

Appeals and Complaints

Policy Statement

The purpose of this policy is to:

- Set out how to make and how we deal with complaints
- Set out how to make and how we deal with appeals

At the end of each section are references to the documents you will need, the documents we will use and Ofqual’s General Conditions of Recognition that apply. All related documents are available on our website.

Policy Detail

Complaints

We are committed to providing our services in a responsive, accessible and prompt manner in accordance with the Service Standard timescales outlined in our “Being an MERCURIUS POLITICUS Awarding Body Centre” document. We endeavour to provide you with the best possible service to enable you to cater for the needs of all your registered learners.

If you have a complaint about our services then please let us know as soon as possible. A complaint would be a serious problem concerning the services we provide that requires our attention and action. The process for making a complaint and how we will handle it is described on page 2.

Appeals

We endeavor to ensure that all of the following are fair, consistent and based on valid judgments:

- Assessments and assessment results for external assessments
- Internal assessment decisions at a recognised centre (we will consider appeals against these once the Centre’s own appeals process has been exhausted)
- Decisions concerning centre/qualification approval or registration/certification status
- Any decision/penalty/sanction resulting from a malpractice investigation
- Outcomes of an application for reasonable adjustments or special consideration
- Outcomes of an application for Direct CIMercurius Politicuss Status

This document sets out to explain the steps you need to go through where you wish to question a decision made relating to any of the above. We will only consider whether we followed the required procedures correctly and whether they were applied properly and fairly in arriving at judgements. The process for making an appeal and how we will handle it is described on page 3.

We do not arbitrate in cases of dispute between Learners and Centres. All centres are required to have complaints and appeals procedures in place and we expect that all learners are informed of these upon enrolment.

Ofqual General Conditions of Recognition (GCRs):	Condition D4 Responding to enquiries and complaints procedures Condition I1 Appeals process
Responsible staff:	Specific GCRs referenced:
Head of Standards and Regulation	D4.4, I1.2, I1.3
All staff	D4.3, I1.1, I1.4

How to make a complaint

If you feel you need to make a complaint about any aspect of our service, then in the first instance please get in touch with your allocated contact person and explain the issue. In most cases we will seek to resolve your complaint informally.

1. If you are dissatisfied with the response then you should submit a written complaint to the **Head of Standards and Regulation (HSR)** as soon as possible but within 14 working days.

Evidence: written complaint

2. The **HSR** will acknowledge the complaint within 5 working days.

Evidence: email, complaints and appeals log

3. The **HSR** will investigate the complaint with assistance from appropriate members of staff and inform the complainant of the outcome within 10 working days.

Evidence: email, complaints and appeals log

4. If the complainant remains dissatisfied with the response, the complaint will be passed to the **Chief Executive Officer (CEO) or Deputy** who will reconsider the decision within 5 working days and may uphold the complaint, dismiss the complaint or suggest alternative action.

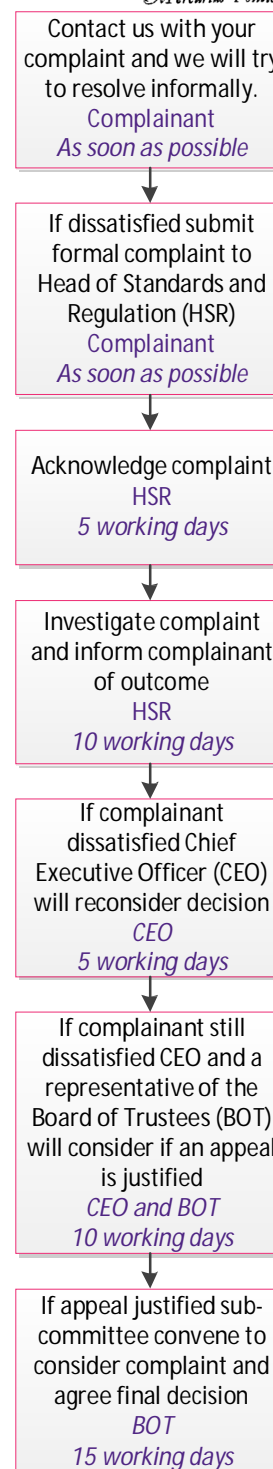
Evidence: email, complaints and appeals log

5. In the event that the complainant is still dissatisfied with the outcome, an appeal in writing should be submitted within 14 days to the **CEO** who with a **member of the Board of Trustees (BOT)** will consider the matter and reply within 10 working days.

