



REAL First Aid Ltd

APPEALS POLICY

May 2011

Introduction

This document sets out the process required for all Real First Aid Ltd students wishing to appeal against an examination award.

This policy is available at www.realfirstaid.co.uk/policy/appeals.pdf

Contained within this policy is the following information, which students should ensure they have fully read before submitting an appeal:

- 1.** Grounds for Appeal
- 2.** Submitting an Appeal
- 3.** Stage One
- 4.** Stage Two
- 5.** Stage Three
- 6.** Overview of Roles & Responsibilities
- 7.** Timescales
- 8.** Costs

If you feel you cannot appeal on the grounds listed within this policy, you may request a copy of your Mark Sheet, or you can request feedback on your performance. Please write to: The Director, Real First Aid Ltd, The Old Post Office, Herbrandston, Pembrokeshire, Wales, SA73 3TD

1. Grounds for Appeal

Students must be able to provide clear evidence that the decision against which they are appealing meets at least one of the following criteria:

- The decision was biased or discriminatory.
- Relevant information received by stated deadlines had not been taken into consideration.
- Substantial procedural irregularity.

It is the responsibility of the student to provide Real First Aid Ltd with clear evidence

that one of the grounds listed above is valid.

Students considering an appeal should take note of the following:

- Disagreement with the judgement of examiners does not give grounds for appeal.
- Appeals will only be accepted on the grounds listed above and no other grounds will be considered.
- When appealing on the grounds of circumstances relating to events prior to the examination, Real First Aid Ltd must have been informed in writing prior to the examination. Please see the current version of Real First Aid Ltd's Examination Regulations for more information which is available on the Real First Aid Ltd website.

www.realfirstaid.co.uk/policy/examinations.pdf

- When appealing on the grounds of circumstances relating to events during the examination, the events must have been brought to the invigilator's attention during the examination. Students must also notify Real First Aid Ltd within 5 working days of the date of the examination of any issues which may have affected their exam performance.

2. Submitting an appeal

Please complete the Appeals form and post by the deadline to:

The Director
Real First Aid Ltd
The Old Post Office
Herbrandston
Pembrokeshire
Wales
SA73 3TD

Only cases brought to the attention of Real First Aid Ltd as required within the guidelines of this policy will be considered eligible for appeal. Real First Aid Ltd will

acknowledge receipt of the appeal within 5 working days.

3. Stage One

Once an application for appeal has been received and acknowledged by Real First Aid Ltd the appeal and all supporting documentation and/or information is handled by the Director.

An independent Assessor will undertake a full investigation into the grounds for appeal. This could include, but may be not restricted to, interviews with the following people:

- The Appellant
- The Appellants Employer
- The Examiner
- The Moderator
- The Invigilator
- Real First Aid Ltd staff members
- Any member of the Examination Panel
- Any external 3rd party deemed appropriate

Once the investigation has been completed, the Director will document all findings, and notification will be sent to the appellant with a decision on their appeal.

3.1 Appeal Upheld

If the decision of the Director finds in favour of the appellant, the appellant will be notified in writing. The findings and of any subsequent recommendation* will be recorded and reviewed.

*Please note that upholding an appeal does not automatically ensure a reversal of the original assessment decision.

3.2 Appeal Rejected

If the decision of the Director is to reject the appeal, the appellant will be notified in writing.

At this point, an appellant can request an independent external assessment of the Stage 1 process – this is known as Stage 2

4. Stage Two

All appellants have the right to appeal against any Stage One decision given by Real First Aid Ltd. If a student decides to request a Stage Two assessment, the Director should be notified within the stipulated timescales.

Stage Two will involve a full assessment of the process undertaken during the Stage One investigation. This could involve, but may be not restricted to, interviews with the following people:

- The Appellant
- The Director
- The Appellants Employer
- The Examiner
- The Moderator
- The Invigilator
- Real First Aid Ltd staff members
- Any member of the Examination Panel
- Any external 3rd party deemed appropriate

Once the investigation has been completed all findings will be documented and the Director will inform the appellant in writing, enclosing copies of all relevant documentation.

4.1 Stage One Decision Upheld

If the findings of the Stage Two review concur with the decision of Stage One, the appellant will be notified of the final outcome of their appeal. If the Stage Two review ratifies the decision made at Stage One, there is no option for any further appeal.

4.2 Stage One Decision Rejected

If the finding of the Stage Two review conflicts with the decision of Stage One, and the independent assessment believes Real First Aid Ltd to be negligent or if the Stage One process was not fair or transparent, the appellant will be notified and may then request the process moves to Stage Three. This request must be received by Real First Aid Ltd within 5 working days of the notification date of the Stage 2 decision.

5. Stage Three

A student can only continue to Stage Three of the appeals process if the findings of Stage Three indicate that the process followed at Stage One was not fair and transparent, or that Real First Aid Ltd were in some way negligent in its approach.

The Stage 3 appeal will be by way of a full hearing:

The student must keep in mind that Stage Three of the appeals process is not a continuation of original appeal. It is an appeal against the outcome of Stage One, based on independent findings at Stage Two, where the assessor cites that the Stage One process was not fair and transparent or Real First Aid Ltd was negligent.

All papers, together with the student's reasons for appealing to the Appeals Review Panel, will be made available to Panel members.

