



Learner appeals procedure

CYQ is committed to equal opportunities, providing a fully comprehensive service to centres and learners in the area of assessment and internal quality assurance. CYQ aims to protect the interests of learners at all times and offers centres the following advice:

- all learners must be assessed against the agreed and published criteria
- assessment decisions must be made by assessors who are trained, and have gained or are in the process of working towards an approved and recognised qualification, such as: the Certificate in Assessing (Vocational or Work Based) Competence, A1/A2 (D32/33) Assessor Awards or CYQ Assessing and IQA Awards for the Active Leisure and Learning Sector

It is recognised that, in exceptional circumstances a learner may wish to appeal against recommendations or decisions relating to assessment. The CYQ appeals policy and procedure aims to ensure that all assessment is conducted fairly and in line with specified requirements.

CYQ will consider an appeal from a centre or learner only after the centre's own internal appeals procedure has been exhausted.

Please note, any appeal made by a learner relating to assessment decisions should be made to CYQ within 20 working days of exhausting the centre's own procedures as stated above. This is to ensure that CYQ can act in the most timely and efficient manner, and whilst the optimum amount of information and evidence is available. Any appeal made after this time may not be heard unless there are exceptional circumstances

The following procedures summarise the key points of this policy and the action that may be taken in such exceptional circumstances.

Areas for appeal

CYQ appeals policy enables learners to make a formal appeal against a recommendation or assessment decision relating to:

- the mark or grade for an individual item of coursework for example, worksheets and case studies
- the final result of any element of assessment, (for example, planning, teaching and/or evaluation)
- N.B. Video evidence must accompany this appeal (see further guidance)
- the application of a Reasonable Assessment Adjustment or Special Consideration
- the external assessment (theory paper or e-assessment)
- the final overall internal/external assessment decision for a unit or qualification

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Grounds for appeal

- the assessments were not conducted in accordance with the approved centre regulations
- an agreed Reasonable Assessment Adjustment proved to be inappropriate or insufficient
- disagreement with the outcome of a Special Consideration request
- medical or other extenuating circumstances arising during the assessment process which affected the learner's performance (written evidence from the assessor or GP must be provided)
- inappropriate or irregular behaviour on the part of the assessor

Appeals procedures

Stage one:

Learners should make the first appeal through the centre's appeals system via the Internal Quality Assurer/Centre Contact. If the appeal is unresolved, the learner should be advised of the next stage for appeal.

Please note: The appeal should be made to the Assessor or IQA as soon as possible after the assessment, preferably on the same day, but within 5 working days is acceptable. All centres approved by CYQ will have had their appeals policies and procedures formally approved, a copy of which should be made accessible to the learner at induction.

Stage two:

The centre should contact the External Quality Assurer (EQA). If the EQA is not present or is unable to resolve the appeal issue, the learner should be directed to the third stage of the appeals process.

Stage three:

A written appeal should be made by the learner directly to the CYQ Lead Quality Assurer. The Lead Quality Assurer will investigate the matter thoroughly and respond in writing within 20 working days.

Please note: In extreme circumstances, when the learner feels that the LQA has been unable to bring the matter to a satisfactory conclusion, the matter may be referred directly to the Head of CYQ, the fourth stage of appeal. Any evidence in writing, in person or by telephone may be requested from the learner during this time.

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Stage four:

The learner may be offered a formal appeals hearing. This will be conducted within six weeks and will be conducted by the appeals panel comprising:

- an independent appeals board member
- the Head of CYQ
- the Lead Quality Assurer of CYQ
- a Senior Management representative from the centre
- a chairperson employed by CYQ

Please note: *Provision of an appeals hearing will incur a nominal fee. The fee will be refunded if the appeal is upheld. Please refer to the CYQ website for information on fees. If the appeal is upheld learners may receive an opportunity to re-take the assessment free of charge.*

Stage five:

In the event of stages 1-4 being exhausted without a satisfactory resolution, stage 5 of the appeals procedure can be invoked:

- in stage 5 the case will be put before an Independent reviewer
- this stage will be considered only if the CYQ stage 4 appeal process has been exhausted
- the appeal must be submitted within 20 working days of receipt of the outcome of stage 4
- the Independent reviewer will check that CYQ has followed correct procedures with regards to the appeals process, and if appropriate they will make recommendations back to the appeals panel
- this is the final stage of the appeal process where a final decision will be made with regards to the outcome of the initial appeal
- the Independent reviewer will inform all parties of the outcome of the review and a report of the hearing will be sent to all parties

Learner appeals - Further guidance for centres

Centre appeals procedures should inform learners of both the centre and CYQ appeals procedures. CYQ advises centres to ensure learners are informed about the following:

- it is extremely difficult to investigate appeals without impartial evidence. Therefore appeals against referrals in practical teaching based solely on the learner's disagreement with the assessor's decision will only be considered when accompanied by a video recording, or if there is sufficient supporting evidence from an internal quality assurer
- the learner has the right to video any aspect of their assessment using their own recording equipment provided it does not interfere with the assessment process, other learners or the assessor's ability to carry out their role(s)

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- it is the responsibility of the learner to arrange a video operator
- it is the responsibility of the learner to notify the centre where their assessment is taking place of any medical problem which may affect student performance adversely in the assessment process, so that a decision can be made for deferral, prior to the assessment date
- theory papers and e-assessment that are externally assessed by CYQ are marked electronically and sampled regularly

Appeals against referrals in the external theory result can result in the following action:

- investigation into the centre's invigilation procedures/delivery
- hand marking of the theory papers
- investigation into the content of the theory paper by the CYQ Senior Qualification Manager

Notification of appeals

Written notification of appeals must be received by CYQ within 20 working days (Monday-Friday excluding Bank Holidays) from the time of the learner's receipt of the assessor's decision.

All enquiries relating to the appeals policy and procedures should be addressed to:

Lead Quality Assurer
Central YMCA Qualifications
112 Great Russell Street
London
WC1B 3NQ

Telephone: 020 7343 1800
Fax: 020 7436 2687
Email: info@cyq.org.uk

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