

# Appeals for qualifications

Version 1.0

Last modified 4-January-2022

For external use

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# 1. Introduction

## 1.1. Purpose

City & Guilds aims to ensure that all of the following are fair, consistent and based on valid judgements:

- Marking of examinations and other externally marked assessments;
- Decisions regarding qualification (approval risk) status;
- Decisions concerning the withdrawal or suspension of centre/qualification approval;
- Decisions, penalties and sanctions resulting from a malpractice investigation; and
- Outcomes of applications for access arrangements or special consideration.

This document explains the process that centres (and in some cases candidates) need to go through where either wish to question a decision made relating to any of the above. The document also includes the fees associated with each stage of the process, a glossary of terms and points of contact at City & Guilds for Enquiries and Appeals.

By way of summary, there are three stages of enquiry or appeal depending on the nature of the relevant decision. These are:

- Enquiry – Stage 1
- Appeal – Stage 2
- Independent Appeals Board – Stage 3

This document covers both appeals and the Independent Appeals Board (stages 2 and 3). For Stage 1, please refer to the Enquiries about results for qualifications document.

## 1.2. Exceptions

- For the Extended Project and Technical qualifications please refer to the [JCQ Appeals booklet](#).
- For End-point assessment please refer to the [EPA Enquiries about results and appeals document](#).

All other City & Guilds qualifications are covered by this document, including those developed for international centres and the suite of leadership and management qualifications developed by ILM but now awarded by City & Guilds.

## 2. Overview of the appeals process

The purpose of an appeal is to identify if City & Guilds followed the correct processes, procedures and policies for any of the types of decisions listed below. The same process is followed for every type of appeal.

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*'Appellant' refers to the centre or individual who requests the appeal.*

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### 2.1. Types of Appeal

The decisions that can be appealed are as follows:

- outcome of an Enquiry about results,
- withdrawal or suspension of centre/qualification approval,
- malpractice - decision, penalty or sanction resulting from an investigation,
- outcome of an application for access arrangements or special consideration.

#### 2.1.1. Outcome of an Enquiry about results

The Enquiry about results process covers the following decisions:

- results for exams and other externally marked assessments,
- the ILM Assessment Service,
- sanctions following EQA activity.

Where a centre is not satisfied with the outcome of the Enquiry about results, they can appeal. An appeal does **not** involve:

- re-marking a candidate's work,
- a quality assurance activity by an EQA.

However, if the appeal is successful, City & Guilds will notify the appellant of any remedial action it deems appropriate which may include:

- reviewing a candidate's work or results,
- a quality assurance monitoring activity by an EQA.

### 2.1.2. Centre and qualification approval appeals

A centre **can** appeal the withdrawal or suspension of centre or qualification approval due to assessment and quality reasons.

A centre **cannot** appeal the following decisions:

- the outcome of an application for centre or qualification approval,
- the withdrawal or suspension of centre or qualification approval related to –
  - financial or legal reasons,
  - candidate numbers.

### 2.1.3. Appeals against the outcome of a malpractice investigation

When the malpractice investigation has been completed, City & Guilds will confirm whether malpractice has taken place and if it has, what penalties or sanctions shall be applied. Some examples are described below.

Decision against	Example of penalties and sanctions
centre	Withdrawal of approval for specific qualifications for a set period of time
centre staff	Suspension from involvement in City & Guilds' examinations and/or assessments for a set period of time
candidate	Disqualification from a unit or whole qualification

It is not possible to appeal the actual findings of a malpractice investigation, however an appeal can be made against the decision taken following the investigation. Only a centre can appeal a decision made due to a malpractice investigation where the malpractice arises from candidate actions. Former members of centre staff are also able to appeal a decision, if it is against them.

