

Complaints and Appeals Policy

Introduction

This policy is committed to addressing grievances, complaints, and appeals involving Elevate EPA Ltd (Elevate), including its staff, contracted Independent Assessors, apprentices, employers/providers and stakeholders. The primary objective is to ensure the assessment process maintains transparency and equity.

Oversight Responsibilities

The Managing Director, Melanie Feek, serves as the Responsible Officer for the implementation and enforcement of this policy.

Regulatory Objective

This document delineates the obligations of the Office of Qualifications and Examinations Regulation (Ofqual) in the regulation of the Elevate End Point Assessment (EPA) service.

Definitions

Complaint: A formal report regarding Elevate or its staff's actions that have left the complainant dissatisfied. Complaints typically pertain to operational issues and do not directly influence assessment outcomes. For instance, concerns about assessment results not being delivered within the agreed timeframe can constitute a complaint.

Appeal: An appeal should be initiated when there is a belief that Elevate has failed to meet expected standards, resulting in one or more of the following consequences for apprentices:

- Unfair grading
- Incorrect assessment
- 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 and Centre (if applicable) following an investigation into malpractice or maladministration

Conflict of interest: A conflict of interest arises when the personal or professional interests of an individual or entity involved in the Complaints and Appeals process may compromise their ability to act objectively. This includes, but is not limited to, situations where individuals have personal relationships, financial interests, or affiliations that may influence their decision-making.

Adverse effect: An act, omission, event, incident, or circumstance has an Adverse Effect if it –

1. gives rise to prejudice to Learners or potential Learners, or
2. adversely affects –
 - i. the ability of the awarding organisation to undertake the development, delivery or award of qualifications in a way that complies with its Conditions of Recognition,
 - ii. the standards of qualifications which the awarding organisation makes available or proposes to make available, or
 - iii. public confidence in qualifications.

Conflict of Interest Management in relation to Elevate EPA Complaints and Appeals

Elevate is committed to managing conflicts and perceived conflicts of interest effectively within the framework of its Complaints and Appeals Policy. Conflicts of interest and perceived conflicts of interest can compromise the impartiality and fairness of the complaints and appeals resolution process. This section outlines how Elevate will identify, assess, and manage potential, actual or perceived conflicts of interest.

Identification and Disclosure: All individuals engaged in the Complaints and Appeals process, including staff, Independent Assessors, and stakeholders, must undergo regular training to recognise and disclose potential, actual or perceived conflicts of interest. Elevate will provide clear guidelines on what constitutes a conflict or perceived conflict of interest and the process for disclosure as set out in the Elevate Conflict of Interest Policy and our Induction and Training overview.

Roles and Responsibilities: To effectively manage conflicts of interest, Elevate designates responsibility to specific roles within the organisation:

1. **Managing Director Melanie Feek:** As the Responsible Officer, Melanie will oversee the implementation and enforcement of conflict of interest management procedures.
2. **Independent Appeals Panel Members:** Panel members involved in Stage 2 of the appeals process, sourced from external organisations (EPA Solutions and FAB), are required to declare any potential conflicts of interest. Elevate will ensure that these individuals have no affiliations that could compromise their impartiality.

Conflicts of Interest Management Process

1. **Identification:** Elevate has established a systematic process for individuals to identify and disclose potential or perceived conflicts of interest promptly as set out in our Conflict of Interest Policy and Declaration Form.
2. **Assessment:** A designated internal committee, separate from those directly involved in the complaint or appeal, will assess disclosed conflicts of interest to determine their impact on impartiality.
3. **Mitigation:** If a conflict of interest or perceived conflict of interest is identified, Elevate will take appropriate measures to mitigate its impact. This may include reassigning responsibilities, recusal, or seeking an alternative impartial party.
4. **Documentation:** All identified conflicts of interest and their management actions will be documented in a central registry for transparency and accountability as set out in the Elevate Conflict of Interest Policy and Declaration Form.

Conflicts of Interest with Independent Appeals Panel Members:

- Elevate will work closely with external organisations (EPA Solutions and FAB) to ensure that panel members have no conflicts of interest or perceived conflicts of interest with Elevate, the apprentice, the apprentice's employer, or the training provider.
- Before the appointment of panel members, Elevate will confirm their impartiality through a comprehensive review of potential conflicts or perceived conflicts of interest.

Regular Audits and Policy Review

Elevate will conduct regular audits of its conflicts of interest management process to identify any areas for improvement. The Conflict of Interest Management procedures will be reviewed annually during the overall policy review to ensure alignment with legislative requirements and industry best practices.

By implementing these comprehensive conflict of interest management measures, Elevate aims to uphold the integrity and credibility of its Complaints and Appeals Policy, providing stakeholders with confidence in the fairness of the assessment process.

Process for addressing Complaints and Appeals

Complaint Process

Upon receiving a complaint, Elevate is dedicated to swift resolution. The process includes the following stages:

Submission of complaint:

To register a complaint about the Elevate service, please document your complaint in writing and forward it by email or post. Please provide as much information as possible about your complaint to enable us to investigate and review it.

