

Chartered Banker

GUIDANCE ON THE CHARTERED BANKER INSTITUTE'S PROCESS FOR ASSESSMENT APPEALS

January 2020

Version 2.0

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1. Introduction

This guidance sets out the processes for a student ('the appellant') complaining about circumstances relating to their examination conditions, or appealing against results awarded by the Chartered Banker Institute in certain circumstances. The Institute accepts these in relation to three areas of their work. These are:

- **Incidents** – these are situations where a complaint is made as a result of an event / incident occurring **at the time of their examination**.
- **Appeals against results** – these relate to the marking and verification process, where it is believed that a material error has occurred, **after the examination (or assignment submission) itself** and once the result has been received and any re-checks carried out e.g. clerical re-checks or reviews of marking.
- **Appeals against decisions made in respect of reasonable adjustments.**

The guidance devotes a separate section to each of these types of appeal. As there is a degree of similarity between the three areas and the mechanism, there is some repetition in the guidance which is inevitable.

2. Appeals / complaints which are classed as Incidents

This is where the appellant complains as a result of an event occurring at the time of their examination.

The appellant should submit an application using the form on **page 8** within 3 working days of the examination date. The appellant should also raise concerns at the time of the incident with the invigilator (if applicable), as per guidance in the Rules and Regulations.

The appellant must set out as clearly and concisely as possible the grounds for the complaint and must include any further evidence relevant to supporting the complaint.

When an application for an incident appeal / complaint is received, it is checked by the Quality and Standards (Q&S) department. The context and grounds of the complaint and the supporting documentation are checked for their validity and how the complaint may best be processed. It is important that all relevant documentation is included at this point, as there will be limited opportunities to submit additional information later on in the process. The Q&S department will contact the appellant to acknowledge receipt of the appeal and advise on the process to be followed.

The Q&S department may decide that the case is not sufficiently strong. In this situation, the appeal / complaint shall be rejected and there is no further right of recourse. The Q&S department may also reject applications made outside of the 3 working days timescale.

Incident appeal / complaint cases that are accepted will be referred to the Institute's Incidents Committee (IC) which meets once a fortnight.

In the following instances, the IC will review the circumstances of the examination:

- If the appellant requests such a re-consideration and establishes to the satisfaction of the IC that his or her performance in the assessment concerned was adversely affected by illness or other factors, either immediately prior to, or during, an examination. This clause would also apply to instances where reasonable adjustments to support the appellant had been agreed to prior to the examination, however they were not correctly set up or in place at the time of the examination.

The appellant's request must be supported by medical certificates or other documentary evidence acceptable to the IC.

- If the IC is satisfied by evidence from the appellant or any other person that there has been a material administrative error, or that the assessments were not conducted in accordance with the current regulations for the programme, or that some other material irregularity has occurred at the time of the examination.
- If the appellant requests such a re-consideration and establishes to the satisfaction of the IC that his or her performance during an examination was adversely affected by technical issues, e.g. local internet failure or excess noise pollution.

The appellant's request must be supported by relevant reports or other documentary evidence acceptable to the IC from the Institute's assessment partners, e.g. exam centre and assessment system providers

The IC consists of a Chair (normally the Institute's Head of Quality Assurance and Standards), the two Quality Assurance and Standards Managers and one additional member of the Institute's staff who is independent of the Q&S function.

No IC member may be involved in considering an appeal where a potential conflict of interest may arise. No formal notes / minutes are kept – only a record of IC decisions.

Following the IC meeting, the Q&S department will communicate the outcome of the meeting to the appellant. The decision of the IC is final and no further submissions may be made by the appellant or other third party acting on behalf of the appellant.

3. Appeals against results

These relate to the marking and verification process, where the appellant believes that a material error has occurred, after the examination (or assignment submission) itself and once the result has been received and any re-checks carried out e.g. clerical re-checks or reviews of marking.

If the appellant has reasons to suspect that their examination or assignment results may not be accurate, the first step is to submit an application for a clerical re-check & / or a review of marking.

Once any necessary checks have been made and if, after consulting the relevant documentation, the appellant genuinely believes that the Institute has not followed due procedures, it is possible to submit an application for an Appeal against results in line with the procedures set out within this document.

The appellant should submit an application for an appeal using the form on **page 8** within 2 weeks of the result being received. Whilst this is set at 2 weeks from receipt of the result (or subsequent remarked result), this period may be extended in exceptional cases.

Appeals should focus on whether the Institute:

- has used procedures that were consistent with the Institute's Rules and Regulations;
- has applied its procedures properly and fairly in arriving at judgements;

The appellant must set out as clearly and concisely as possible the grounds for the appeal and must include any further evidence relevant to supporting the appeal.

When an application for an appeal is received, it is checked by the Q&S department. The context and grounds of the appeal and the supporting documentation are checked for their validity and how the appeal may best be processed. It is important that all relevant documentation is included at this point, as there will be limited opportunities to submit additional information later on in the process. The Q&S department will contact the appellant to acknowledge receipt and advise on the process to be followed.

When an application for an appeal is received, the Q&S department will decide whether it will be accepted or not. The decision whether or not to accept the application for an appeal is based on:

- the validity of the grounds for the appeal as put forward by the appellant;
- whether a clerical re-check or a review of marking has been completed;
- the timescale of the application; and
- In the case of Apprenticeships, where the Institute is the End Point Assessment Organisation, appeals can only be made where a failure grade has been awarded.

If an application for an appeal is not accepted, the reason(s) for this will be given. In this situation, the only further course of action would be for the appellant to refer their appeal to the Independent Appeals Panel (IAP) – **see page 7**.