For more information on possible decisions, penalties or sanctions please see the City & Guilds document *Managing cases of suspected malpractice in examinations and assessments*, which is available from the City & Guilds website, [www.cityandguilds.com](http://www.cityandguilds.com)

### 2.1.4. Access arrangements and special consideration appeals

Access arrangements are agreed before an assessment. They allow a candidate with special educational needs, disabilities or temporary injuries to:

- access the assessment; and
- demonstrate their skills and knowledge without changing the demands of the assessment.

Special consideration is a post-examination adjustment to a candidate's mark to reflect temporary illness, temporary injury or other indisposition at the time of the assessment, which has had an effect on a candidate's ability to take that assessment.

If the centre has made an application for either access arrangements or special consideration and it has been rejected by City & Guilds, the centre can appeal this decision.

## 2.2. Who can appeal

Wherever possible, the centre should submit the appeal. In certain circumstances, we will accept appeals from candidates or former members centre staff. The table below describes any circumstances where we will accept applications from candidates or former members centre staff:

Type of Appeal	Who can appeal
Outcome of an Enquiry about results	<ul style="list-style-type: none"> <li>• centre</li> <li>• candidate with no centre to appeal on their behalf</li> </ul>
Withdrawal or suspension of centre/qualification approval	<ul style="list-style-type: none"> <li>• centre</li> <li>• former centre (where centre approval has been removed)</li> </ul>
Malpractice - decision, penalty or sanction resulting from an investigation	<ul style="list-style-type: none"> <li>• centre</li> <li>• former members of centre staff (if the decision is against them)</li> </ul>
Outcome of an application for access arrangements or special consideration	<ul style="list-style-type: none"> <li>• centre</li> </ul>

### 3. Appeals (Stage 2)

The appeal is usually a desk-based process and completed by City & Guilds, by people who were not involved in the original decision. They are not usually subject matter experts, but will be experts on all the relevant processes, procedures and policies. The same process is followed for every type of appeal.

#### 3.1. How to apply and timelines

The application **must** include the reasons for the appeal and details of specific instances where the appellant believes that City & Guilds did not follow the correct procedures in reaching the original decision. Additional supporting documents can be included with the application and must be clearly referenced.

For appeals following an Enquiry about results (Stage 1), the application must include details of how the appellant believes that City & Guilds did not follow the correct processes, procedures and policy documents during the Enquiry stage.

If the application does not include the required information, it will be returned to the appellant, with details of what information is missing. A deadline will be given for this information to be included. The appellant **must** respond fully within this deadline, or the appeal will not be reviewed.

Applications must be received by the deadline given below:

<b>Deadline for applications</b>	20 working days after of the date of the notification
<b>Acknowledgment</b>	2 working days after receipt of application
<b>Written outcome</b>	20 working days of the date of the acknowledgement

#### 3.2. Process

A manager (or a committee of managers) not involved in the original decision will review the application, supporting documents and any records relating to the original decision made by City & Guilds. All the information (including that provided by the appellant and records kept by City & Guilds) will be checked against the relevant procedures and policy documents to confirm the correct procedures have been followed.

### 3.3. Outcomes

After a review of the appeal there are two possible outcomes:

- The appeal is upheld because any one of the correct processes, procedures or policy documents were not followed. City & Guilds will send a letter of notification to the appellant which will include proposed remedial action (such as possible clarification of City & Guilds' procedures).
- The appeal is rejected because all of the correct processes, procedures and policy documents were followed. City & Guilds will send a letter of notification to the appellant which will include information about appealing to the Independent Appeals Board.

## 4. Independent Appeals Board (Stage 3)

The purpose of the Independent Appeal Board is to identify if City & Guilds followed the correct processes, procedures and policies for any of the types of activities below. The Board evaluates the evidence by holding a hearing.

The Independent Appeals Board exists to ensure that there is an independent avenue of appeal for when the appellant is not satisfied with the outcome following the Stage 2 Appeal. It is comprised of two members from the City & Guilds Quality and Standards Committee, and an additional independent representative from another awarding organisation.