Send complaints by:

Email: info@elevate-epa.co.uk

Post: 10 Harwood Avenue Tamerton Foliot Plymouth PL5 4NX

Acknowledgement

- Issue raised and acknowledgement: Elevate will confirm receipt of the complaint within three working days.
- Information gathered and reviewed: The complaint will be scrutinised, and a decision will be made regarding the appropriate course of action. This may involve:
- Investigate the complaint directly; this investigation will be carried out by the 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

Elevate will respond to the complainant within 28 days by email or post outlining any preventative or corrective measures to be taken.

Notification to 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 Elevate as an organisation), Elevate is required to escalate the matter to our regulator and IfATE.

Record Keeping:

The complaint will be documented within Elevates' internal systems for archival and analysis purposes. Complainants who are dissatisfied with the outcome may appeal against the decision using Elevates' Appeals Procedure.

Appeals Process

Appeals must be submitted by the training provider, with apprentices consulting their training provider to initiate an appeal. Employers should be in agreement with the decision to appeal.

Appeals can be submitted **within 18 calendar days** from the date of notification of the assessment decision being appealed. It is essential for apprentices to understand that an appeal constitutes an independent review, which may result in a grade or result being marked either up or down.

Appeals must be submitted through ACE360. To do so, access the Learner's record, click "Actions," and select "Submit Appeal." The system will guide you through providing details about the appeal, including any supporting information.

For a comprehensive guide on using ACE360, refer to the knowledge base available at the following link: [ACE360 Knowledge Base](#)

IMPORTANT: Any confidential information/attachments should be emailed directly to Elevate EPA's Quality Team: info@elevate-epa.co.uk. The appeal itself should still be lodged through the ACE360 platform as this pauses any ongoing certificate claim.

Reviewing an Appeal: Stage 1

Elevate will acknowledge receipt of an appeal within three working days. Initially, the appeal will be assessed by Elevate staff who:

- Have no personal interest in the appealed decision.
- Were not involved in the initial assessment decision.
- Possess the relevant competence to assess the appeal.

Following the review, the Managing Director or Quality Lead will communicate the decision to uphold the original assessment decision or amend it based on the appeal. Any revised mark or grade, as appropriate to the apprenticeship standard, will also be provided.

Elevate aims to provide a comprehensive response to the appeal within 28 working days, though some cases may require additional time. In such instances, all concerned parties will be informed of the anticipated timeframe.

If the apprentice and employer/provider remain unsatisfied 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.

The panel will include 2 or three competent members who:

- Have no personal interest in the appealed decision.
- Hold no conflicts of interest with Elevate, apprentice or training provider or employer.
- Possess the necessary competence to evaluate the appeal.

Elevate has identified two organisations that offer independent appeal panels as a service, EPA Solutions and the Federation of Awarding Bodies (FAB). Either of these services may be used 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 will be managed at a high level by either EPA Solutions or FAB and before proceeding we would ensure the proposed panel members have no conflict of interest with:

- Elevate
- 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 the Elevate Conflict of Interest Policy.

If the panel includes 2 members both must agree with the decision made. For panels with 3 members, a majority vote will be accepted. For this reason, panels with 3 members are preferred but appeals may progress with 2 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 the decision for or against the appellant.

Elevate will provide the assessment panel with all the assessment evidence. This includes written evidence (e.g. Written Submission) and recordings of live evidence (e.g. Professional Conversations or Practical Assessments) as well as Independent Assessors' written feedback and the Internal Quality Report/Moderation form (where available).

Elevate will check their processes are sound including, but not limited to, mechanisms for checking Independent Assessors' expertise, management of conflicts of interest and how they ensure confidentiality.

The independent panel will review all evidence related to the assessment and the stage 1 appeal. Subsequently, they will determine whether Elevate made the assessment decision fairly, appropriately, and consistently. The panel's decision will be communicated to all parties **within 28 working days**.

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

In cases where the appeal's outcome impacts Elevates' policies and procedures, appropriate reviews and updates will be implemented as necessary.

Monitoring of Appeals

Information about all appeals will be stored on Elevates' central electronic systems to enable Elevate to mitigate any future risks and we will:

- Review its policies and procedures
- Review its guidance materials ensuring information is clear on assessment requirements
- Review Independent Assessors' induction and training programmes
- Log all details of the appeal including any ongoing correspondence
- Create an action plan as necessary

- The Managing Director works closely with both the training provider and employer to mitigate future risk of misunderstanding
- The Quality Assurance Lead reviews and delivers standardisation activities for Independent Assessors
- The Quality Assurance Lead continues to monitor assessment areas where there is a risk of misunderstanding from either the Independent Assessor or apprentice

Fees for Appeals

Stage 1 appeals will incur a fee of £100 to cover administrative costs.

Stage 2 appeals will require an additional payment of £200.

If the appeal results in favour of the apprentice, no fees will be charged.

Policy Review

This policy was last updated in February 2024. It will undergo an annual review and be revised as needed in compliance with legislative requirements.