

Complaints, EAR and Appeals Policy

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Introduction

The Institute for Professional Sales (ISP) is an End Point Assessment Organisation approved by the Education and Skills Funding Agency and regulated by Ofqual. The ISP recognises its particular responsibilities regarding complaints and appeals. This Complaints and Appeals Policy concerns how we manage financial controls within the business and mitigate the potential for fraud and financial irregularity.

The principle of the Complaints and Appeals Policy is that all Learners and/or their employers / training provider are readily able to access the complaints or appeals process and that such complaints and appeals are handled sensitively, fairly and swiftly. A second principle is that lessons learnt following a complaint or appeal are used to inform continuous improvement.

The Head of Education is responsible for its oversight. The Quality Manager is responsible for its operation.

This Complaints and Appeals Policy should be read in conjunction with the Fair Access and Reasonable Adjustments Policy.

The policy can be found on the ISP website www.the-isp.org

Statement of Purpose

The purpose of this policy is to set out the intentions and key tools that the ISP will use in respect of its handling, investigation and resolution of complaints and appeals. Its associated procedures are intended to ensure complaints and appeals are dealt with in a consistent and fair manner keeping the needs of the Learner at its centre.

ISP intends to ensure that:

1. The complaints and appeals procedures promote best practice, keeps the Learner as the central focus and deals with complaints and appeals to an appropriate timescale.
2. In its function as an End Point Assessment Organisation, it recognises and states its commitment to minimising complaints and appeals and ensuring that learnings from complaints and appeals are built into its process of continuous improvement, where possible avoiding re-occurrence of said complaint or appeal.
3. It will protect the brand, reputation and high standards of integrity, required of an End Point Assessment Organisation, by using effective quality and management controls and oversight by leaders to minimise complaints and appeals.

Definition

A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of the work undertaken within our End Point Assessment services. A complaint can be received verbally, by phone, by email or in writing. If it is to be investigated further, then the complaint needs to be in writing.

An appeal is when an Learner considers that an end point assessment (EPA) decision is incorrect. The appellant may appeal to make an application to the ISP for an assessment decision to be reversed.

Complaints Policy and Process

1. If a Learner or their representative wishes to make an enquiry about an EPA result but does not wish at this stage to make a formal complaint or wishes to make an enquiry about any other aspect of an ISP end point assessment, they should fill in an ISP ENQ form. The Learner or their representative will need to make it clear on the form the nature of the enquiry and should include any relevant evidence to help ISP consider the enquiry and make an appropriate and prompt reply (normally within 20 working days)
2. The enquiry will be progressed by the Quality Manager and relevant personnel (in the first stage) and if required will be progressed to the Quality Assurance Group for resolution (in the second stage). The Quality Assurance Group consists of Head of Education, Quality Manager and the Managing Director
3. Upon reviewing the ISP ENQ form the ISP will inform the complainant whether they should make an appeal about a result, in which case the Appeals Procedure should be followed.
4. If a Learner or their representative wishes to make a complaint about any aspect of ISP's organisation, operations, actions, EPA, qualifications or assessments, they should fill in an ISP ENQ form (see below). The Learner or their representative will need to make clear on the form the nature of the complaint and should include any relevant evidence to help ISP consider the complaint and make an appropriate and prompt reply (normally within 10 days, if investigation involved within 20 days). The complaint will be progressed by the Quality Manager and relevant personnel (in the first stage) and if required will be progressed to the Quality Assurance Group for resolution (in the second stage).
5. If the Learner or their representative is still unhappy with the outcome of the complaint and feels they have exhausted all avenues, they may further progress the complaint to the appropriate external quality assurance body / regulatory authority for England (the EQA/regulator will then progress the complaint through their procedures).
6. In all cases, the ISP ENQ form should be sent to eqa@the-isp.org for the attention of the Enquiries and Appeals team, who will ensure the progress of the relevant procedure. The ISP ENQ form is available within this policy or on request to eqa@the-isp.co.uk

EAR, Appeals Policy and Process

Who can appeal?	The decision they can appeal?
End-Point Assessment	
Learner, Training Provider, Employer	The results of assessments
	Decisions relating to any action to be taken following an investigation into malpractice or maladministration
Regulated Qualifications	
Centre/Training Provider	Refusal of centre approval
	Refusal of an application to deliver an additional qualification
	Decisions relating to any action to be taken following an investigation into malpractice or maladministration
	Decisions made by Moderators and EQA's
Learner - The Centre/Training Provider's appeals process must be exhausted before appealing to ISP AO	The results of assessments
	Decisions regarding reasonable adjustments and special consideration
	Decisions relating to any action to be taken following an investigation into malpractice or maladministration

There are four stages in the Appeals Process:

- Enquiries About Results (EAR)
- Appeal – Stages 1, 2 and 3

Enquiries About Results (EAR)

For End Point Assessment the EAR gives Learners, employers and/or providers the opportunity to query the EPA assessment decisions, if they believe they are inaccurate. Employers and/or Providers must have the consent of the Learner before making an application and must make sure the Learner understands all the possible outcomes.

For regulated qualifications, the Learner must, in the first instance follow their Centre/Training Providers Appeals Policy before appealing to ISP.

Any results enquiries need to be submitted on an ENQ1 Form (below) to equa@the-isp.org within 5 working days of the Learner's notification of results.

The EAR process typically includes a clerical check only, to assess whether we used procedures that were consistent with our quality assurance framework. The enquiry will not typically involve any re-

assessment of an Learner's work; however, a review may be needed if the outcome of the enquiry requires it.