The Independent Appeals Board is the final avenue of appeals for a candidate and/or a centre and its decisions are final.

### 4.1. How to apply and timelines

The application form for the Independent Appeals Board **must** contain clear reasoning as to:

- the reasons for which the appellant considers that City & Guilds did not follow the required procedures, and
- their rationale for escalating to this stage of appeal.

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*An appeal cannot progress to a hearing until the application form contains all the required information*

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If the application form does not include the required information, it will be returned to the appellant, with details of what information is missing. A deadline will be given for this



information to be included. The appellant **must** respond fully by this deadline, or the appeal will not be heard. Applications must be received by the deadline given below:

<b>Deadline for applications</b>	15 working days after the outcome of the appeal
<b>Acknowledgment</b>	2 working days after receipt of application
<b>Hearing</b>	45 working days from acknowledgement
<b>Written outcome</b>	5 working days after the hearing

## 4.2. Before the hearing

The clerk of the Quality and Standards Committee will review the application and ascertain whether there is enough information for the appeal to go to the Independent Appeals Board. The appellant will be notified in writing if further information is required.

If the appeal goes to the Independent Appeals Board, the clerk will send an acknowledgement letter upon receipt of the appeal and make arrangements for payment of the appropriate fee. The clerk will request full documentation of any actions taken in the case and any additional evidence from both parties. Once the confirmation of the appeal is received, there must be no further communication or correspondence between the appellant and City & Guilds regarding the appeal.

The Independent Appeals Board is not a court of law and appellants do not require legal representation. If either party wishes to be accompanied by a lawyer or representation, the other party and the Independent Appeals Board should be informed at least one week prior so that they too may have the opportunity to seek legal advice or representation. A hearing will then be arranged at the earliest convenient date.

## 4.3. Purpose of the hearing

When the Independent Appeals Board meets, it will consider the information provided by both parties and establish whether all processes, procedures and policy documents have been correctly followed. The Independent Appeals Board will draw upon the evidence from the Appeal (Stage 2) and will request any further information from the centre, candidate or City & Guilds staff as required.

The Independent Appeals Board will consider whether City & Guilds has followed the relevant processes, procedures and policy documents correctly and whether it has applied them properly and fairly in arriving at judgements. It will not:

- re-mark a candidate's work,
- re-instate /remove centre or qualification approval,
- change the registration/certification status for a qualification,
- change a decision/penalty/sanction imposed on a centre, member of centre staff or candidate following a malpractice investigation.

#### 4.4. Attending the hearing

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*The hearing may be held remotely, rather than in person, providing this is accessible to all participants.*

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The Independent Appeals Board requires personal representation from both parties in order to hear the appeal. It will require the name, status and/or the interest of the representatives and witnesses, who will attend the hearing. This is normally not more than three in all, per party.

The opportunity to question representatives from both parties is an important part of the Independent Appeals Board hearing and it is for this reason that they insist they be actually present at the hearing

#### 4.5. Outcome of the hearing

There are two possible outcomes of the hearing:

- If the Independent Appeals Board finds that the appropriate processes, procedures and policy documents have been followed and confirms the decision of the appeal, the appeal will be **rejected** and City & Guilds will notify the appellant.
- If the Independent Appeals Board finds that any one of the appropriate processes, procedures or policy documents has **not** been followed, the appeal will be **upheld**. The Independent Appeals Board will **recommend** appropriate actions to City & Guilds for its consideration. City & Guilds will notify the appellant.

The decision of the Independent Appeals Board is the final stage of the City & Guilds appeals process. If the appellant is not satisfied with the outcome of the appeal, they should contact the relevant regulator, information on how to do this will be included in the outcome letter. Please note: SQA Accreditation is unable to overturn assessment decisions or academic judgements.

## 5. Fees

A fee to cover administration costs will be charged at each stage of the process.

