



Learner Appeals Policy

Most recent update: 15 September 2025

Purpose

The purpose of this document is to:

- ensure that decisions made by the Skills and Employment Service (S&E) are applied fairly, consistently and based on valid judgements
- outline the judgements or decisions made by S&E which can be appealed
- outline the procedure for appealing to S&E regarding an applicable decision or judgement
- outline the potential outcomes following S&E's review of an appeal
- support adherence to the conditions of recognition by the qualification and assessment regulators

Scope

This policy and procedure details how a learner registered on an accredited course can appeal against a judgement or decision made by the S&E. If a learner is unhappy with the outcome of their appeal after following this policy and procedure, they can seek further guidance via the relevant awarding body.

Policy

S&E aims to ensure that all of the decisions made by its staff and representatives are fair, consistent, based on valid judgements and are in line with the latest versions of S&E policies and procedures. The appeals policy and procedure allows for a learner to submit an appeal where they believe that S&E has not applied its policies or procedures properly, fairly or consistently. S&E cannot accept appeals from third parties, such as an employer or a relative of a learner or apprentice, unless there are exceptional circumstances. Under this policy, the nature of appeals S&E will accept includes, but may not be limited to, decisions or judgements regarding:

- the examination result of a learner
- the outcome of an End Point Assessment
- the outcome of a Centre-marked assessment
- the outcome of S&E scrutiny of a Centre-marked assessment
- an application for reasonable adjustment or special consideration
- validity of a S&E assessment
- application of a sanction, including centre withdrawal

If an individual wishes to appeal a decision made by S&E which is outside of the types above, the individual should contact S&E in the first instance for advice on whether an appeal can be heard. In the majority of cases, the S&E Feedback and Complaints Policy and Procedure will apply instead.

Appeal Reviewers

S&E offers a 2-stage appeals procedure. The first stage must be completed before progression to the second stage. The two stages are referred to as:



- Stage 1 Appeal. This is the first stage of the appeal process and will allow for S&E to conduct its own review of the appellant's case
- Stage 2 Independent Review. This stage allows for there to be an independent review of the appellant's case

At Stage 1 of the appeal procedure, S&E will ensure that the decision maker is an appropriate and competent individual who was not involved in the making of the original decision. At Stage 2 of the appeal procedure, the appeal will be heard by at least two individuals, which will include a S&E senior manager, and an independent person who is not an employee, Assessor or otherwise connected to S&E, outside of their role in reviewing the appeal. S&E will ensure that the individuals chosen to hear the Stage 2 Appeal have not been involved in the making of the original decision or involved in Stage 1 of the appeal procedure.

At both stages of the appeal procedure, S&E will carefully select its appeal reviewers to ensure that no decision regarding an appeal is made by an individual who has a personal interest in its outcome. This will be ensured and monitored through the S&E Conflict of Interest Policy and Procedure. It is at S&E's discretion to select and assign its appeal reviewers, which will be in line with this policy and procedure.

S&E is not responsible for any loss of income or any other monetary ramification that may occur for the appellant, or for their business, before, during or after the appeals procedure.

Stage 1 – Appeals Regarding an Examination or Assessment Result

To submit an appeal at Stage 1, the appellant must complete and submit document LPPRF15 Learner Appeal Form (available on [our website](#)) within 20 working days of the result being issued.

In submitting their appeal, the appellant must:

- state the reason(s) for their appeal
- be aware that their appeal may result in the result/grade being lowered (where applicable)
- provide the original certificate (where one has been issued) or a copy of the official notification of results from S&E
- provide a declaration to confirm the individual learner wishes to appeal

S&E will provide acknowledgement to the appellant within 5 working days of receipt of their appeal and at this point will confirm if it is in or out of scope. S&E will aim to respond to all appeals within 20 working days from its acknowledgement. However, there may be instances where this is not possible. Where timeframes are required to be extended by S&E, the appellant will be informed of the new timeframes by S&E via email.

There are three possible outcomes to the appeal regarding an examination or assessment result:

- The result is confirmed
- The result is upgraded, for example, from a fail to pass. S&E will amend its records and, where applicable, will issue any due certificates
- The result is downgraded. The revoking of a certificate will depend on the new result



If the original result is confirmed or downgraded, then the appellant may wish to progress their appeal to Stage 2. S&E will provide the appellant with instructions regarding appealing at Stage 2 in the correspondence from the outcome of Stage 1.

Separately from the appeals process, centres and training providers may request additional feedback from the Awarding Body on the outcome of a learner's assessment. S&E will discuss the options available regarding the provision of additional feedback from the Awarding Body directly and whether this is appropriate for the nature of the applicable assessment.

Stage 1 – All Other Appeals

Dependent on the circumstances regarding an appeal, S&E may be able to provide a potential appellant with clarification or evidence to support the decision being appealed. The provision of this information may negate the need for an appeal and therefore individuals should contact S&E in the first instance to see if the issue can be informally resolved. If the individual is still not satisfied, they can submit an appeal at Stage 1 to S&E.

Once received, S&E will review the appeal to determine whether it is in or out of scope. This decision will be based on whether:

- the grounds of the appeal are valid, relevant and reasonable, in line with this policy and procedure.
- there is evidence to suggest or demonstrate that S&E policies or procedures may not have been followed consistently and/or applied fairly.
- the appeal has been submitted in line with required timescales detailed within this policy and procedure.

