



## Complaints and Appeals Policy

### 1. Policy purpose

This procedure applies to all 1st for EPA Ltd staff, contracted assessors, apprentices, training providers, employers and stakeholders. This document sets out guidance of how to lodge a complaint or appeal to 1st for EPA Ltd and the procedure to follow.

### 2. Introduction

1st for EPA Ltd is committed to delivering a high standard of customer service. We recognise that apprentices should have access to fair and reliable assessment.

It is important to define a complaint and an appeal:

A Complaint is a report of 1st for EPA or its staff carrying out its activities in a way that the complainant is not satisfied with, but that does not directly affect the outcome of assessment. For example, a complaint may arise where results have not been issued within the agreed timescale.

An Appeal should be lodged where it is believed that 1st for EPA has not carried out its duties to the required standard, and this has caused apprentice(s) to either:

- Not be marked fairly
- Have been awarded an incorrect grade
- Have been disadvantaged in some other way.

Appeals may be lodged in relation to:

- The results of assessments.
- Decisions regarding Reasonable Adjustments and Special Consideration.
- Decisions relating to any action to be taken against a Learner or a Centre following an investigation into malpractice or maladministration.

The processes for complaints and appeals are detailed below.

### 3. Complaints process

Where 1st for EPA Ltd receives a complaint, it will be dealt with promptly.

1st for EPA Ltd's procedure for complaints involves:

- Submitting a complaint
- Acknowledgement
- Review
- Response
- Notifying the regulators or IfATE
- Record the complaint.

#### **Submitting a complaint:**

If you have a complaint about 1st for EPA Ltd's service, please put the complaint in writing and send it by email or post. Please give as much information as possible about your complaint, to enable 1st for EPA Ltd to investigate and review it.

Send complaints by:

Email to: [admin@1stforepa.co.uk](mailto:admin@1stforepa.co.uk) or if confidential to [helen@1stforepa.co.uk](mailto:helen@1stforepa.co.uk)

Post to: 1st for EPA Ltd, 61 Cranbrook, Marton-in-Cleveland, Middlesbrough TS8 9XH

#### **Acknowledgement:**

1st for EPA Ltd will contact the complainant within 3 working days of receipt to acknowledge the complaint



## Review:

1st for EPA Ltd will review the information presented and decide whether it is appropriate to either:

- Investigate the complaint directly; this investigation will be carried out by the Operations Manager and Managing Director.
- Bring the matter to the attention of the Head of Awarding Body and/or EQA provider (external quality assurance provider), asking them to investigate the complaint and to report on the outcome.

## Response:

1st for EPA Ltd will respond to the complainant by email or post within 28 days, with details of any preventative or corrective action to be taken.

## Notifying the regulators or IfATE:

In cases where there could be an adverse effect (e.g. cases with alleged fraud or serious threat to the integrity of the end point assessment service or 1st for EPA Ltd as an organisation), 1st for EPA Ltd is required to escalate the matter immediately to IfATE and our regulators.

## Record the complaint:

The complaint will be recorded on 1st for EPA Ltd internal systems.

Complainants who are dissatisfied with the outcome may appeal against the decision using 1st for EPA Ltd Appeals Procedure.

## 4. Appeals Process

Appeals must be submitted by the training provider; apprentices should discuss the appeal with their training provider and ask them to lodge the appeal. Employers should be in agreement that an appeal should be lodged.

Appeals may be submitted **within 18 calendar days** from the date that they were notified of the assessment decision they are appealing against.

Apprentices should be aware that an appeal is an independent review of decisions taken, and as such it may result in a grade/result being marked either up or down.

Appeals **must** be lodged through the relevant platform. Please include details of the appeal as well as any supporting information. Please make sure to include **all** relevant information to allow a third party to make a decision.

**Important:** Any confidential appeals information/attachments should be emailed directly to 1st for EPA's Quality team: [quality@1stforepa.co.uk](mailto:quality@1stforepa.co.uk). The appeal itself should still be lodged through the relevant platform, as this pauses any ongoing certificate claim.