The appeals hearing may be virtual and the Panel may interact by either a conference call or on-line, or any similar technology that allow for synchronous interaction.

There is no standard format or requirement for additional information to be placed before the Panel, but any such additional information should be submitted at least seven days before the date fixed for the Panel hearing.

The Panel will consist of members not permanently or currently temporarily employed by Real First Aid Ltd. The panel may include, for example

- An independent Assessor for the course or similar course
- An independent Trainer for the course or similar course
- A representative from an independent training organisation
- An independent Secretary fro the Appeals Review Panel

The student has the right to attend the Panel hearing and to bring witnesses, and to ask someone to speak on their behalf. The student may, if required, request the attendance of an interpreter, if they do not fully understand or speak English.

The student will be responsible for making their own arrangements for the appeals hearing, including travel and accommodation arrangements, arranging with witnesses, arranging for interpreters, and so forth.

The Appeals Review Panel Secretary will present the background to the Panel. The Director of Real First Aid Ltd and the student will both be given the opportunity to present their case, ask questions of each other and to ask questions of the Secretary to the Appeals Review Panel and, in the case of externally assessed training courses, external assessor.

Students cannot appeal against a Stage Three decision.

The nominated Chairman of the Appeals Review Panel will determine the precise procedure for each appeal hearing; members of the Panel may ask questions of those in attendance.

The Panel will reach a decision, set out a statement of reasons and advise the student of the outcome by post.

6. Overview of the Roles and Responsibilities

6.1 Student

Students should discuss their appeal with Real First Aid Ltd prior to submitting the required documentation to ensure all the criteria and requirements are met.

Only the student can be engaged in the process, and employers or third parties cannot act on behalf of the student.

Although students may enrol for an examination while the appeals process is ongoing, they may not sit an examination until a final outcome on their appeal has been reached.

Nowhere within the appeals process may a student consult with legal practitioners, except after a Stage Three decision has been reached.

Students are expected to present a clear, concise and convincing case to Real First Aid Ltd before the Stage One assessment.

All information relevant to the appeal must be provided at the beginning of the process as new information and evidence cannot be included later in the process.

Students may only appeal on at least one of the grounds listed (see Grounds for Appeal) and all evidence presented should clearly relate to the appeal.

Students will be responsible for all costs incurred and will only be refunded (at the discretion of the Appeals Review Panel) if the Stage Three appeal is upheld.

6.2 Our Responsibilities

Real First Aid Ltd will act independently and objectively and will:

- Carry out an initial administrative check to ensure that the assessment result has been recorded properly.
- Carry out a marking check, if the appeal is on these grounds.
- Check in the case of external assessments whether account of extenuating circumstances has been taken by the assessor.
- Confirm the criteria for an appeal has been met, and notify the student of Stage 1 commencement
- Confirm the criteria for an appeal has not been met, and notify the student of the failure to meet the criteria
- Forward all approved Stage 1 appeals to the Director.

6.3 Director

The Director will act independently and objectively and will:

- Fully investigate all Stage One appeals
- Ensure that the process is fair, open and transparent
- Ensure the appellant is notified of all decisions made, or any changes to the agreed timescales
- Submit all evidence from the Stage One review to the independent external assessor during the Stage Two review
- Represent Real First Aid Ltd at the Stage Three Appeals hearing

6.4 Independent Assessor

The Independent Assessor appointed to undertake Stage Two will ensure an impartial assessment is undertaken of the Stage One decision. It is the role of the assessor to report all findings of the Stage Two review, and any recommendations, to Real First Aid Ltd in a prompt and appropriate manner. The assessor may be required to give evidence during the Stage Two Appeals hearing.

6.5 The Chair of the Appeals Review Panel

The Chair of the Appeals Review Panel may ratify the Stage One process, including any recommendation made by the Director.

7. Timescales

All appeals must be received within 10 working days of the publication or notification of the examination result.

The receipt of an accepted appeal will be acknowledged within 5 working days.

A notification of failure to meet the required criteria for an appeal will be acknowledged within 5 working days.

At Stage One, a decision on the appeal by the Director will be reached within 15 working days. In more complex cases, the timescale may be extended. Students will be kept informed of any changes to the expected timetable.

A Stage Two appeal must be received by the Director within 5 working days after the notification date of the Stage 1 decision.

A Stage Two appeal will be assessed by an independent assessor; notification of the decision will be sent to the appellant within 25 working days of the receipt of the Stage Two appeal.

A Stage Three appeal will be heard, where possible, within 30 days after a Stage Two decision. This may be extended at the discretion of the Chairman of the Appeals Review Panel.

Students will receive notification of the Appeals Review Panel decision will be made within 10 days of the hearing.

Please note that Real First Aid Ltd reserve the right to amend any of the stated timescales, within reason, and subject to the complexity of an appeal, or the

availability of suitable independent external assessors. Students will be kept informed of all revision schedule changes and the reasons for the changes.

8. Costs

There is no cost for an appeal against an examination result. The cost of Stage Three Appeals Review Panel is £500.00 to remunerate the independent members of the Panel.

An appeal will not be accepted without the correct fee.

Students will not be refunded for unsuccessful appeals.

If the appeal is successful students may receive, if requested, the reimbursement of reasonable incidental costs incurred. The Appeals Review Panel will determine such costs.

An application for costs may include reasonable travel and subsistence expenses, but cannot include legal or other professional fees.