Appeals that are accepted will be investigated by a member of the Q&S department team who has not had any previous involvement with the matter. These appeals will be referred to the Institute's Appeals Committee (AC) which meets once a fortnight.

In the following instances, the AC will review the circumstances of the examination:

- If the AC is satisfied by evidence from the appellant or any other person that there has been a material administrative error with the marking and verification process, or that the process was not conducted in accordance with the current regulations for the programme.
- If the appellant believes there were inaccuracies with the examination (or Assignment) questions themselves.

Following the AC meeting, the Q&S department will communicate the outcome of the meeting to the appellant.

If the appellant considers that the decision of the AC continues to disadvantage her / him even after the outcome of the Institute's AC procedure has been followed and there is no further recourse using this part of the process, then they can submit their appeal to the Independent Appeals Panel (IAP) – **see page 7**.

The AC consists of a Chair (normally the Institute's Head of Quality Assurance and Standards), the two Quality Assurance and Standards Managers and one additional member of the Institute's staff who is independent of the Q&S function.

No committee member may be involved in considering an appeal where a potential conflict of interest may arise. Notes are kept of discussions at AC meetings and held in line with GDPR requirements.

4. Appeals against decisions made in respect of reasonable adjustments

The Institute recognises that there are some candidates who may be prevented from demonstrating their achievement because of a permanent or long-term disability, learning difficulty or medical condition.

Reasonable adjustments are pre-examination adjustments approved before an examination or assessment. They allow candidates with special educational needs, disabilities or temporary injuries to access the examination or assessment.

If the appellant believes their request for reasonable adjustments was not dealt with in a 'fair' manner or due process was not followed, they should submit an application for an appeal using the form on **page 8** within 2 weeks of the decision around reasonable adjustments being received. Whilst this is set at 2 weeks from receipt of the decision, this period may be extended in exceptional cases.

The appellant must set out as clearly and concisely as possible the grounds for the appeal and must include any further evidence relevant to supporting the appeal. The context and grounds of the appeal and the supporting documentation are checked for their validity and how the appeal may best be processed. It is important that all relevant documentation is included at this point, as there will be limited opportunities to submit additional information later on in the process.

When an application for an appeal is received, the Q&S department will decide whether it will be accepted or not. The Q&S department will contact the appellant to acknowledge receipt and advise on the process to be followed.

If an application for an appeal is not accepted, the reason(s) for this will be given. In this situation, the only further course of action is via the Independent Appeals Panel (IAP) – **see page 7**.

Appeals that are accepted will be investigated by a member of the Q&S department team who has not had any previous involvement with the matter. These appeals will be referred to the Institute's Appeals Committee (AC) which meets once a fortnight.

Following the AC meeting, the Q&S department will communicate the outcome of the meeting to the appellant.

If the appellant considers that the decision of the AC continues to disadvantage her / him even after the outcome of the Institute's AC procedure has been followed and there is no further recourse using this part of the process, then they can submit their appeal to the Independent Appeals Panel (IAP) - *see below*.

5. The Independent Appeals Panel

If the appellant considers that the decision of the AC continues to disadvantage her / him and there is no further recourse using the AC parts of the process, they can submit their appeal to the Independent Appeals Panel (IAP). A fee of £200 would be charged for referring an appeal to the IAP however this would be refunded if the appeal was successful.

A request for an IAP hearing must be made within 2 calendar weeks of receipt of the AC outcome decision communication. Any appeals made outside of this timescale will be rejected.

An IAP hearing is designed to ensure that the appellant has a formal opportunity to present their case to an impartial body. A senior employee of the Institute and also an employee from the Institute's Q&S department will be present. Two additional independent panel members will be drawn from a larger pool of individuals who are not directly employed by the Institute.

Each panel member will be asked to confirm at the start of the appeal hearing that they have not had a previous connection with, or any personal interest in the case.

The appellant may wish to attend the Appeal hearing in person.

Notes are kept of discussions at IAP meetings and held in line with GDPR requirements.

Following the IAP, the outcome of the meeting will be communicated to the appellant.

The outcome of the IAP would be 'appeal rejected', 'appeal partially upheld' or 'appeal fully upheld'. For appeals where the outcome from the IAP was either 'appeal partially upheld' or 'appeal fully upheld' the fee of £200 would be refunded.

The decision of the IAP is final and no further submissions may be made by the appellant or other third party acting on behalf of the appellant.

The Assessment Appeal Application Form

Please read the guidance document to assist with completion of this form

Definitions:

- Incident definition: to consider complaints **as a result of an event / incident at the time of their examination.**
- Appeal definition: to consider appeals relating to the marking and verification **process**, where it is believed that a material error has occurred, **after the examination (or assignment submission) itself** and once the result has been received.

Name:	
Chartered Banker Institute membership number:	
Address:	
Contact Telephone Number:	
Email Address:	
Name of qualification relating to application:	
Date of examination (if applicable):	
Examination Centre (if applicable):	
Grounds for application: <i>(It is in the interest of all parties that all grounds for appeal are clearly stated in this application. Please state these, continuing overleaf as necessary, and attach all supporting documentation).</i>	

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Continuation page:

Please send the completed form to qualityandstandards@charteredbanker.com

Your application should be acknowledged within 2 working days.

Chartered Banker Institute
Drumsheugh House, 38b Drumsheugh Gardens, Edinburgh EH3 7SW
Tel: 0131 473 7777 **Email:** info@charteredbanker.com **Website:** www.charteredbanker.com
Charitable Body No SC013927.