### Reviewing an Appeal: Stage 1

1st for EPA Ltd will acknowledge receipt of an appeal within 3 working days. In the first instance this will be reviewed by 1st for EPA staff.

Those investigating an appeal must:

- Have no personal interest in the decision being appealed.
- Not have made the initial assessment decision that is being appealed.
- Have the relevant competence to make a decision in relation to the appeal.

Following the review of the appeal, the Managing Director or Operations Manager will write to the training provider with details of the decision to either uphold the original assessment decision or amend the original decision in light of the appeal and detail the revised mark or grade, as appropriate to the apprenticeship standard.



We aim to respond fully to the appeal within 28 working days. Please note that in some cases the review processes may take longer. In such instances, the Managing Director or Operations Manager will contact all parties concerned to inform them of the likely timescale.

If the apprentice, training provider and employer do not agree with the outcome of stage 1, they may proceed to stage 2.

## Reviewing an Appeal: Stage 2

Where an appeal moves to stage 2 of the policy, or it is unresolved internally, an independent panel will be used.

This panel will include two or three competent members who:

- Have no personal interest in the decision being appealed.
- Have no conflict of interest with 1st for EPA, the apprentice, training provider or employer.
- Have the relevant competence to make a decision in relation to the appeal.

We have identified two organisations that offer independent appeals panels as a service: EPA Solutions and the Federation of Awarding Bodies (FAB). Either of these services may be utilised and a decision will be made based on:

- where there is expertise in the standard being appealed
- the availability of panel members
- where there are no conflicts of interest.

Conflicts of interest are managed at a high level by EPA Solutions/FAB and before proceeding we would ensure the proposed panel members have no conflict of interest with:

- 1st for EPA
- The apprentice
- The apprentice's employer
- The training provider.

For the avoidance of doubt, this includes actual, potential and perceived conflicts of interest as defined in 1st for EPA's Conflict of Interest Policy.

If the panel includes two members, both must be in agreement of the decision made. For panels with three members, a majority vote will be accepted. For this reason, panels with three members are preferred but appeals may progress with two members if this is what expertise/availability/conflicts of interest allows.

Fees for this service are agreed in advance and may be based on factors such as the number of panel members and the time taken to review the appeal. Fees will not be linked to the decision made, ensuring there will be no financial incentive to make a decision for or against the appellant.

1st for EPA will provide the independent panel with all assessment evidence. This includes written evidence (e.g. portfolio, project) and recordings of live evidence (e.g. interview) as well as the assessor's written feedback and the IQA report (where available).

1st for EPA would check their processes are sound, e.g. how they check members' expertise, how they check and manage conflicts of interest, how they ensure confidentiality.

The independent panel will review all evidence relating to the assessment and the stage 1 appeal.

They will then make a decision as to whether 1st for EPA made the assessment decision fairly, appropriately and consistently. This decision will be communicated to all parties **within 28 working days**.

The independent panel's decision is final and must be accepted by 1st for EPA, the apprentice, training provider and employer.



Where the outcome of the appeal affects 1st for EPA's policy and processes, these will be reviewed as necessary.

## **Monitoring of Appeals**

Information about all appeals will be stored on the central electronic management systems. To mitigate any future risks, 1st for EPA will:

- Review the policies and procedures.
- Review guidance materials to ensure information is clear on the requirements of that assessment.
- Log all details of the appeal, including any ongoing messages and correspondence.
- Create an action plan where necessary.
- The Managing Director works with the training provider and employer to mitigate any future risk of misunderstanding.
- The Operations Manager develops and delivers standardisation activities for Assessors.
- The Operations Manager monitors areas of the assessment where there may be misunderstandings from either the Apprentice or Assessor.

## **5. Fees for Appeals**

Appeals at stage 1 will incur a fee of £100 to cover our costs.

Appeals that proceed to stage 2 will incur a further cost of £200.

Where the appeal finds in favour of the apprentice, no fee will be incurred.

## **6. Policy Review**

This policy was last updated 15<sup>th</sup> August 2023. It will be reviewed annually and as legislation requires.