If the enquirer is unhappy with the outcome of the enquiry, they will have 14 days to request that an Appeal

Investigation takes place.

We will seek to respond to all EAR requests within ten working days of receipt.

Should you not be satisfied with the outcome of the EAR, you have right to proceed with an appeal.

Appeals and the Appeals Panel

The Appeals Panel will meet as required to review any Appeals made to ISP. Membership of the Panel consists of:

- Quality & Compliance Manager
- Head of Education
- Representative of the ISP Management Team

First Stage of the ISP Appeals Process

- The appellant must make their appeal within 20 working days of receipt of their result. No appeals will be accepted after this date
- ISP will acknowledge receipt of an appeal within 24 hours and provide a written response within 15 working days.
- For end point assessment, the Quality Manager will produce a report, involving the independent assessor who conducted the EPA, if appropriate.
- If ISP upholds the assessment decision/s it will set out its reasons in writing with supporting evidence.
- If the assessment decision is overturned and the result is revised, ISP will issue the new result and, if necessary, issue appropriate certification.
- If the Appellant is not satisfied with the result a Stage 1 appeal, they should move onto the second stage of appeal and write to ISP using the form at the end of this policy.

At this first stage there is an administration fee (£150) required to cover the cost of investigating the appeal only payable where assessment decisions are upheld.

Second Stage of the ISP Appeals Procedure

- A stage 2 appeal must be made within 10 working days of receiving the stage 1 result, requesting a re-assessment of the failed Learner work under appeal. ISP will acknowledge receipt of this second appeal within 24 hours working days and provide a written response within 15 working days of receipt of the acknowledgement.
- At this second stage the appeal will be conducted and investigated by the Head of Education, with oversight from the ISP Appeals Panel.
- If the assessment decision is proved to be incorrect and the result is revised, ISP will issue the new result and, if necessary, issue appropriate certification. The administration fee will also be credited.

At this second stage there is an administration fee (£150) required to cover the cost of investigating the appeal only payable where assessment decisions are upheld

Third Stage of the ISP Appeals Procedure

- If the Appellant is still unhappy with the outcome of the second stage of the appeal, they have 10 working days to take the appeal to the third and final stage.
- The Appellant resubmits their appeal using the appeal form below and includes all relevant supporting evidence.
- ISP will acknowledge receipt of the stage 3 appeal within 24 hours and provide a written response within 20 working days
- The appeal will be reviewed by the Managing Director, the ISP Appeals Panel plus one independent person who has knowledge of AO operations but has no connection with ISP and has never been employed by them.
- The process will focus on whether ISP appropriately used the correct procedures in arriving at its decision. If the panel still finds the EPA decision to be correct it will set out its reasons for doing so in writing with supporting evidence.
- If the assessment decision is proved to be incorrect and the result uplifted, ISP will issue new results and, where appropriate, inform the ESFA Learnership Assessment Service to issue or re-issue a certificate as appropriate.
- If other assessment decisions might be affected by the result of such an appeal, all similar results will be reviewed in the same way.

For end point assessments, at this third stage there is an administration fee (£250) required to cover the cost of investigating the appeal.

Re-assessment

If as a result of the appeal, at any of its three stages, the Learner is offered a re-assessment this will be conducted under the standard ISP EPA procedures or, in the case of regulated qualifications, through the Centre/Training Provider procedures and ISP EQA process.

For EPA the re-assessment will be assessed by a different independent assessor from the one involved in the original assessment. The requirements around the resit or retake procedures as described in the standard assessment plan do not apply in the case of a re-assessment following a successful appeal.

Evaluation of Complaints and Appeals

The Managing Director and the Head of Education will, as part of their annual reports to the Governance and Quality Board (GAQ), produce a statistical analysis and summary of the results of all appeals, enquiries and complaints. The reports will, where appropriate, make recommendations for revisions to any policies and procedures required as a result of this analysis and the GAQ will agree, reject or modify these recommendations as it feels necessary. Where appropriate this is fed into the ISP continuous quality improvement process.

Monitoring

A tiered approach to monitoring is taken. The Quality Manager will collect any relevant data and report to the Managing Director. The Head of Education collates information on complaints and appeals from all relevant sources and reports into the ISP Executive Board.

ENQ1: ISP EAR, Complaints and Issues Procedure Form:

Please complete the following information, as applicable:

Training Provider/Centre: Contact details (email/phone):	Learner ULN:
Employer (EPA Only): Contact details (email/phone):	Learner Name:
EPA/Qual/Unit Name:	
Assessment Date:	

Please explain the nature and reason for the enquiry, complaint or issue and provide relevant supporting evidence:

ISP Response to EAR:	
Outcome of EAR:	
Date:	
ISP Quality & Compliance Manager:	
Date:	

APP1: Appeals Procedure Form

Training Provider/Centre: Contact details (email/phone):	Learner ULN:
Employer (EPA Only): Contact details (email/phone):	Learner Name:
EPA/Qual/Unit Name:	
Assessment Date:	

Please explain the nature and reason for the appeal and provide relevant supporting evidence (please also reference what stage of appeal is being described):

Appellant Name:	
Position:	

Signed:		Date:
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The Provider agrees to pay the administration fee (£150) required to cover the cost of investigating the appeal (£250 for Stage 3 of the appeal).

Please return electronically to: ISP Enquiries and Appeals Team, eqa@the-ISP.org

ISP Response to Appeal	Stage of Appeal:	
ISP Decision at Appeal		
Date:		
Review Completed by:		
Role:		
ISP Quality & Compliance Manager:		
Date:		