 40 working days after a request for a Stage 2 Appeal has been received.

If the Independent Review Panel finds that the appropriate procedures have not been followed, it will inform the learner and recommend appropriate action to CILEx accordingly. The fees paid will be refunded by CILEx.

If the Independent Review Panel confirms the decision of the CILEx Internal Review Panel, the learner/centre is advised accordingly.

The decision of the Independent Review Panel is issued within 5 working days of the Panel meeting. The decision of the Independent Review Panel is final.

9 Grounds for appeals

Requests for Stage 1 or Stage 2 appeals must clearly set out the reason/s for requesting the appeal, focussing on whether CILEx applied its procedures properly and fairly in reaching a judgement.

CILEx will consider each appeal request to determine whether there are sufficient grounds for appeal. CILEx will consider the validity of the grounds for the appeal put forward by the learner/centre.

Stage 1 Appeals in relation to examination or assessment result enquiries will only be accepted if a relevant enquiry (re-mark for Law and Practice units, quality assurance review for Professional Skills assessments or clerical check for Level 3 Unit 1 Introduction to Law and Practice only) has been requested, processed and the outcome issued to the learner/centre, and the grounds for the appeal are valid.

Stage 1 Appeals of reasonable adjustments/access arrangements decisions will only be accepted if the reasonable adjustments/access arrangements application and supporting evidence were submitted to CILEx by the published deadline for reasonable adjustments/access arrangements applications, and the grounds for appeal are valid. Only in exceptional circumstances will an appeal of a reasonable adjustments/access arrangements decision be accepted for a reasonable adjustments/access arrangements application which was not submitted by the published deadline.

Stage 1 Appeals for special consideration decisions will only be accepted if the special consideration application and supporting evidence were submitted to CILEx by the published deadline for special consideration applications, the learner has failed the examination by 5% or less, and the grounds for appeal are valid.

Stage 2 Appeals will only be accepted if a Stage 1 Appeal has been requested, processed and the outcome issued to the centre, and the grounds for the appeal are valid.

10 Fees and payments

The fees for enquiries and appeals appear in **Appendix B**.

Learners must enclose the relevant fee with their request for a result enquiry or an appeal.

In the event that a centre requests a result enquiry or appeal, on behalf of a learner, the centre will be invoiced for the appropriate fee within 5 working days of a request for an enquiry/Stage 1 Appeal/Stage 2 Appeal. Payment terms will be strictly 28 days from the date of the invoice. Non-payment of invoices may result in CILEx services being suspended.

11 Monitoring enquiries and appeals

CILEx monitors the enquiries and appeals it receives and considers the outcomes of enquiries and appeals to facilitate the ongoing review of CILEx policies and procedures.

In the event that consideration of an enquiry/appeal identifies shortcomings or failings in relation to policies, procedures or performance of a centre, action is taken in accordance with the CILEx Centre Risk Management procedures to prevent a recurrence of the failings identified.

Similarly, if consideration of an appeal identifies shortcomings or failings in CILEx policies, procedures or performance, the CILEx Risk Management Group determines the corrective action to be taken and measures to be put in place to prevent a recurrence of the shortcomings or failings identified.

12 Protecting the integrity of CILEx qualifications

In the event that the outcome of an enquiry/appeal brings the validity of the assessment results for a centre into question, CILEx will take action to protect the interests of learners and the integrity of the qualification. CILEx reserves the right to carry out further investigations including reviews of the work/assessments of learners without consulting the centre or seeking the learners' permission.

13 Useful contacts

For more information about the *CILEx Enquiries and Appeals Policy* – Level 3 and Level 6 Professional Qualifications and Level 3 and Level 4 Legal Services Knowledge Qualifications, email awards@cilex.org.uk.

14 Regulatory references

CILEx is required by Ofqual, CCEA and the Qualifications Wales to demonstrate ongoing compliance with the General/Standard Conditions of Recognition.

This policy addresses the following General Conditions of Recognition:

C2.3i	That agreement must in particular include provisions which: require the centre to operate a complaints handling procedure or appeals process for the benefit of Learners
I1.1	An awarding organisation must establish, maintain and comply with an appeals process in relation to all qualifications which it makes available, which must provide for the appeals of - (a) the results of assessments, (b) decisions regarding Reasonable Adjustments and Special Consideration,
I1.2	For these purposes, the appeals process must provide for - (a) the effective appeal of results on the basis that the awarding organisation did not apply procedures consistently or that the procedures were not followed properly and fairly, (b) all appeal decisions to be taken by individuals who have no personal interest in the decision being appealed, (c) all appeal decisions to involve at least one decision maker who is not an employee of the awarding organisation, an Assessor working for it, or otherwise connected to it, (d) appeal decision to be taken only by persons who have appropriate competence, and (e) timelines for the outcome of appeals
I1.3	An awarding organisation must publish information on its appeals process to enable the results of assessments to be appealed.
I1.4	Where the application of an appeals process in the case of a Learner leads an awarding organisation to discover a failure in its assessment process, it must take all reasonable steps to - (a) identify any other Learner who has been affected by the failure, (b) correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure, and (c) ensure that the failure does not recur in the future
I2.1	An awarding organisation must comply with the requirements of any appeals and complaints process established by Ofqual in the form in which it may be published by Ofqual and revised from time to time
I2.2	An awarding organisation must give due regard to the outcome of any such appeals or complaints process in relation to a qualification which it makes available
I2.3	Where the application of any such appeals or complaints process in the case of a Learner leads an awarding organisation to discover a failure in its assessment process, it must take all reasonable steps to - (a) identify any other Learner who has been affected by that failure, (b) correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure, and (c) ensure that the failure does not recur in the future
I2.4	Where Ofqual notifies an awarding organisation of failures that have been discovered in the assessment process of another awarding organisation, the awarding organisation must review whether or not a similar failure could affect its own assessment process.
I2.5	Where, following a review, the awarding organisation identifies such a potential failure, it must take the same action as if a failure has been discovered in relation to it by virtue of the application of Ofqual's appeals and complaints process.