6. If the response remains unacceptable a written request for the BOT to consider the matter should be submitted. A committee will be convened within 15 working days to consider the complaint consisting of at least one **member of the BOT** and **two MERCURIUS POLITICUS Awarding Body officers** that have not been involved with the complaint. The committee may uphold the complaint, dismiss the complaint, instruct MERCURIUS POLITICUS Awarding Body on remedial action to be taken or make recommendations about future practice. The result of the investigation will be sent to the complainant and the decision of the committee will be final.

Evidence: email, complaints and appeals log, minutes of meetings

Our Board of Trustees receive a summary of complaints in the annual Self Assessment Report.



Documents we will use:	Complaints and Appeals Log
Related evidence:	Written complaints, Emails, Minutes, Self Assessment Report, Documentation provided
Related Ofqual General Conditions of Recognition:	D4.3, D4.4

How to make an appeal for examinations

Stage 1

An enquiry may not be made directly to the board from an individual candidate. An appeal can be either for an administration check, or for a re-mark. A fixed fee is charged when a request is made for a re-mark. This fee is refunded if the outcome of the examination is changed as a result of the appeal. Candidates should note that results are unlikely to change as borderline cases are subject to moderating.

1. Enquiries must be made on behalf of candidates by the **Head of Centre** to the Principal Examiner **within 28 days of results being issued**.
2. We will acknowledge the appeal and indicate **within 5 working days** whether it falls within the scope of the appeals policy. In the event it can proceed the following applies.

Evidence: written complaint, email, complaints and appeals log

3. The **Principal Examiner** will convene an Enquiry Panel made up of at least the Principal Examiner, a Marking Moderator and a member of the administration team who will consider the evidence and respond **within 10 working days**.

Evidence: emails, complaints and appeals log, documentation

4. Initially an administration check will be carried out which will involve: a check to ensure the mark has been added correctly; a check that all sections have been marked; and that the final grade has been calculated properly.
5. Where a re-mark has been asked for, the paper will be copied and marked separately by 2 members of the Enquiry Panel. Once the examination papers have been re-marked, a final grade is decided upon. The final decision rests with the **Principal Examiner**. The result of any enquiry will be the awarding of a grade either higher, the same or lower.
6. Formal notification of any enquiry will be forwarded to the Head of Centre once a decision has been reached by the **Enquiry Panel**. A revised results sheet will also be issued. Where a certificate has already been issued, a revised certificate will only be issued once the original certificate has been returned.

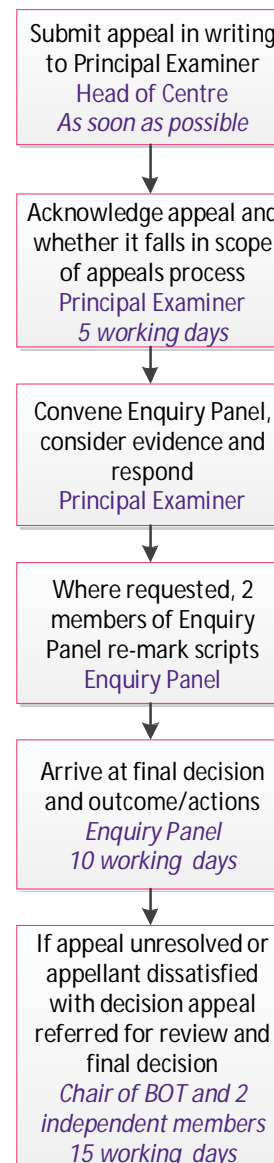
Evidence: minutes, letter, revised results sheet

