

End-point Assessment Enquiries and Appeals

Version 2.1
May 2021

This is version 2.1 of the guidance on enquiries about results and appeals for end-point assessment only. It is the customer’s responsibility to ensure that all of its staff involved in the provision of end-point assessments, familiarise themselves with this version of the document.

This document is subject to revision on an annual basis and is maintained electronically. Changes may also occur where External Quality Assurance bodies, or the Institute for Apprenticeships and Technical Education requires us to change this policy to comply with their requirements or to align with best practice guidance.

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Change history (v2.1, May 2021)

Section	Change
1.2 Scope	Removal of ‘outcomes of applications for access arrangements or special consideration’. Added statement to signpost to the appeals process for e-volves test. These enquiries are managed via Policy Team (policy@cityandguilds.com)
1.3 Feedback	This service is no longer available.
2.1.6 EPA enquiry application form	Inclusion of instruction on how to obtain apprentice consent to submit an EAR application on their behalf.
3.2 Fees table	Removal of formal feedback charge
Last page	Update to City & Guilds telephone number, address and copyright date.

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1 Introduction

1.1 End-Point Assessment (EPA) Service

City & Guilds and ILM are End-point Assessment Organisations (EPAO) approved by the ESFA and listed on the Register of End-Point Assessment Organisations (RoEPAO). Both offer an independent End-point Assessment Service to administer a range of end-point assessments (EPA) to apprentices, as specified in the relevant assessment plan.

Definitions

Please see Section 5 for definitions used in this policy. For the purpose of this document, where 'City & Guilds' is stated, this includes ILM.

1.2 Scope

Our EPA Service aims to ensure that all of the following decisions are fair, consistent and based on valid judgements:

- assessment results*, and
- penalties resulting from an EPA malpractice investigation.

This document describes the enquiries and appeals process for the EPA Service. It covers the aspects of the process that are common across all EPAs offered.

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

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

Stage 1 is only available for assessment results.

Any enquiry/appeal on behalf of an apprentice must be discussed with the apprentice(s) before it is submitted, as grades/results can go down as well as up, as a result of an enquiry/appeal. Customers should request written permission from the apprentice and provide this as part of the supporting information.

*Customers who wish to submit an enquiry regarding an e-evolve test (e.g. knowledge test) should refer to the City & Guilds appeals process, via the [Centre Document Library](#).

2 The stages explained

2.1 Stage 1 - Enquiries about results

2.1.1 Purpose

EPA enquiries give an apprentice and the customer an opportunity to question the outcome of the apprentice's assessments if they believe it was inaccurate.

It is a desk-based process which involves someone not involved in the original decision reviewing the assessment decisions and correcting any errors that are identified.

2.1.2 Restrictions

Each apprenticeship has its own assessment plan which determines the range of assessment methods and grading. There may be grades for individual assessment components or the apprentice may only receive one overall grade. An EPA enquiry can be made for any assessment component where the apprentice receives a specific result for that component.

2.1.3 Process for an EPA enquiry

The process will vary depending on the assessment method used, for example:

- for portfolios, City & Guilds will reassess all the evidence,
- for observations, presentations, interviews or professional discussions, City & Guilds will review the documents and recordings completed by the Independent End-point Assessor (IEPA).

Special consideration cannot be applied as part of the EPA enquiry, even if the apprentice experienced a disruption during the assessment that was beyond their control. More information on [access arrangements and special consideration](#) is available on the City & Guilds website.

2.1.4 Outcomes

There are three possible outcomes to an EPA enquiry:

- The result is **upgraded** (e.g. the grade is changed from 'fail' to 'pass'). City & Guilds will amend its records and, if applicable, City & Guilds will also inform the ESFA.
- The result is **confirmed**. City & Guilds will also provide feedback on the apprentice's performance.
- The result is **downgraded** (e.g. the grade is changed from 'pass' to 'fail').

The EPA Quality Delivery team will send a notification with details of the outcome to the customer.

If the result is confirmed or downgraded, the notification will include information on how to appeal (Stage 2).

