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Appeals Policy  
**QP08**

## Document History

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V1	January 2021	Initial Release	QP08
		Tracked on ISOtracker	

### Document History

Version: 2.0 – October 2025

Reason: Updated to reflect Ofsted Toolkit 2025, Ofqual Recognition 2025, ISO27001:2022, and Health & Safety 2025 requirements.

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# Appeals Policy

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## 1. Introduction

Qualitrain is committed to providing a high-quality learning experience for all its apprentices and undertakes to treat each apprentice fairly and consistently. Fairness to all employers and apprentices is central to this policy, and we are committed to quality assurance processes that are based on impartial, evidence-based judgments. However, all employers and apprentices are entitled to enquire about, or appeal against, assessment or other decisions.

## 2. Purpose

The purpose of this policy is to ensure that employers and apprentices know how to inquire about training/assessing, or lodge an appeal if they feel it is necessary. The policy is also intended for use by Qualitrain staff to ensure that all enquiries about results and appeals are dealt with consistently.

## 3. Definitions

Definition	Detail
Enquiries	Enquiries from an apprentice/employer who is not satisfied with any training/assessments being completed under Qualitrain
Appeal	<ul style="list-style-type: none"><li>• Appeal of the final grading decision awarded by Qualitrain</li><li>• Appeal of results on the basis that Qualitrain did not apply procedures consistently or that procedures were not followed correctly and fairly</li><li>• Appeals from an apprentice who is not satisfied with the outcome of the employer's internal appeals procedure</li><li>• Appeals from employers or apprentices relating to a Qualitrain decision to decline a request to make reasonable adjustments</li><li>• Appeal from employers that disagree with the outcome(s) from assessors</li><li>• Appeals from the employer or apprentices in relation to the outcome of an investigation into a report of malpractice and/or maladministration, including sanctions imposed</li><li>• Appeals from an employer or apprentice of bias or discrimination</li></ul>

## 4. Out of Scope for Appeal

The following **cannot** be appealed:

- Appeals submitted more than 30 working days after the key date
  - Dependent on the nature of the appeal, the key date may be the date at which an employer's internal appeals procedure concluded, or when a Qualitrain auditor reported their decision, or when a final grade decision was reached

- Events/activities that took place before Qualitrain received the employer selection letter and received the apprentice registration details
- Anything that should be dealt with under an employer's own disciplinary or grievance procedure
- Anything involving an awarding organisation of regulated qualifications that have been delivered as part of the apprenticeship (either mandatory or non-mandatory)
- Anything involving the apprenticeship on-programme delivery and activities.

## 5. The Process

Where an employer believes that either they or an apprentice has grounds for an enquiry or an appeal to Qualitrain, they should submit it in writing and addressed to Appeals, 32-46 King St, Alfreton DE55 7DQ or via email [info@qualitrain.co.uk](mailto:info@qualitrain.co.uk) with "Appeals" in the email header.

All initial reviews and/or appeals will be acknowledged within three working days. Employers and apprentices have 30 working days from the key date to appeal to Qualitrain.

Suppose an employer appeals on behalf of the apprentice. In that case, the employer must ensure that it has obtained the written permission of the apprentice(s) concerned, as results can go down as well as up as a result of an investigation; for example, a pass mark could be reduced to a fail mark.

When submitting an appeal, relevant supporting information must be supplied, such as:

- Employer name, address and contact details
- Apprentice's name and unique learner number
- Key date(s) the employer or the apprentice received notification of a decision
- Date an assessment took place
- Whether a remark or an administrative check is required
- Title of the apprenticeship affected
- A clear statement of the grounds for the enquiry and/or appeal i.e. full details of the nature of the appeal including any evidence that is relevant to the appeal and, where an employer internal appeal has taken place, the outcome of any investigation carried out relating to the issue and the documentation relating to that appeal (in the case of an assessment appeal, this may include the apprentice's work, records of assessment, internal quality assurance and the internal appeal)
- The appellant's name, position and signature

## 6. Enquiry Handling

When an apprentice's knowledge assessment results vary considerably from the results they expect, the apprentice may inquire about the assessment results to Qualitrain. An enquiry about results is a formal written request for a review of a knowledge assessment result.

An employer may enquire about a knowledge assessment result on behalf of one or more apprentices. Apprentices should discuss their case with their employer before submitting a request. It is only possible to request an enquiry for an assessment that Qualitrain marks.

A request can be made either for an administration check or for a re-mark. A fixed fee is charged for this service when a request is made. The fee is refunded if the outcome of the test or assessment is changed as a result of the enquiry.

## 7. Appeals Handling

Upon receipt of the appeal, the responsible officer (Qualitrain Operation Director) will convene a panel comprising two senior members of Qualitrain staff who are not involved in the circumstances surrounding the appeal and have no personal interest in the outcome of the review or appeal decision.

The panel will conduct an initial assessment to determine the potential appeal's suitability, ensuring the application falls within the policy's scope and that the issue can be resolved before a formal appeal is considered. A Qualitrain associate who is independent of the matter under review may provide specialist knowledge input to the panel. If the request falls within the scope of the policy, the appellant will be notified within five working days.

The panel will consider the evidence submitted and, if necessary, request that additional information be provided before reaching its conclusion. The panel will consider whether the required procedures were followed correctly and whether they were applied fairly, consistently and properly in arriving at judgements. The panel will recommend that the appeal be:

- Upheld; or
- Not upheld

The recommendation will be confirmed to the appellant within 10 working days.