Skills and Employment's Response

In all cases, S&E will acknowledge receipt of the appellant's appeal within 5 working days. At this point, S&E will confirm whether the appeal is in or out of scope. If an appeal is deemed not in scope, S&E will write to the appellant providing the reasons why it cannot be reviewed. Upon its acknowledgment of an appeal, S&E may request further information or supporting evidence to be supplied by the appellant. If this is the case, S&E will confirm this to the appellant and provide a deadline for the submission of the requested information. The appeal will not be considered by S&E until the required supporting evidence or information has been submitted.

If the information is not submitted within the deadline provided by S&E, the appeal will be automatically rejected. Once an appeal has been deemed in scope, S&E will assign the case to an internal appeal reviewer. The reviewer will complete a formal and evidence-based review of the appellant's case.

The review will consider:

- The evidence and records which were used and relied upon by the S&E representative in the making of the original decision
- The contents of the appeal itself, alongside its supporting evidence
- Current S&E policies and procedures
- Any relevant precedents or Regulator directives and guidance



- Any other evidence which may be relevant to reach a sound decision regarding the appellant's case

Stage 1 Appeal Outcome

S&E will aim to respond to all Stage 1 appeals within 20 working days from its acknowledgement. However there may be instances where this is not possible due to the circumstances regarding the appeal. Where timeframes are required to be extended by S&E, the appellant will be informed of the new timeframes by S&E via email.

In all cases where an appeal is reviewed, a decision letter will be provided to the appellant (via email), which will contain the appeal reviewer's decision, alongside written confirmation of how this decision was made. There are two possible outcomes to an appeal:

- The appeal is rejected - the original decision made by S&E will stand
- The appeal is upheld - S&E will review the findings to consider the best and most appropriate corrective action

If the appeal is rejected, the appellant may wish to progress their appeal to Stage 2.

S&E will provide the appellant with instructions regarding appealing at Stage 2 in the Stage 1 outcome letter.

Stage 2 – Independent Review

Stage 2 is only available to individuals who have exhausted Stage 1 of the appeal procedure. At Stage 2, appeals are reviewed by at least two individuals including a S&E senior manager and an independent person.

Stage 2 of the appeals process allows there to be independence for the appeal if the appellant is not satisfied with the outcome of Stage 1. All appeals at Stage 2 must be submitted to S&E on the appropriate Stage 2 appeals form within 10 working days of the appellant receiving the outcome of the Stage 1 appeal. In submitting their appeal, the appellant must:

- state the basis for their appeal, ensuring that they detail how they believe S&E did not make a fair or valid judgement, or did not follow its own policies and procedures, during the making of its original decision
- ensure that all documentary evidence to support their appeal is submitted at the same time as the appeal request. This documentary evidence will be provided to the Independent Panel to allow the appellant's case to be reviewed

The information and evidence provided by the appellant must only reference the decision being appealed. The appellant may wish to include references to the review at Stage 1 of the appeal and why they believe this did not satisfactorily address their case. Appeal applications which raise matters that are not relevant or are in addition to matters integral to the decision being appealed will not be considered.



S&E will provide acknowledgement to the appellant within 10 working days of receipt of their appeal. In its acknowledgment of the appeal S&E will confirm whether the appeal is in or out of scope. Once an appeal has been acknowledged by S&E, the appellant is not permitted to submit, provide or refer to any additional evidence, other than that which was provided at the time of the appeal submission, unless requests for additional evidence are made by S&E.

S&E's Response

If an appeal is deemed as in scope, S&E will begin to make arrangements for the Stage 2 appeal. The individuals hearing the Stage 2 appeal may request the submission of further evidence from either party if they have determined they require this to ensure the appeal is appropriately reviewed. The purpose of Stage 2 is to review and consider the evidence provided to establish whether S&E followed its own policies and procedures properly and fairly in the making of the original decision.

Stage 2 Appeal Outcome

S&E will confirm the outcome of the Stage 2 appeal in writing within 25 working days of its acknowledgement to the appellant. A rationale for the panel's decision will be provided. There are two possible outcomes:

- The appeal is rejected - The original decision made by S&E will stand
- The appeal is upheld - S&E will review the panel's findings to consider the best and most appropriate corrective action

Where the appeal is upheld, S&E will take due regard of the independent panel's decision and may:

- consider and implement measures for quality improvement
- amend its records and complete any necessary subsequent action, such as issue a corrected result

In all cases, the independent panel's decision is the final decision made by S&E regarding the appeal. Should the appellant not be satisfied with S&E's response to their appeal, they may wish to contact the relevant Awarding Body or the Qualification Regulators.

Reviewing Approach

Where the outcome of an appeal has identified a failure in S&E policy, procedure or system, S&E will review the failure to determine whether an adverse effect has occurred. Where this is the case, the relevant Regulator(s) will be informed. Under the direction of the Responsible Officer, S&E will identify, review and correct any other decision or judgement that may have occurred or been affected due to the identified failure of its policy, procedure or system. Where this is the case, S&E will contact affected organisations or individuals to inform them of the action being taken by S&E to mitigate the adverse effect.

S&E will also take all reasonable measures to implement changes and improvements to prevent a similar re-occurrence. Where weaknesses in its policies, procedures or systems are identified rather than failures, S&E will consider the implementation of quality improvement and strengthening



measures, where this is possible and appropriate. For this reason, the outcome of all appeals will be reported to the S&E Quality Assurance Committee in order for S&E's approach to be kept under review and for any 'lessons learned' exercises to be completed.

Document Control

All records in relation to any appeals made will be retained by the Skills and Employment Team for 3 academic years following the appeal.

This policy will be reviewed and updated where necessary to reflect updated legislation, customer feedback, improvements of operation and changes to the regulatory environment.

If you have any queries regarding the contents or the use of this policy, please email skillsandemployment@cheshirewestandchester.gov.uk