

Competence Qualifications

1. Introduction

This document sets out the CILEx Enquiries and Appeals Policy for CILEx competence qualifications in relation to:

- Centre assessment decisions;
- CILEx/External Quality Assurer (EQA) assessment results;
- Reasonable adjustments decisions;
- Special consideration decisions;

This policy does not address appeals against malpractice or maladministration decisions and associated sanctions. Information for centres about the CILEx Centre Malpractice and Maladministration Policy can be found in *CILEx Procedures for Dealing with Cases of Centre Malpractice or Maladministration*. Information for learners regarding CILEx malpractice procedures can be found in *CILEx Procedures for Dealing with Cases of Suspected Student Malpractice*. 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 decisions.

3. Scope

This policy applies to CILEx centres accredited to deliver CILEx competence qualifications, CILEx learners undertaking CILEx competence qualifications and CILEx Awarding Organisation staff and assessors.

4. General responsibilities of CILEx accredited centres

CILEx accredited centres delivering CILEx competence qualifications are required to have an enquiries and appeals policy and a complaints policy supported by effective

procedures. Centres are required to ensure learners are fully aware of the assessment requirements for the qualification they are working towards and ensure that learners understand the centre's policies and procedures including the enquiries and appeals and complaints policies and procedures.

Centres must also ensure that learners are familiar with CILEx policies governing CILEx competence qualifications including the *CILEx Enquiries and Appeals Policy - Competence Qualifications*.

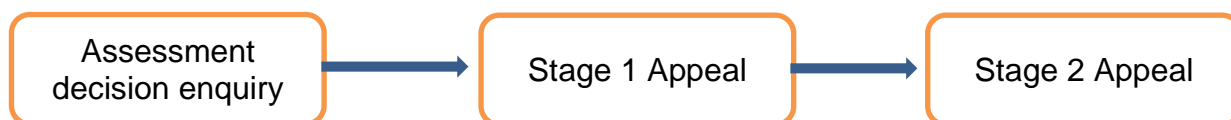
5. Enquiries and appeals regarding centre assessment decisions

5.1 What are enquiries and appeals regarding centre assessment decisions?

Learners are entitled to question a centre's decision following an assessment. Learners must utilise the centre's enquires and appeals policy to challenge a centre's decision in relation to the assessment of their work. In the event that a learner is dissatisfied with the outcome of the centre's enquiries and appeals process and considers that the centre's decision continues to disadvantage them, the learner can ask the Head of Centre to request that CILEx carries out an assessment decision enquiry.

In the event that the learner is dissatisfied with the outcome of an enquiry and considers that CILEx has not followed due process, the Head of Centre, on behalf of the learner, can request a Stage 1 Appeal. If the learner continues to be dissatisfied that CILEx has not followed due process, the Head of Centre, on behalf of the learner, can request a Stage 2 Appeal.

The following diagram sets an overview of the enquiry and appeals process:



(i) Assessment decision enquiry – an explanation

An assessment decision enquiry reviews the learner's evidence to determine if it meets the relevant assessment criteria for the achievement of the unit. The review is undertaken by a CILEx EQA.

(ii) 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 an assessment decision enquiry has been requested, processed and the outcome has been issued to the 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.

(iii) Stage 2 Appeal – an explanation

Stage 2 Appeals are considered by the **CILEx Independent Review Panel**. The

membership of the 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.

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

5.2 Procedures for enquiries and appeals regarding centre assessment decisions

(i) Assessment decision enquiry

An assessment decision enquiry cannot be requested for a partially completed unit, the learner must consider that they have satisfied all of the assessment criteria for the unit in order to request an assessment decision enquiry. Assessment decision enquiries must be requested in writing. The Head of Centre, on behalf of the learner, must complete the **Competence Qualification – Enquiry Form** and send it with the required supporting documentation to the CILEx Assessment-Operations team. The form and supporting documentation must be received by CILEx within 20 working days of the centre's confirmation to the learner of the outcome of the centre's appeals process. The reasons for the enquiry must be recorded on the form along with evidence that the centre's enquiries and appeals policy and procedures have been fully utilised. Centres will be invoiced for the appropriate fee within 5 working days of the application being received.