2.1.5 How to apply for Stage 1 EPA enquiry

It is only possible to request an EPA enquiry for an assessment that is marked by City & Guilds.

The apprentice should request that the customer makes an EPA enquiry on their behalf to the EPA Quality team. The customer must:

- **obtain the consent** of the apprentice before making an application on their behalf; and
- make the apprentice **aware** that their grade(s) could be lowered as a result of the EPA enquiry, as well as increased.

2.1.6 EPA enquiry application form

Regardless of the apprenticeship standard (whether a City & Guilds or ILM product) you will only need to complete one form. The EPA enquiry application **form** is available from the City & Guilds website.

We are unable to accept the qualification enquiry application form, so please ensure that the correct form is submitted to avoid delays to the process.

To confirm the apprentice's consent, where possible, please ensure they sign the declaration section in person. As typed signature is not accepted as apprentice consent, therefore, we will accept an email from them in the following format:

"I, <apprentice name>, confirm that I would like to submit a stage 1 enquiry application in respect of my <EPA standard (EPA product code)> EPA. I understand that by requesting this enquiry, my grade may be lower than, higher than or the same grade as originally awarded."*
e.g. *Team Leader (9308-12)

2.1.7 Deadline for EPA stage 1 applications

Enquiries should be requested **20 working days** after the result date.

This is the date the result is confirmed by City & Guilds, as displayed on the Walled Garden. It is **not** the date of the EPA.

2.1.8 Timelines

An acknowledgement will be sent on receipt of a fully completed stage 1 enquiry application form (including signatures from all parties) and will include when to expect the outcome of the EPA enquiry.

Every effort will be made to resolve enquiries quickly and efficiently in accordance with the timelines listed below. However, these may be subject to change where the EPA enquiry may be complex, and/or an independent person is not available. When this occurs, then we will advise of the reason(s) why and the new timescale.

Acknowledgment	3 working days after receipt of application
Written outcome	32 working days of the date of the acknowledgement

2.2 Stage 2 – appeals

2.2.1 Purpose

The purpose of an EPA appeal is to identify if the correct processes, procedures and policies were followed, for any of the types of activities below. 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.

2.2.2 Decisions that can be appealed

It is possible to appeal the outcome of an EPA enquiry, or one of the other decisions listed below:

Type	Details
Outcome of an EPA enquiry	An appeal reviews the outcome of the enquiry. It does not involve re-assessing an apprentice's work.
Malpractice	An appeal can be made against any decision, penalty or sanction made following the investigation. For example, the apprentice may be disqualified from an assessment. It is not possible to appeal the findings of a malpractice investigation.
Access arrangements	If City & Guilds has declined an application, it is possible to appeal this decision. This can be done before the assessment takes place.
Special consideration	If City & Guilds has declined an application, it is possible to appeal this decision.

2.2.3 How to apply

For this section 'appellant' refers to the individual who requests the appeal.

The application form **must** include the reasons for the appeal and details of specific instances where the appellant believes that correct procedures were not followed in reaching the original decision. Additional supporting documents can be included with the application, however, must be clearly referenced.

For appeals following a stage 1 EPA enquiry, the application form must include details of how the appellant believes that the EPA Quality team did not follow the correct processes, procedures and policy documents during the enquiry stage.

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 within this deadline or the appeal will not be heard.

2.2.4 Timeline

Deadline for applications	20 working days after of the date of notification of the decision
Acknowledgment	2 working days after receipt of completed application
Written outcome	25 working days from the date of the acknowledgement

2.2.5 Process

A City & Guilds 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.

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.

2.2.6 Outcome

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 procedures or remarking an apprentice's work).
- 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 (Stage 3).

2.3 Stage 3 - Independent appeals board

2.3.1 Purpose

The purpose of the Independent Appeal Board is to identify whether City & Guilds followed the correct processes, procedures and policies for any of the types of activities below. The Board will include at least one person who is independent of City & Guilds. 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 instances where 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.

The Independent Appeals Board is the final avenue of and its decisions are final.