If the review upholds the appeal, the apprentice or employer will be advised of any actions required to conclude matters, and any fees will be refunded

If the review does not uphold the appeal, the apprentice or employer will be told that they may make a formal appeal to the Independent Appeal Panel

## 8. Independent Appeals Procedure

If an appeal has not been upheld at the review stage, the appellant may request in writing that an appeal be passed to Qualitrain's Independent Appeal Panel for decision. The written request to Qualitrain's responsible officer (Qualitrain Operations Director) must be submitted within 10 working days of receiving notification of the review, remark, appeal, or administrative check decision.

The terms of reference for the Independent Appeal Panel are located at the rear of this policy in Appendix 2. All requests will be acknowledged within four working days of receipt.

Qualitrain's Independent Appeal Panel is made up of a member of the senior leadership team, a subject specialist who has not been involved in the original appeal and an independent person who is not

employed by Qualitrain or in any other way connected to the organisation that has the appropriate knowledge and skills to decide on the subject matter.

The panel will convene within 10 working days of receiving the request from the responsible officer. The panel will evaluate all the evidence submitted and decide if Qualitrain has applied the procedures fairly, appropriately and consistently in line with the policy and recommend either that the appeal is:

- Upheld; or
- Not upheld

The decision of the Independent Appeal Panel is final. All decisions will be communicated to the Chair of the Governing Board.

## 9. Notification of Outcome of Appeal

The apprentice or employer will receive formal notification of the outcome within 20 working days of the start of the independent appeal process:

- If the appeal is upheld, the apprentice or employer will be told of any actions required to conclude matters, and fees will be refunded
- If the appeal is not upheld, the apprentice or employer will be given the reasons in a report
- The employer will be notified of any subsequent actions

All initial reviews, appeals and subsequent outcomes are reported to Qualitrain Governing Body. The appeal and its outcome will be used to inform our self-assessment and self-evaluation activities, and will feed back into our development and review process where necessary.

## 10. Safeguarding and Inclusion

Qualitrain recognises safeguarding and inclusion as core principles in all training and assessment activities. <-- Added as part of 2025 policy update.

This policy aligns with the Ofsted 2025 inspection framework, ensuring appeals processes are inclusive, accessible, and uphold the safeguarding of all learners. <-- Added as part of 2025 policy update.

Safeguarding Appeals: Appeals related to perceived failures in safeguarding practices or inclusive support for learners with SEND or other vulnerabilities. <-- Added as part of 2025 policy update.

## 11. Data Protection and Security

All appeals and associated documentation are handled in accordance with ISO/IEC 27001:2022 standards. <-- Added as part of 2025 policy update.

Secure storage of appeal records for a minimum of 3 years. <-- Added as part of 2025 policy update.

Controlled access to sensitive learner data and use of encrypted communication channels for appeal submissions. <-- Added as part of 2025 policy update.

Panel members must complete annual data protection training and sign confidentiality agreements that align with ISO 27001 controls. <-- Added as part of 2025 policy update.

## **12. Health and Safety Compliance**

Appeals related to health and safety incidents, including unsafe learning environments, must be flagged as 'Health & Safety Appeals' and prioritised for review. <-- Added as part of 2025 policy update.

The panel will include a Health & Safety representative when appeals involve physical or psychological safety concerns. <-- Added as part of 2025 policy update.

All decisions will be made with consideration for compliance with the 2025 Health and Safety Regulations, including mental health protections and risks associated with hybrid work arrangements. <-- Added as part of 2025 policy update.

## **13. Digital Accessibility and Hybrid Learning**

Qualitrain ensures that all appeals processes are accessible to remote learners. <-- Added as part of 2025 policy update.

Digital submission portals are compliant with accessibility standards and support learners with assistive technologies. <-- Added as part of 2025 policy update.

## **14. Recommendations and Continuous Improvement**

Conduct annual reviews of the appeals process to align with evolving regulatory frameworks. <-- Added as part of 2025 policy update.

Include learner feedback in evaluations of the appeal process. <-- Added as part of 2025 policy update.

Implement anonymised case studies into staff training to improve consistency and fairness. <-- Added as part of 2025 policy update.

Maintain a log of appeal outcomes to inform self-assessment and quality improvement planning. <-- Added as part of 2025 policy update.

## Appendix 1 - Independent Appeals Panel Terms of Reference

Qualitrain Independent Appeals Panel shall consider and determine appeals submitted to it by those wishing to challenge a decision or decisions reached during the appeals process.

### *Composition*

Qualitrain Independent Appeals Panel is made up of a member of the senior leadership team, a subject specialist who has not been involved in the original appeal and an independent person who is not employed by Qualitrain, or in any other way connected to the organisation that has the appropriate knowledge and skills to decide on the subject matter. A member of the Qualitrain administrative team shall be present at each meeting of the panel to take notes, but shall not be involved in the appeal proceedings.

### *Proceedings of Meetings*

The panel may appoint advisers to provide advice at the meeting, but they will not be involved in the decision-making process of the appeal outcome.

The panel shall convene when necessary to ensure that appeals are heard promptly. This will usually be within 10 working days of the appeal being received by the Qualitrain Operations Director.

At each meeting of the panel, all members must be present for the proceedings to be valid, except in the event of exceptional circumstances outside the control of the panel or any member. The panel will review the original appeal decision and any further evidence provided by the appellant as part of their request for an appeal to ensure that procedures were applied consistently, correctly and fairly.

The panel may request additional information from the assessor/learner, arrange discussions with centre staff and/or visit the centre if necessary.

The Chair may, at their discretion, adjourn or suspend proceedings for any such period as the Chair deems reasonable if the additional information is not readily available or arrangements need to be made to visit a centre.

The Chair of the panel will notify the appellant, in writing, of the panel's decision within 20 working days, and the Chair of the governing body.

All notes of the proceedings shall be evidence of the appeal and must be kept securely in Qualitrain's electronic information management system for a minimum of 3 years.