Assessment decision enquiry requests will be acknowledged by the Assessment-Operations team within 5 working days of receipt by CILEx. A Head of Centre, who has not received an acknowledgement within 5 working days, must contact the Assessment-Operations team.

The outcome of the assessment decision enquiry will be provided to the Head of Centre within 25 working days of the date of the acknowledgement letter.

(ii) Procedures for Stage 1 Appeal

The Head of Centre, on behalf of the learner, must request a Stage 1 Appeal within 20 working days of the date of the notification of the assessment decision enquiry outcome, using the **Stage 1 Appeal form**. The Stage 1 Appeal form must be sent to the Assessment-Operations team. Centres will be invoiced for the appropriate fee within 5 working days of the application being received.

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 Head of Centre, who has not received an acknowledgement within 5 working days, must contact the Assessment-Operations team.

The outcome of a Stage 1 Appeal will be notified to the Head of 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 Head of Centre and remedial action will be taken. This may or may not include reconsideration of the assessment decision. The Stage 1 Appeal fee paid will be refunded by CILEx.

(iii) 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 Head of Centre. The Head of Centre, on behalf of the learner, 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 Head of Centre 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**. Centres will be invoiced for the appropriate fee within 5 working days of the application being received.

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 Head of Centre, who has not received an acknowledgement within 5 working days, must contact the Assessment-Operations 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 Head of Centre and recommend appropriate action to CILEx accordingly. This may or may not include reconsideration of the assessment decision. The Stage 2 Appeal fee paid will be refunded by CILEx.

If the Independent Review Panel confirms the decision of the CILEx Internal Review Panel, the Head of 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.

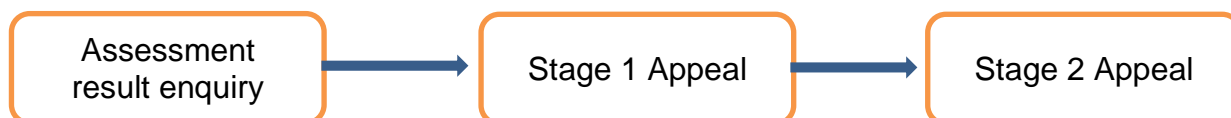
6. Enquiries and appeals regarding CILEx/EQA assessment results

6.1 What are enquiries and appeals regarding CILEx/EQA assessment results?

CILEx issues assessment results to learners after the quality assurance procedures have been completed and the EQA has confirmed a centre's assessment decisions.

Learners and centre staff are entitled to question an assessment result issued by CILEx, this is known as an assessment result enquiry. In the event that the centre/learner is dissatisfied with the outcome of an assessment result enquiry and considers that CILEx has not followed due process, the Head of Centre can request a Stage 1 Appeal. If the centre/learner continues to be dissatisfied that CILEx has not followed due process, the Head of Centre can request a Stage 2 Appeal.

The following diagram sets an overview of the enquiry and appeals process:



(i) Assessment result enquiry – an explanation

An assessment result enquiry involves the review of the learner’s evidence to demonstrate their achievement of the unit, to determine whether the learner’s evidence meets the relevant assessment criteria. The review is undertaken by a CILEx EQA who did not carry out the initial external quality assurance of the learner’s assessment.

(ii) 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 an assessment result enquiry has been requested, processed and the outcome has been issued to the 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.

(iii) 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.

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

6.2 Procedures for enquiries and appeals against CILEx/EQA assessment results

(i) Assessment result enquiry

Assessment result enquiries must be requested in writing. The Head of Centre, on behalf of the learner/centre, must complete the **Competence Qualification – Enquiry Form** and send it with the required supporting documentation to the CILEx Assessment-Operations team. The form and supporting documentation must be received by CILEx within 20 working days of the confirmation from CILEx of the outcome of the unit certification claim. The reasons for the enquiry must be recorded on the form. Centres will be invoiced for the appropriate fee within 5 working days of the application being received.

Assessment result enquiry requests will be acknowledged by the Assessment-Operations team within 5 working days of receipt by CILEx. A Head of Centre, who has not received an acknowledgement within 5 working days, must contact the Assessment-Operations team.

