

- Leadership
- Skills
- Foundation

Appeals Policy



Appeals policy

The scope of this policy

This appeals policy relates the procedures that are in place for both of the following scenarios:

- A centre submitting an appeal against a decision made by the Leadership Skills Foundation.
- A learner/delegate submitting an appeal against an assessment decision directly to the Leadership Skills Foundation when the centre's internal appeals procedure has been exhausted or has not been followed correctly.

Areas covered by the policy

This policy covers appeals relating to:

- the Leadership Skills Foundation making a decision not to grant centre approval to deliver Leadership Skills Foundation qualifications;
- the outcome of quality assurance engagements performed on a centre by the Leadership Skills Foundation;
- the Leadership Skills Foundation declining a centre's request to make reasonable adjustments or give special considerations;
- the application of a sanction/action on a centre by the Leadership Skills Foundation resulting from a quality assurance engagement or an investigation into malpractice or maladministration;
- the Leadership Skills Foundation making a decision to amend a learner/delegate or set of learners'/delegates' results following a malpractice or maladministration investigation;
- a decision made by the Leadership Skills Foundation following an investigation into a complaint about a centre;
- incidents where the Leadership Skills Foundation have not followed policies and/or procedures properly, consistently and/or fairly;
- the Leadership Skills Foundation's response or decision following a formal complaint from a centre (this appeal would be accepted on completion of the Complaints Policy procedure);
- appeals from learners/delegates who have been through a centre's appeals policy and procedure and still holds concerns regarding the decisions made by the centre.

The responsibility of the centre

The centre should take all reasonable steps to ensure all centre staff involved in the management, administration, delivery, assessment and quality assurance of our qualifications are made aware of this policy and its contents.

In addition, the centre must have an internal appeals policy and associated procedures to manage appeals made by learners. Learners/delegates must be made aware of this internal appeals policy and how to access it should they wish to appeal against a decision taken by a centre.

If an individual wishes to appeal against a decision taken by a centre directly to the Leadership Skills Foundation, they must first go through the centre's appeals process before bringing the appeal to the Leadership Skills Foundation. In this case, the following procedures are followed.

Process for raising an appeal

Raising an appeal as a centre

All appeals must be made within **20 working days** of the date that the centre was informed of the decision they are appealing against (e.g. the date that a quality assurance outcome was communicated to the centre).

A representative from the centre must complete either the Appeal Form (Centre) through the Leadership Skills Foundation Centre Hub (available from December 2023) or by completing this [online form](#) if access to Centre Hub is not in place.

Raising an appeal as a learner to Leadership Skills Foundation

All appeals must be made within 20 working days of the date that the learner/delegate was informed of the appeal decision they are appealing against (e.g. the date that the centre completed an internal review of an appeal made by a learner).

Before raising an appeal to the Leadership Skills Foundation, a learner/delegate must have been supported through and exhausted the centre's appeal policy and procedure. Learners/delegates must provide evidence that they have first appealed to their centre and the outcome of that appeal.

For this reason, it is expected that learners/delegates will only appeal directly to the Leadership Skills Foundation in exceptional circumstances.

If a person appeals on behalf of a learner, written permission must be obtained from the learner/delegate concerned. If the learner/delegate is under 16 years of age the legal carer of the learner/delegate must sign their permission.

The learner, or the representative for the learner, must complete the [Appeal Form \(Learners/Delegates\)](#).

Information required within the appeal

To be able to process the appeal please provide the following in as much details as possible:

- Centre name and address.
- Contact details of the person making the appeal.
- Details of the learner(s) the appeal concerns (if appealing on the behalf of a learner).
- Date(s) the centre/learner/delegate were notified of a decision made by the Leadership Skills Foundation/the centre.
- The name of the qualification.
- The nature of the appeal.
- Any relevant supporting evidence.
- For a learner, details of the outcome of any internal appeals procedures carried out by the centre.

Fees

The Leadership Skills Foundation may charge a centre to cover administrative costs if the appeal is not upheld. If an appeal is successful, there will be no charge.

Situations brought to our attention by the regulatory authorities

Where a regulator notifies the Leadership Skills Foundation of failures that have been discovered in the assessment process of another awarding organisation the Leadership Skills Foundation will review whether or not a similar failure could affect our own assessment processes and arrangements. We will act to mitigate against possible adverse effects where required.

Stage 1: Leadership Skills Foundation review of the appeal

Appeal timeline

The Leadership Skills Foundation will acknowledge receipt of an appeal within five working days, identifying who will be reviewing the appeal.

A full response to the review of the appeal raised should be expected within 20 working days. Please note that in some cases the review processes may take longer, for example, if a centre engagement is required. In such instances, the Leadership Skills Foundation will contact all parties concerned to inform them of the likely revised timescale.