7. If the **appellant** is unhappy with the decision a copy of their marked script can be requested at an additional fee

Stage 2

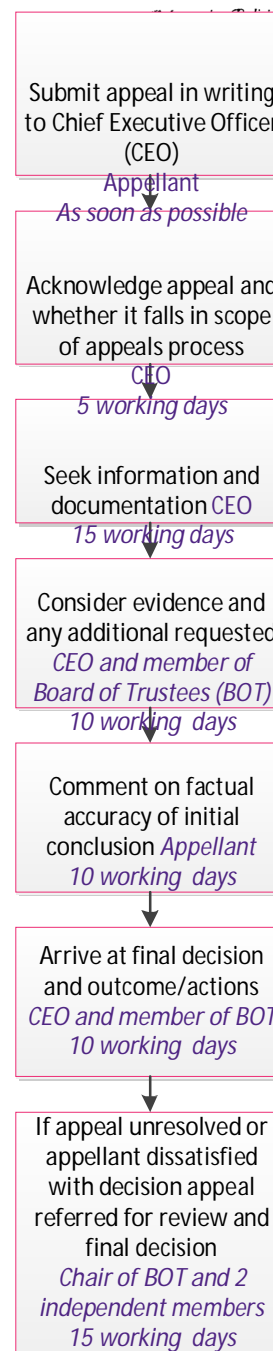
8. If the appeal is unresolved or if the appellant is dissatisfied with the decision, they may request that the appeal be referred to the **Chair of the Board of Trustees** for review **within 10 working days**.
9. The Chair will appoint a committee consisting of the Chair and **two non-staff members**. The result of the review will be sent to the appellant **within 15 working days** and the decision of the committee will be final.

Evidence: email, complaints and appeals log, minutes of meetings



How to make an appeal for all other cases

10. An appeal should be submitted in writing to the **Chief Executive Officer**. We will acknowledge the appeal and indicate **within 5 working days** whether it falls within the scope of the appeals policy. In the event it can proceed the following applies.
Evidence: written complaint, email, complaints and appeals log
11. The **Chief Executive Officer** will seek information and documentation from the appellant and any other parties.
Evidence: emails, complaints and appeals log, documentation
12. The **Chief Executive Officer** in conjunction with **a member of the Board of Trustees (other than the Chair)** will consider the evidence and respond **within 10 working days**.
Evidence: emails, complaints and appeals log, documentation
13. **The appellant** will be invited to comment on the factual accuracy of the initial conclusion **within 10 working days**.
Evidence: email
14. The **Chief Executive Officer** in conjunction with **a member of the Board of Trustees (other than the Chair)** consider any additional information provided before reaching a final conclusion that will be confirmed to the appellant **within 10 working days**. We will only consider whether the required procedures were followed correctly and whether they were applied properly and fairly in arriving at judgements. If we find the correct procedures were not followed appropriate remedial action will be taken.
Evidence: email, complaints and appeals log, documentation
15. If the appeal is unresolved or if the appellant is dissatisfied with the decision, they may request that the appeal be referred to the **Chair of the Board of Trustees** for review. The Chair will appoint a committee consisting of the Chair and **two non-staff members**. The result of the review will be sent to the appellant **within 15 working days** and the decision of the committee will be final.
Evidence: email, complaints and appeals log, minutes of meetings



All decision makers involved in an appeal will have no personal interest in the decision being appealed. Where the Chief Executive Officer has a personal interest in the decision their role will be taken by the

Outcomes of an Appeal

If the outcome of an appeal brings into question the assessment process that affects one or more learners, we will take all reasonable steps to identify all learners that have been affected then correct or mitigate the effect of the failure and ensure it does not recur in the future, following our **Adverse Effects** procedure.

Reports go to the Board of Trustees on appeals and their outcome and included in our annual Self Assessment Report.

Documents you will need:	Charging Structure
Documents we will use:	Complaints and Appeals Log Malpractice
Related evidence:	Written appeal, Emails, Minutes, Self Assessment Report, Documentation provided
Further information:	Conflict of Interest
Related Ofqual General Conditions of Recognition:	I1.1, I1.2, I1.3, I1.4