The outcome of the assessment result enquiry will be provided to the Head of Centre within 25 working days of the date of the acknowledgement letter. If the assessment result enquiry determines that the learner has met the assessment criteria for the unit, the result enquiry fee is refunded.

(ii) Procedures for Stage 1 Appeals

The Head of Centre on behalf of the learner/centre must request a Stage 1 Appeal within 20 working days of the date of the notification of the assessment result enquiry outcome using the **Stage 1 Appeal form**. The Stage 1 Appeal form must be sent to the Assessment-Operations team. Centres will be invoiced for the appropriate fee within 5 working days of the application being received.

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 Head of Centre, who has not received an acknowledgement within 5 working days, must contact the Assessment-Operations team.

The outcome of a Stage 1 Appeal will be notified to the Head of 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 Head of Centre and remedial action will be taken. This may or may not include reconsideration of the assessment result. The Stage 1 Appeal fee paid will be refunded by CILEx.

(iii) 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 Head of Centre. The Head of Centre 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 Head of Centre 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**. Centres will be invoiced for the appropriate fee within 5 working days of the application being received.

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 Head of Centre, who has not received an acknowledgement within 5 working days, must contact the Assessment-Operations 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 Head of Centre and recommend appropriate action to CILEx accordingly. This may or may not include reconsideration of the assessment

result. The Stage 2 Appeal fee paid will be refunded by CILEx.

If the Independent Review Panel confirms the decision of the CILEx Internal Review Panel, the Head of 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 reasonable adjustments decisions

7.1 What are enquiries and appeals regarding reasonable adjustments decisions?

CILEx learners are entitled to request reasonable adjustments in accordance with the *CILEx Reasonable Adjustments Policy – Competence Qualifications*. This policy sets out a centre's responsibility for determining a learner's reasonable adjustments and putting the adjustment in place. A learner who is dissatisfied with a centre's handling of a request for reasonable adjustments must utilise the centre's internal enquiries and appeals procedures if the learner wishes to challenge the centre's decision or handling of the request.

A Head of Centre, on behalf of a learner, is entitled to raise an enquiry only after the learner has exhausted the centre's internal enquiries and appeals procedures. After receipt of the enquiry outcome, the Head of Centre, on behalf of the learner, can request a Stage 1 Appeal if the learner is dissatisfied with the outcome of the enquiry. If the learner is dissatisfied with the outcome of the Stage 1 Appeal, the Head of Centre can request a Stage 2 Appeal on the behalf of the learner.

The following diagram sets an overview of the enquiry and appeals process:



(i) Reasonable adjustments enquiry – an explanation

A reasonable adjustments enquiry involves the review of the learner's reasonable adjustments application to the centre, the centre's decision in relation to the application and the centre's subsequent decision in relation to the learner's utilisation of the centre's enquiries and appeals procedures. The review is undertaken by an officer in the Education Directorate. The officer will consider whether the centre:

- used procedures which are consistent with the *CILEx Reasonable Adjustments Policy – Competence Qualifications*
- applied its procedures properly and fairly in reaching its judgement

(ii) 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 reasonable adjustments enquiry has been

requested, processed and the outcome has been issued to the 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.

(iii) 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 decision of the Independent Review Panel is final. No further appeal to CILEx is permitted after the independent review.

7.2 Procedures for enquiries and appeals against reasonable adjustments decisions

(i) Reasonable adjustments enquiry

Reasonable adjustments enquiries must be requested in writing. The Head of Centre, on behalf of the learner, must complete the **Competence Qualification – Enquiry Form** and send it with the required supporting documentation to the CILEx Assessment-Operations team. The form and supporting documentation must be received by CILEx within 20 working days of the centre's confirmation to the learner of the outcome of the centre's appeals process. The reasons for the enquiry must be recorded on the form along with evidence that the centre's enquiries and appeals policy and procedures have been fully utilised. Centres will be invoiced for the appropriate fee within 5 working days of the application being received.

Reasonable adjustments enquiries will be acknowledged by the Assessment-Operations team within 5 working days of receipt by CILEx. A Head of Centre, who has not received an acknowledgement within 5 working days, must contact the Assessment-Operations team.