2.3.2 Types of appeal

The appeals process covers the following decisions:

- outcome of an enquiry about assessment results,
- a decision, penalty or sanction resulting from a malpractice investigation,
- access arrangements and special consideration.

2.3.3 How to apply

For this section 'appellant' refers to the individual who requests the appeal.

The application form for the Independent Appeals Board must contain clear reasoning as to why the appellant considers that City & Guilds did not follow the required procedures and their rationale for escalating their case to this stage of appeal.

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 within this deadline or the appeal will not be heard.

2.3.4 Timeline

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

2.3.5 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 arrangements for payment of the appropriate fee (by invoice or cheque). 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, 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.

2.3.6 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 Stage 2 Appeal and will request any further information from the appellant 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:

- reassess an apprentice's work,
- change a decision/penalty imposed on an apprentice.

2.3.7 Attending the hearing

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

2.3.8 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 have **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. For some apprenticeships it may be possible to complain or appeal to another organisation, for more information refer to the relevant apprenticeship assessment plan.

2.3.9 Successful appeals

Where an appeal has been successful, or where a review following notification from an External Quality Assurance body (EQAO), or the Institute for Apprenticeships and Technical Education (IfATE) indicates a failure in our processes, we will give due consideration to the outcome and will as appropriate take actions such as:

- notify the EQAO, or IfATE if an adverse effect has occurred, or could have occurred;
- amend the record of the apprentice concerned,
- identify any other apprentices who have been affected and amend the results for those apprentice(s) affected following an appropriate investigation;
- correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure; and
- review and amend its relevant processes and policies to ensure that the failure does not occur again.

We will also co-operate with any follow-up investigations required by the EQAO, and if appropriate, agree any remedial action with them.

3 Fees and contact details

3.1 Fees

A fee to cover administration costs will be charged.

The customer will be invoiced for the correct fee. Where the outcome of the enquiry or appeal is in favour of the customer, there will be no charge.

3.2 Fees table

Stage 1	Enquiry	The re-assessment of one or more assessment components, subject to the standard.	£300 per apprentice
Stage 2	Appeal	Appeal against a City & Guilds decision regarding an application for access arrangements or special consideration.	£25 per apprentice
		All other appeals.	£100 per apprentice
Stage 3	Independent Appeals Board	Appeal against a City & Guilds decision regarding an application for access arrangements or special consideration.	£25 per apprentice
		All other appeals.	£150 per apprentice

4. Contact details

Enquiries (stage 1)	Email: EPA.quality@cityandguilds.com
Appeals (City & Guilds and ILM) (stages 2 and 3)	Email: policy@cityandguilds.com Telephone: (0)20 7294 2772

5 Glossary

Access arrangements	An <i>access arrangement</i> is an adjustment agreed before the assessment. They allow an apprentice with special educational needs, a disability or injury to access the assessment and demonstrate their skills and knowledge without changing the demands of the assessment.
Appellant	An <i>appellant</i> is the person or organisation appealing against a decision. The appellant is usually a customer.
Apprentice	An <i>apprentice</i> is an individual who is registered with City & Guilds and entered for EPA by a customer as part of an apprenticeship.
Assessment	An <i>assessment</i> refers to any component of the required EPA for an apprenticeship.
Customer	A <i>customer</i> is the organisation that makes the reservation request or booking for the EPA with the EPA Service. It could be a City & Guilds centre, employer or provider.
Quality and Standards Committee	The <i>Quality and Standards Committee</i> is the independent committee appointed to oversee the standards and quality of City & Guilds qualifications and assist in maintaining public confidence in the currency and credibility of City & Guilds' assessments and qualifications.
Special consideration	<i>Special consideration</i> is a post-assessment adjustment to an apprentice's mark to reflect temporary illness, injury or other indisposition at the time of the assessment, which has had an effect on an apprentice's ability to complete that assessment.
Working day	A <i>working day</i> is any day other than Saturday or Sunday or a statutory holiday in the United Kingdom.

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