

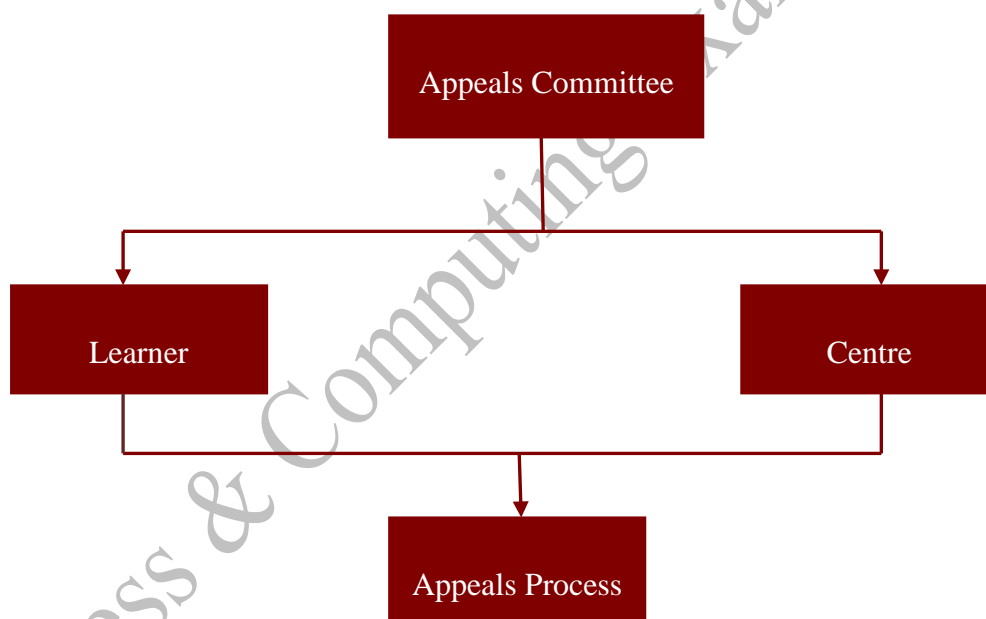


Business & Computing Examinations (BCE) LONDON (UK)

Appeals Policy

Policy No.:	P004
Date of issue:	October 2011, <i>revised September 2020</i>
Status:	Approved
Responsibility for policy:	Appeals Committee
Responsibility for implementation:	CEO / Appeals Chairperson

Appeals Framework



Introduction

The Appeals policy applies to all qualifications offered by BCE and can be used by:

- Learners who are not happy with entire or certain parts of exam results.
- Learners who are not happy with decisions regarding Reasonable Adjustment or Special Consideration.
- Learners who are not happy with decisions relating to actions following an investigation into malpractice incident/allegation.
- Centres whose approval has been withdrawn and intent to appeal,
- Centres who are not happy with sanctions or penalties applied to them.

(i) Learners

Learners have the right to appeal against certain academic decisions outlined below and these pages provide information about how the procedures work.

Learners will need to complete the Enquiry on Results Application Form and a fee must accompany the application form.

BCE recognise that learners who have sat examinations and have received their results have the right to request an enquiry should they believe that they have not received a fair and/or accurate result.

We also recognise that learners who have received feedback relating to their enquiry and are still not satisfied have the right to make an appeal. This policy therefore applies to learners who believe that they may have been unfairly treated during the assessment process and not in accordance with standard procedures.

This policy does not apply to cases where learners believe that their examination performance may have been adversely affected by external factors, such as illness, disturbance at the examination centre, etc. Such cases are dealt with under the policy for Special Consideration.

Purpose of the Appeals Procedure

The appeals procedure is intended to provide a formal means for reviewing a decision made on assessment and awards, and resolving the learner's concerns in a fair and consistent manner.

Principles

Learners lodging an appeal will not be disadvantaged by doing so. Privacy and confidentiality will be respected, and disclosure of information provided by a learner in the course of an appeal will be restricted to those individual officers directly involved in their consideration, and that may include Appeals Committee, Programme Development & Services and Administration. The appeal will be considered in accordance with BCE's Equal Opportunity and Ethical Policies.

Submitting an Enquiry on Results Appeal

1. A formal written request for an Examination Enquiry on Results must be submitted using the appropriate form within 8 weeks from the date examinations are distributed. It is important for learners to check with BCE website and their centres when examination results are released.
2. The Chief Examination Officer assesses the remarking process.

3. If the outcome is not upheld, then we notify the learner and consider the matter closed.
4. If the outcome is upheld, then the re-assessed marks are applied and the learner is notified accordingly. Normally we communicate to the learner within 30 working days of receiving the Enquiry on Results. However, in complex cases which require detailed investigation, additional time may be required, and this might take up to 90 working days.