*If the Appeal identifies that City & Guilds made the wrong decision, there will be no charge.*

City & Guilds will invoice the centre for the correct fee. The full range of City & Guilds fees are listed below:

Stage 2 - Appeals	
Type	Fee
Appeal against a City & Guilds decision regarding an application for access arrangements or special consideration	<b>£25</b>
All other appeals	<b>£100</b>

Stage 3 – Independent Appeals Board	
Type	Fee
Appeal against a City & Guilds decision regarding an application for access arrangements or special consideration	<b>£25</b>
All other appeals	<b>£150</b>

For ILM fees, please refer to the [Centre charges list](#).

## 6. Glossary

<b>Appellant</b>	<p>An <i>appellant</i> is the person or organisation appealing against a City &amp; Guilds decision. The appellant could be -</p> <ul style="list-style-type: none"> <li>• a candidate,</li> <li>• a <i>centre</i> acting on behalf of a <i>candidate</i> seeking to appeal,</li> <li>• a centre or</li> <li>• a former centre.</li> </ul>
<b>Candidate</b>	<p>A <i>candidate</i> is an individual who is registered with City &amp; Guilds and working towards a full or part qualification at a <i>centre</i>.</p>
<b>Centre</b>	<p>A <i>centre</i> is an organisation approved by City &amp; Guilds to offer assessments leading to City &amp; Guilds qualifications.</p>
<b>Exam</b>	<p>An <i>exam</i> is any externally marked component of a qualification.</p>
<b>Moderation</b>	<p><i>Moderation</i> is a process for monitoring assessments marked by centres. It involves City &amp; Guilds re-marking a sample of candidates' work to establish whether the centre has applied the assessment criteria correctly.</p>
<b>Qualification Approval Risk status</b>	<p>A <i>qualification approval risk status</i> is a risk status (for each City &amp; Guilds qualification delivered by a UK centre) as determined by City &amp; Guilds as part of the post approval external quality assurance activities. This is based upon the centre's ability to meet the criteria outlined in <i>Our Quality Assurance Requirements</i>.</p>
<b>Qualification status</b>	<p>A <i>qualification status</i> (for each City &amp; Guilds qualification delivered by an International centre) is determined by City &amp; Guilds as part of the external verification process. This is based upon the centre's ability to meet the criteria outlined in the <i>International Centre Guide 4<sup>th</sup> Edition</i>.</p>
<b>Quality and Standards Committee</b>	<p>The <i>Quality and Standards Committee</i> is the independent committee appointed to oversee the standards and quality of City &amp; Guilds qualifications and assist in maintaining public confidence in the currency and credibility of City &amp; Guilds' assessments and qualifications.</p>
<b>Script</b>	<p>A candidate's written response to the examination.</p>
<b>Working day</b>	<p>A <i>working day</i> is any day other than Saturday or Sunday or a statutory holiday in the United Kingdom or the country of that centre.</p>

## Centre Document Library

The City & Guilds / ILM Centre document library can be found at [www.cityandguilds.com/delivering-our-qualifications/centre-development/centre-document-library](http://www.cityandguilds.com/delivering-our-qualifications/centre-development/centre-document-library)

This is a resource area designed for our centres and has practical guidance information to help you with every aspect of running our qualifications.

The guidance covers everything from initial approval and centre charges, malpractice, to learner exam administration, policies and procedures.

## Contact us

T: 01924 930 800

E: [centresupport@cityandguilds.com](mailto:centresupport@cityandguilds.com)

Lines open: Monday to Friday 08.00 to 18.00 GMT

## About City & Guilds

Founded in 1878 to develop the knowledge, skills, and behaviours needed to help businesses thrive, we offer a broad and imaginative range of products and services that help people achieve their potential through workbased learning.

We believe in a world where people and organisations have the confidence and capabilities to prosper, today and in the future. So we work with like-minded partners to develop the skills that industries demand across the world.

## City and Guilds Group

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