Appendix A

Key dates and deadlines



CILEx Level 3 and 6 Professional Qualifications 2016/17

CILEx Level 3 and 4 Legal Services Knowledge Qualifications 2016/17

<u>January 2017 Examination and Professional Skills</u>	<u>Key Dates and Deadlines</u>	<u>June 2017 Examination and Professional Skills</u>
Noon (UK time) 3 August 2016	Examination Entry Form Available <i>(Professional & Legal Services Qualifications)</i>	Noon (UK time) 17 January 2017
10 October 2016	Deadline for new membership registration forms to be received by CILEx <i>(Registration forms received after this date will not be guaranteed to be processed in time to allow entry in accordance with the exam entry deadline)</i>	27 March 2017
10 October 2016	Deadline for exemption applications to be received by CILEx <i>(Application forms received after this date will not be guaranteed to be processed in time to allow entry in accordance with the exam entry deadline)</i>	27 March 2017
Noon (UK time) 21 October 2016	Examination Entry Closing Date <i>(Professional & Legal Services Qualifications - All unit entries to be received by CILEx)</i>	Noon (UK time) 6 April 2017
Noon (UK time) 28 October 2016	Late Examination Entry Closing Date <i>(Professional & Legal Services Qualifications - All unit entries to be received by CILEx, plus a one off late fee of £60.00)</i>	Noon (UK time) 13 April 2017
28 October 2016	Deadline for Reasonable Adjustment Applications in respect of pre-release case study material	3 April 2017
9 November 2016	Pre-release case studies available on the CILEx website <i>(Applicable to Level 3 and 6 practice units ONLY)</i>	28 April 2017
5 December 2016	Deadline for Reasonable Adjustment Applications	11 May 2017
14 December 2016	Examination Candidate Admission Permits Available	16 May 2017

9-13 January 2017	<p align="center">Professional Skills Submission Window</p> <p align="center"><i>(For centres to submit Professional Skills assessments to CILEx for quality assurance checks.)</i></p> <p align="center"><i>PLEASE NOTE: Assessments MUST be received by CILEx during this submission window.</i></p>	5-9 June 2017
16-20 January 2017	<p align="center">Examination Week</p> <p align="center"><i>CILEx Level 3 and 6 Professional Qualifications</i></p> <p align="center"><i>CILEx Level 3 and 4 Legal Services Knowledge Qualifications</i></p>	12-16 June 2017
17 February 2017	<p align="center">Deadline for Special Consideration Requests</p> <p align="center"><i>CILEx Level 3 and 6 Professional Qualifications</i></p> <p align="center"><i>CILEx Level 3 and 4 Legal Services Knowledge Qualifications</i></p>	14 July 2017
17 February 2017	<p align="center">Deadline for Credit Requests</p> <p align="center"><i>CILEx Level 3 and 6 Professional Qualifications</i></p> <p align="center"><i>CILEx Level 3 and 4 Legal Services Knowledge Qualifications</i></p>	14 July 2017
Noon (UK time) 27 March 2017	<p align="center">Examination Results Released</p> <p align="center"><i>(Online and Offline)</i></p>	Noon (UK time) 21 August 2017
24 April 2017	<p align="center">Deadline for clerical check/re-mark/quality assurance review requests</p>	11 September 2017
8 May 2017	<p align="center">Deadline for certificates to be dispatched to students</p> <p align="center"><i>(Credit Certificates & Qualification Certificates)</i></p>	25 September 2017

Appendix B

Results Enquiries and Appeals Fees

Enquiry/Appeal	Fee
Clerical Check (available for all units)	£15
Re-mark (available for all units except Level 3 Unit 1 Introduction to Law and Practice)	£50
Quality Assurance Review (available for the Level 3 and Level 6 Professional Skills units only)	£50
Stage 1 Appeal	£25
Stage 2 Appeal	£25

Reasonable Adjustments Appeals

Appeal	Fee
Stage 1 Appeal	£25
Stage 2 Appeal	£25

Access Arrangements Appeals

Appeal	Fee
Stage 1 Appeal	£25
Stage 2 Appeal	£25

Special Consideration Appeals

Appeal	Fee
Stage 1 Appeal	£25
Stage 2 Appeal	£25

***The clerical check fee/re-mark fee/quality assurance review fee is refunded if the clerical check/re-mark/QA review identifies an error in the grade awarded. For example, if, as a result of a clerical check, the learner's result is changed from a FAIL to a PASS. The Stage 1/Stage 2 Appeal fee is refunded if the Stage 1 Appeal/Stage 2 Appeal identifies that CILEx did not follow its procedures correctly and fairly.**