The outcome of the reasonable adjustments enquiry will be provided to the Head of Centre within 25 working days of the date of the acknowledgement letter.

(ii) Procedures for Stage 1 Appeal

The Head of Centre, on behalf of the learner, must request a Stage 1 Appeal within 20 working days of the date of the notification of the reasonable adjustments enquiry outcome, using the **Stage 1 Appeal form**. The Stage 1 Appeal form must be sent to the Assessment-Operations team. Centres will be invoiced for the appropriate fee within 5 working days of the application being received.

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 Head of Centre, who has not received an acknowledgement within 5 working days, must contact the Assessment-

Operations team.

The outcome of a Stage 1 Appeal will be notified to the Head of 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 Head of Centre and remedial action will be taken. The Stage 1 Appeal fee paid will be refunded by CILEx.

(iii) 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 Head of Centre. The Head of Centre, on behalf of the learner, 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 Head of Centre 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**. Centres will be invoiced for the appropriate fee within 5 working days of the application being received.

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 Head of Centre, who has not received an acknowledgement within 5 working days, must contact the Assessment-Operations 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 Head of Centre and recommend appropriate action to CILEx accordingly. The Stage 2 Appeal fee paid will be refunded by CILEx.

If the Independent Review Panel confirms the decision of the CILEx Internal Review Panel, the Head of 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.

8. Enquiries and appeals regarding special consideration decisions

8.1 What are enquiries and appeals regarding special consideration decisions?

CILEx accredited centres are required to comply with the *CILEx Special Consideration Policy – Competence Qualifications*.

CILEx competence qualifications require learners to demonstrate their competence in relation to each of the assessment criteria for each unit. Learners work with centre-appointed assessors to meet the learning outcomes and assessment criteria of each of the units. The learner uses a range of workplace evidence to satisfy the requirements of each unit. Learners, who the centre considers have not fully met the assessment criteria, will work with an assessor to identify further evidence that the

learner can use to demonstrate their competence.

CILEx does not permit centre assessors to reach a judgement in regard to a learner's potential level of achievement in relation to the assessment criteria for a unit. Assessment decisions have to be informed by evidence of a learner's actual achievement and competence in relation to the assessment criteria for a unit.

Consequently, special consideration is restricted to allowing the learner to postpone an assessment activity or to re-take an assessment activity, in the same way that learners who do not consider they are ready for an assessment activity or, for a variety of reasons, are not available for an assessment activity are permitted to postpone or re-take an assessment activity.

A learner, who is dissatisfied with a centre's handling of a request for special consideration (ie a request to postpone an assessment activity or re-do an assessment activity due to illness, injury or adverse circumstances), must utilise the centre's complaints procedures if the learner wishes to challenge the centre's decision or handling of the request.

A Head of Centre, on behalf of a learner, is entitled to raise an enquiry only after the learner has exhausted the centre's complaints procedures. After receipt of the enquiry outcome, the Head of Centre, on behalf of the learner, can request a Stage 1 Appeal if the learner is dissatisfied with the outcome of the enquiry. If the learner is dissatisfied with the outcome of the Stage 1 Appeal, the Head of Centre can request a Stage 2 Appeal, on the behalf of the learner.

The following diagram sets an overview of the enquiry and appeals process:



(i) Special consideration enquiry – an explanation

A special consideration enquiry involves the review of the learner's request to the centre, the centre's decision in relation to the request and the centre's subsequent decision in relation to the learner's utilisation of the centre's complaints procedures. The review is undertaken an officer in the Education Directorate. The officer will consider whether the centre:

- used procedures which are consistent with the *CILEx Special Consideration Policy – Competence Qualifications*
- applied its procedures properly and fairly in reaching its judgement

(ii) 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 special consideration enquiry has been requested, processed and the outcome has been issued to the 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.

(iii) 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 decision of the Independent Review Panel is final. No further appeal to CILEx is permitted after the independent review.

