

Appeal Process

The Appeal Process

skypeople is committed to providing the highest levels of service to its customers, including employers, training providers and learners. It anticipates that issues or complaints can be resolved through the complaints or enquiries procedures and these procedures will be followed in the first instance. However, in the event that a customer remains dissatisfied having exhausted these procedures, they have recourse to the appeals process.

skypeople will establish and maintain a robust policy and associated procedure for handling appeals from centres and individual learners. These procedures will ensure that:

- all appeal decisions are taken by individuals who have no personal interest in the decision being appealed
- all appeal decisions are taken by individuals who have appropriate competence
- appellants are kept informed of the progress of their appeal
- appeals are dealt with within published timescales
- the specific needs and interests of learners are considered and protected
- customer facing versions of the appeals policy and procedure are communicated to learners and centres and published using appropriate media
- every endeavour is made to ensure compliance with relevant legislation and in particular the handling of sensitive data in accordance with the General Data Protection Regulations.
- where an appeal results in the identification of a failure in the assessment process, **skypeople** will take all reasonable steps to identify any other learners affected, correct or mitigate as far as is possible the effect of the failure, and ensure that the failure does not recur.
- An appeal may be only made on the grounds that **skypeople** did not apply its procedures consistently, or that its procedures were not followed properly and fairly.
- Learners (or a centre on behalf of a learner(s)) undertaking end point assessment with the EPAO may appeal against the grade(s) on receipt of their results.

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Verbal appeals may be made in the first instance to a **skypeople** Training Instructor (TI) or Assessor Team Leader. Verbal appeals will be resolved as quickly as possible and normally within **5 working days**.

Where appeals cannot be resolved in this way, they must be made in writing to a **skypeople** Manager, no later than 15 working days after receipt of the decision to be appealed. **skypeople** will acknowledge receipt of a formal appeal within **5 working days**.

The **skypeople** manager will investigate the appeal with the co-operation of the appellant and drawing on other relevant sources of information. A decision from this part of the process will be communicated to the appellant within **10 working days**.

Where the appeal cannot be resolved in this way, a written report will be prepared and submitted to a **skypeople** Director, along with all appropriate evidence (within 5 working days). Based on this evidence, the **skypeople** director will respond **within 10 working days** and conclude either: a) the appeal should not be upheld; or b) the report is inconclusive and should be referred to an independent Appeals Panel (if EPA). If it is a UK CAA compliant course or CCA assessment and you are still unsatisfied with the SP Director's decision you will then need to appeal to the CAA at www.CAA.co.uk

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For EPA where the report is inconclusive, or the appellant remains unhappy with the outcome, the Appeals Panel will undertake a comprehensive review of the report and all associated evidence within **15 working days**. During this time, the Panel may seek additional evidence as appropriate and necessary and will consider any wider implications for learners or for **skypeople**. The membership of the Panel is detailed in its Terms of Reference.

The Appeals Panel will prepare a written report and recommendation for the EPA Governing Body within 5 working days of completing the investigation. The EPA Governing Body will endorse the Appeal Panel's recommendation as either: a) appeal upheld; or b) appeal not upheld.

skypeople will keep appellants informed about the progress of their appeal, and the likely timescale for its resolution. The outcome at each stage of an appeal will be communicated to appellants, in writing, within **5 working days** of decisions being made.

skypeople will charge a fee for investigating an appeal if the Appeals Panel is required to undertake an investigation - this fee will be refunded if the appeal is upheld following the investigation.

Dealing with the outcomes of appeals

Appellants are notified in writing within 5 working days of the decision being reached. Where an appeal is upheld, **skypeople** will set out the precise actions to be taken and will communicate these to the relevant parties formally and in writing. The outcomes of all appeals, including details of responses provided and actions taken are recorded in the Appeals Register.

Some appeals may have wider implications, for example the outcome of an appeal may indicate a failure in **skypeople's** assessment process. In these circumstances, **skypeople** will identify other learners who may have been affected, correct or mitigate the effect of the failure and take all necessary steps to avoid a recurrence. If the matter has implications for centres and other individual learners, **skypeople** will inform these organisations and individuals about the impact it could have on them and the corrective action that is to be taken.

In the event that the outcome of an appeal requires a review and revision of other policies and procedures, (such as those for reasonable adjustments or special considerations, or for malpractice and maladministration), **skypeople** will undertake this work, making recommendations to the appropriate committees where necessary, as quickly as possible. Revisions will be communicated to centres, learners and **skypeople** personnel at the earliest opportunity.

Where an appeal is not upheld, **skypeople** will set out in detail the Appeal Panel's reasoning and communicates these to the relevant parties formally and in writing.

skypeople will ensure that:

- appropriate records are maintained of the numbers of appeals received and their outcomes
- reports are made to the EPA Governing Body or the CAA as part of the self-evaluation procedure
- guidance from the regulators is reviewed and the policy is updated to comply with best practice



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skypeople will comply with the requirements of any appeals process established by the regulator of EPA or the CAA in the form in which it may be published and revised from time to time.