

## Complaints and Appeals Procedures: End Point Assessment June 2024

### 1. Introduction and purpose

1.1 This policy applies to the Career Development Professional Apprenticeship End Point Assessments (EPA) provided by Suffolk County Council (SCC) - henceforth referred to as the Centre.

1.2 The policy offers EPA apprentices, their employer or training provider the opportunity to submit a complaint or appeal should they believe that there was an irregularity in the provision of the EPA which had an unfavourable impact on the performance of the apprentice during the process and therefore, on the outcome of their assessment.

Please read in conjunction with **Suffolk County Council's Maladministration and Malpractice Policy**.

### 2. Complaints

2.1 A complaint refers to an irregularity in the provision of the end point assessment.

2.2 If an apprentice, employer or training provider wishes to raise a complaint regarding any aspect of the provision of the EPA, they should complete the complaints form that is available on ACE360 portal Suffolk and submit this within 3 working days following the EPA to [epa@suffolk.gov.uk](mailto:epa@suffolk.gov.uk)

2.3 Where the apprentice has informed the Centre of a disability or learning difficulty, they or their employer or training provider may phone the Centre of their intention to submit a complaint and forward the form and any supporting evidence in the agreed timeframe.

2.4 Complaints received outside of 3 working days following the assessment will not be accepted.

2.5 The completed complaints form and any supporting evidence must be received by the Centre via email to [epa@suffolk.gov.uk](mailto:epa@suffolk.gov.uk)

2.6 Genuine complaints shall be treated respectfully and will be investigated as provided in this policy. However, spurious complaints that are a deliberate attempt to unfairly gain advantage will be rejected and may incur a charge.

2.7 On receipt of the submission, the Centre shall log the details and issue a reference number to be used in all associated communications.

2.8 The submission shall be passed onto the Centre's EPA assessment unit which will review the complaint and respond to the apprentice, employer or training provider within 10 working days.

2.9 The centre will consider the complaint in conjunction with the independent member of the EPAO Governance Board.

2.10 If the review results in a change to the scores or grades of the EPA, the apprentice, the employer and training provider will be notified, and an updated outcome transcript issued.

### 3. Appeals

3.1 An enquiry or appeal can be made:

- Against an outcome from the Apprentice's EPA. e.g., a fail, resit or retake
- Against a decision, penalty or sanction made resulting from a malpractice investigation.
- Where we have declined applications for access arrangements and special consideration.

#### First Stage- Enquiry

3.2 If an apprentice, employer, or training provider believes the EPA outcome is incorrect, they can, in the first instance, request a clerical check of the assessment data. This should occur within 14 days of notification of the outcome. If a training provider or employer is making the appeal on behalf of the apprentice, they should make sure they have their permission in writing. The request should be made by email [epa@suffolk.gov.uk](mailto:epa@suffolk.gov.uk) and also logged on ACE360.

3.3. We will acknowledge your enquiry application within three working days and respond to your enquiry within ten working days. If there are unforeseen circumstances that delay this process we will inform you as soon as possible and give you an updated timeline of the process and the reason for delay.

3.4 This first stage will be reviewed by the centre.

3.5. If the check has resulted in an amendment to the outcome, an updated outcome transcript will be issued to the apprentice, copied to their employer and training provider within 5 working days.

3.6. Depending on the outcomes of the initial enquiry, we will update and implement any action to mitigate against future errors and provide feedback, training or development to relevant members of the EPA Delivery Team and take steps to ensure that other apprentices are not affected.

3.7 If the check does not result in any amendment to the outcome, the apprentice, their employer and training provider will be notified within 5 working days. If you are unhappy, you can then move to Stage 2.

#### Second Stage- Appeal

3.8 If the apprentice or employer or training provider is unsatisfied with the response, they can apply for an Appeal Hearing.

3.9 An appeals form should be completed (available on ACE360 or by email from [epa@suffolk.gov.uk](mailto:epa@suffolk.gov.uk)) and submit this together with supporting evidence within 10 working days following the receipt of the response from the clerical check (3.2)

3.10. The completed appeals form, and any supporting evidence must be received by the Centre by email [skills@suffolk.gov.uk](mailto:skills@suffolk.gov.uk)

3.11 On receipt of the submission, the Centre shall log the details and issue a reference number to be used in all associated communications.

3.12 The appeal will then go before the Appeals Panel consisting of members of the Governing Board and at least one independent member who is not an employee of Suffolk County Council (Chair of the investigation). All members of the panel 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. Specifically, that they have not been involved in any marking, moderation, review of marking or review of moderation of the apprentice's work, or the apprentice's provider/employer, in the end-point assessment series in which the appeal arises.

3.13 The key personnel named within your end-point assessment services agreement, apprentice or delegated representative may be asked to attend the hearing.

3.14 The apprentice and their employer shall receive a response to the submission within 21 working days of receipt. However, if the issue raised is complex and requires more time to investigate, the apprentice and their employer and training provider shall be informed and a further timeframe to arrive at a resolution agreed with them.

3.15 If the appeal is upheld and results in a change to the outcome of the EPA, the apprentice and their employer and training provider will be notified, and an updated outcome transcript issued. The Governing Board will review policies and procedure and implement any action to mitigate against future errors and provide feedback, training or development to relevant members of the EPA Delivery Team and take steps to ensure that other apprentices are not affected.

3.16 There is a further option to appeal or complain, for some end-point assessments, via the relevant external quality assurance organisation.

#### **4. Management of personal data**

4.1 The apprentice's submission, and all accompanying statements and records, will be kept confidential as far as is possible in facilitating a fair and thorough review. Whilst the apprentice's privacy and confidentiality will be respected, this needs to be balanced with:

- The need for an open and fair investigation
- Appropriate remedial action to be taken
- The outcome of the investigation to be reported appropriately
- Action to be taken to improve our processes and quality of service.

4.2. It is likely that the details of the apprentice's submission will need to be shared with others who have been not involved with the assessment process.

#### **5. Responsibility**

5.1 The ultimate responsibility for the EPA Complaints and Appeals policy, dissemination of the policy and management of the complaints and appeals rests with the Centre's senior management.

5.2 Resolution will be on the basis of ensuring a fair and safe outcome for patients, the apprentice and their employer.

5.3 In some cases, it may be necessary for the Centre's senior management to see advice from the EPA's external quality assurer.

## 6. Fees

6.1 We do not charge for the Enquiry about Results stage or special consideration appeals.

6.2 The maximum amount that we will charge for the appeal hearing is £150 for each end-point assessment component. There is no requirement for any fee to be submitted with the initial request for an appeal. If your appeal is upheld, we will not charge you. Any further resit fees will also be applicable.

## 7. Quality improvement process

7.1 The Centre undertakes to treat all complaints and appeals that fall within the scope of the policy respectfully. Regardless of the outcomes of complaints and appeals, all such submissions shall be reviewed to elicit any learning to inform improvements in the Centre's policies and procedures.

7.2 Outcomes of complaints and appeals shall be recorded and reviewed by the Centre's team of assessors and the Governance board for reflection and inform the quality improvement process.

If the apprentice is not happy with the outcome of the complaint/appeal, then they should be advised to escalate it to the Education & Skills Funding Agency.

You should email complaints to [customer.complaints@education.gov.uk](mailto:customer.complaints@education.gov.uk), or put them in a letter to:

Customer Service Team,  
Education and Skills Funding Agency  
Cheylesmore House  
Quinton Road  
Coventry CV1 2WT

[Complaints about post 16 education and training provision funded by ESFA - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

***Policy review date: every 2 years from implementation***

*Version 4 June 2022*

*Version 5 June 2024*