Procedures for the Conduct of Appeals

Introduction

1. The Regulations relating to Assessment Appeals define the circumstances under which a learner may appeal against a recommended mark for any unit or grade classification (Distinction, Merit, Pass or Fail) or examination result.
2. It is the responsibility of a learner to notify their centre, at the earliest opportunity if there are any extenuating circumstances which might have a bearing on their examination performance, so that wherever possible this may be brought to the attention of the Assessment Panel at the appropriate time through Reasonable Adjustment and Special Consideration process. It is also a learner's responsibility to check his or her examination results.
3. A learner wishing to appeal must make a written application to the awarding body in London. Please use BCE's Appeals Form. If an application is received within the specified time-limits (i.e. within 8 weeks from the date examinations results were distributed) but is insufficiently detailed to enable the Chief Examinations Officer to form a judgment, the learner should be asked to provide the necessary additional information.
4. If after consulting with the Chief Examinations Officer is satisfied that no prima facie case is established, the learner should be notified in writing of that decision.

Procedure for an Appeals Committee

5. If the Chief Examinations Officer decides to establish an Appeals Committee, the learner must first be given notice in writing of that decision and invited to opt either for the appeal to be dealt with:
 - (a) on written submissions or
 - (b) at an oral hearing.

A Secretary to the Committee shall be appointed.

6. Where the appeal is to be dealt with on written submissions, the learner will be required to submit these by a specified date. The Secretary should obtain the written comments of relevant functional areas and also of the written submissions of the learner, again by a specified date. These comments should be supplied to the learner, with an invitation to submit any response to those comments by a specified date.
7. Where there is to be an oral hearing, the learner should be informed of the date, time and place of the hearing. They should be asked to confirm in writing not later than five days in advance of the hearing whether a friend or adviser will be present, and if so, to provide the name and status of that friend or adviser and an indication of whether or not they are legally qualified. The

learner should also notify the Secretary at least 5 days beforehand of the names of any witnesses they may wish to call. The Secretary should inform the learner of the membership of the Appeals Committee in advance of the hearing. If the learner objects to any member, the reasons for that objection should be provided in writing to the Secretary. The Appeals Chairperson will then determine whether or not that member should be excluded from consideration of the case. If the learner objects to the Appeals Chairperson, the Secretary should be informed in writing and the members shall determine whether the learner's objection should be upheld.

8. If the learner fails to attend the hearing, the Appeals Committee may, if it is satisfied that due notice had been given, proceed in the learner's absence on the basis of the material available to it, or may adjourn to a later date. If the candidate decides not to attend and an adjournment is made, the candidate will have to complete a new Enquiry of Results Application form and payment.
9. Results of the Appeals Committee meeting:
If the Appeals Committee discovers a failure in the assessment process, the following reasonable steps are applied:
 - a. identify any other learners who might have been affected by the failures;
 - b. ensure corrections are made or where it cannot be corrected, mitigate as far as possible the effect of the failure;
 - c. take necessary measures to ensure that the failure does not recur in the future;

If the Appeals Committee discovers a failure in the Reasonable Adjustment / Special Consideration process, the following steps are applied:

- a. the Reasonable Adjustment / Special Consideration will be given and learner allowed to sit for their assessment under Reasonable Adjustment Policy / Special Consideration rules and regulations;
- b. identify any other learners who might have been affected by the failures;
- c. ensure corrections are made or where it cannot be corrected, mitigate as far as possible the effect of the failure;
- d. take necessary measures to ensure that the failure does not recur in the future;

If the Appeals Committee discovers a failure in the malpractice incident/allegation investigation process, the following steps are applied:

- a. the decisions applied to be revoked;
- b. identify any other learners who might have been affected by the failures;
- c. ensure corrections are made or where it cannot be corrected, mitigate as far as possible the effect of the failure;
- d. take necessary measures to ensure that the failure does not recur in the future;

10. After the Appeals Committee meeting, the Secretary will notify the learner in writing of the decision.

Recourse to Learner Complaints Procedure

11. Where an appeal has not been resolved to a learner's satisfaction, there is an opportunity to make application for a review under the BCE Complaints Policy.

Learners need to complete the **Enquiry on Results Appeal Form**. The cost is £35 per unit.

(ii) Centres

Centre whose approval status has been withdrawn, received written warning reprimands or sanctions applied and intend to appeal can also refer to this document. A Centre can be suspended between 6 months to 2 years, sanctions or penalties applied for failing to adhere to BCE requirements or have their approval status withdrawn for malpractice allegations.

Please read the following documents for more information:

- Malpractice and Maladministration Policy
- Sanctions and Penalties Policy
- Invoicing Policy

Submitting an Appeal

1. A formal written request for Appeal must be submitted using the appropriate Centre Appeal Form within 8 weeks from the date the centre received notification in writing.
2. The Programme Development Manager and Quality Assurance Managers also take part in the Appeals process.
3. If the outcome is not upheld, then BCE notifies the centre and consider the matter closed.
4. Normally we communicate to the centre within 30 working days of receiving the Appeal. However, in complex cases which require detailed investigation, additional time may be required, and this might take up to 90 working days.
5. If the Appeals Committee discovers a failure in the Sanctions or Penalties / reprimands or withdrawal of approval status process, the following reasonable steps are applied:
 - a. the centre sanctions and penalties, reprimands or withdrawal status is removed and the centre is notified accordingly;
 - b. identify any other Centres who might have been affected by the failures;
 - c. ensure corrections are made or where it cannot be corrected, mitigate as far as possible the effect of the failure;
 - d. take necessary measures to ensure that the failure does not recur in the future;

Centres need to complete the **Centre Appeal Form**. The cost is £500.00