8.2 Procedures for enquiries and appeals against special consideration decisions

(i) Special consideration enquiry

Special consideration enquiries must be requested in writing. The Head of Centre, on behalf of the learner, must complete the **Competence Qualification – Enquiry Form** and send it with the required supporting documentation to the CILEx Assessment-Operations team. The form and supporting documentation must be received by CILEx within 20 working days of the centre's confirmation to the learner of the outcome of the centre's complaints process. The reasons for the enquiry must be recorded on the form along with evidence that the centre's complaints procedures have been fully utilised. Centres will be invoiced for the appropriate fee within 5 working days of the application being received.

Special consideration enquiries will be acknowledged by the Assessment-Operations team within 5 working days of receipt by CILEx. A Head of Centre, who has not received an acknowledgement within 5 working days, must contact the Assessment-Operations team.

The outcome of the special consideration enquiry will be provided to the Head of Centre within 25 working days of the date of the acknowledgement letter.

(ii) Procedures for Stage 1 Appeal

The Head of Centre, on behalf of the learner, must request a Stage 1 Appeal within 20 working days of the date of the notification of the special consideration enquiry outcome using the **Stage 1 Appeal form**. The Stage 1 Appeal form must be sent to the Assessment-Operations team. Centres will be invoiced for the appropriate fee within 5 working days of the application being received.

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 Head of Centre, who has not received an acknowledgement within 5 working days, must contact the Assessment-Operations team.

The outcome of a Stage 1 Appeal will be notified to the Head of 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 Head of Centre and remedial action will be taken. This may or may not include reconsideration of the assessment result. The Stage 1 Appeal fee paid will be refunded by CILEx.

(iii) 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 Head of Centre. The Head of Centre, on behalf of the learner, 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 Head of Centre 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**. Centres will be invoiced for the appropriate fee within 5 working days of the application being received.

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 Head of Centre, who has not received an acknowledgement within 5 working days, must contact the Assessment-Operations 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 Head of Centre and recommend appropriate action to CILEx accordingly. The Stage 2 Appeal fee paid will be refunded by CILEx.

If the Independent Review Panel confirms the decision of the CILEx Internal Review Panel, the Head of 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 Head of Centre, on behalf of the learner/centre. Stage 1 Appeals will only be accepted if a relevant enquiry has been requested, processed and the outcome issued to the centre, and the grounds for the 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 A.

In accordance with CILEx procedures, centres are 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 accredited 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 – Competence 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
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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 decisions 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/CCEA/Qualifications Wales in the form in which it may be published by Ofqual/CCEA/Qualifications Wales 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/CCEA/Qualifications Wales 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/CCEA's/Qualifications Wales' appeals and complaints process.

Appendix A

CILEx Enquiries and Appeals Fees 2016/17



Competence Qualifications

The fees set out below apply to enquiries and appeals for the academic year 2016/2017.

Learners and centres should refer to the CILEx Enquiries and Appeals Policy – Competence Qualifications for information about the different types of enquiries and appeals which can be requested.

Assessment Enquiries and Appeals

Enquiry/Appeal	Fee
Assessment decision enquiry	£25
Assessment result enquiry	£25
Stage 1 Appeal	£25
Stage 2 Appeal	£25

Reasonable Adjustments Enquiries and Appeals

Enquiry/Appeal	Fee
Reasonable adjustments enquiry	£25
Stage 1 Appeal	£25
Stage 2 Appeal	£25

Special Consideration Enquiries and Appeals

Enquiry/Appeal	Fee
Special Consideration enquiry	£25
Stage 1 Appeal	£25
Stage 2 Appeal	£25

Malpractice

Learners and centres should refer to CILEx Procedures for Dealing with Cases of Suspected Student Malpractice - CILEx Level 3 and 6 Professional Qualifications and CILEx Level 3 and 4 Legal Services Qualifications for information about appeals against malpractice decisions.

Appeal	Fee
Appeal against a student malpractice decision	£50

Accredited Centre malpractice/maladministration or risk intervention sanction

Centres should refer to CILEx Procedures for Dealing with Cases of Suspected Accredited Centre Malpractice or Maladministration for information about appeals against malpractice/maladministration decisions. Centres should refer to the Accredited Centre Handbook for information about the CILEx risk management policy and sanctions and the associated appeals process.

Appeal	Fee
Appeal against a centre malpractice/maladministration sanction	£100
Appeal against a centre risk intervention sanction	£100