Performing the initial review of the appeal

A member of the Leadership Skills Foundation team will perform an initial informal review of the appeal to ensure the application is complete. The purpose of this is to resolve the appeal before taking it to a formal, independent review of the appeal.

More detail may be requested if there is information missing, incomplete or unclear from the appeal raised.

In all instances the Leadership Skills Foundation will ensure that the person carrying out this initial check will not have a conflict of interest in the decision being appealed. If there is a conflict of interest that cannot be mitigated against an independent review of the appeal may be initiated.

Outcomes following the review of an appeal

Following the initial review of the appeal, the Leadership Skills Foundation will communicate the outcome of the appeal to the appellant. The possible outcomes are:

1. The Leadership Skills Foundation amend the original decision in light of the new rationale/evidence being put forward through the appeal.
2. The Leadership Skills Foundation confirm the original decision and provide the rationale for this decision.
3. In relation to a learner's appeal against an assessment decision, confirm or amend the assessment decision made by the centre.
4. The Leadership Skills Foundation will progress the appeal to an independent review (i.e. stage 2), either through own decision or through a request by the appellant if the outcome of the initial review is not accepted by the appellant.

For all four outcomes the appellant is required to confirm, within 10 working days, that they accept the outcome or whether they would like to proceed to an independent review of the appeal.

Stage 2: Independent review of the appeal

If the decision is made to proceed to the independent review of the appeal, the Leadership Skills Foundation will arrange for an independent review to be carried out.

Performing the independent review

An independent review panel consisting of three people will complete the formal review of the appeal. This panel will include a member of the Leadership Skills Foundation Audit Risk and Compliance Committee (ARAC), a non-executive person (who is not an employee of ours or otherwise connected to our organisation) and a technical expert with experience appropriate to nature of the appeal. The panel members will also have the relevant competence to make a decision in relation to the appeal and will not have a personal interest in the decision being appealed.

The independent review panel will review all the evidence which took place in the above stages and review if the Leadership Skills Foundation have applied the procedures fairly, appropriately and consistently in line with this policy and other associated policies.

The independent review process may involve:

- a discussion with the appellant or the learner/delegate and a member of the independent review panel;
- a request for further information from the appellant, the learner/delegate or a member of the independent review panel;
- a centre visit by authorised a member of the independent review panel.

Outcomes to the independent review of the appeal

The independent review panel's decision is final in relation to how the Leadership Skills Foundation respond to the appeal. The Leadership Skills Foundation will let the appellant know the outcome of the review within 20 working days of start date of the internal review of the appeal.

The possible outcomes to an independent review are:

1. A request that the Leadership Skills Foundation amend their original decision in light of the new rationale/evidence being put forward through the appeal.
2. A confirmation of the Leadership Skills Foundation's original decision and provide the rationale for this.
3. In relation to a learner's appeal, request that the Leadership Skills Foundation confirm or amend the assessment decision made by the centre.

For all three outcomes the appellant is required to confirm, within 10 working days, that they accept the outcome of the independent review.

Stage 3: Review of the appeal by a regulator

If the centre/learner/delegate is still unhappy with the outcome at this stage, they are entitled to raise the matter with the relevant qualification regulator (i.e. Ofqual, CCEA, or Qualifications Wales).

The regulator is unable to overturn assessment decisions or academic judgements. They will investigate whether the policies and procedures have been carried out fairly and equitably and as outlined by the Leadership Skills Foundation.

Successful appeals and/or issues brought to our attention by the regulator

In situations where an appeal has been successful, or where an investigation following notification from the regulator indicates a failure in our processes, the Leadership Skills Foundation will give due consideration to the outcome and will as appropriate take actions such as:

- Amend the record and risk rating of the centre concerned.
- Identify any other learners/delegates who have been affected and correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure (e.g. amend the results for the learner(s) affected following an appropriate investigation).
- Review our associated processes and policies to ensure that the 'failure' does not occur again or mitigate the situation as far as possible if the failure that occurred cannot be corrected.

The Leadership Skills Foundation will also cooperate with any follow-up investigations required by the qualifications regulators and if appropriate agree any remedial action with them.

The responsible officer will update the Audit, Risk and Compliance Committee of the appeal and outcome in an appropriate timeframe.

Policy review arrangements

The Leadership Skills Foundation will review the policy as part of our self-evaluation arrangements and revise it as and when necessary in response to centre, learner/delegate and third party feedback or requests from, or good practice guidance issued by the regulatory authorities.

Contact us

If you would like to feedback any views, please contact the Leadership Skills Foundation via qa@leadershipskillsfoundation.org or in writing to Leadership Skills Foundation, Loughton Lodge, Bradwell Road, Milton Keynes, MK8 9LA.



■ Leadership
■ Skills
■ Foundation
Believe. Lead. Succeed.