

# LEARNER ASSESSMENT APPEALS AND MALPRACTICE POLICY

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Equality Impact Assessment:	Included (see end)
Welsh Language Impact Assessment:	Included (see end)
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# LEARNER ASSESSMENT APPEALS AND MALPRACTICE POLICY

The Policy is in three sections:

1. Policy on Internal Assessments
2. Policy on External Assessments for External Qualifications (Enquiries about Results). **Please refer to the JCQ Appeals booklet:** <https://www.jcq.org.uk/exams-office/appeals/>
3. Malpractice

Coleg Gwent is committed to ensuring that:

- The evidence requirements for assessment outcomes are carefully constructed to be fair and accessible to all participating learners to ensure that all have an equal opportunity to achieve e.g. due consideration to tasks/use of equipment should be made so as not to exclude any learner with a disability.
- Internal assessments are conducted by members of the teaching staff who have the appropriate knowledge, understanding and skills and who have been trained in this area.
- Assessment evidence provided by candidates is produced and authenticated according to the requirements of the Awarding Body for the subject concerned.
- The consistency of internal assessment is maintained by internal moderation and standardisation where this is possible. Where courses are managed by a single person with no other team members, the college will support the course leader to moderate and standardise work with colleagues in other institutions. This might not be possible in a minority of cases.
- All learner work being assessed by teaching staff for external qualifications is carried out fairly, consistently and in accordance with the rules and regulations of the specification relating to the qualification.
- Academic performance and progress on assessments are discussed with individual learners as an integral part of the tutorial programme.
- Course teams review assessment procedures/processes annually to ensure that they are current and valid.
- For controlled assessments and non-examination assessment (NEA) (including GCSE, GCE, WJEC Entry Level Certificates, WJEC Level 1/2 Vocational Awards & Certificates, WJEC Applied Level 3 Certificates and Diplomas, WJEC Welsh Baccalaureate Skills Challenge Certificate), learners must be informed of their centre marks so that they may request a review of the marking before marks are submitted to the awarding body.

## SECTION ONE

### POLICY ON APPEALING AGAINST AN INTERNAL ASSESSMENT RESULT

If a learner considers that Coleg Gwent has not conducted an assessment in a fair and reasonable way and discussion between the Learner and Assessor fails to resolve the issue, the Learner is entitled to appeal against the Assessor's decision.

Learners may appeal on the marks/grades awarded for assessed work that:

- Contributes to the final grading of the Award; and/or;
- Is a requirement for progression.

Learners might appeal on a variety of grounds including, for example:

- the conduct of assessment;
- the adequacy of the range, nature and comprehensiveness of the evidence when set against National Standards and evidence requirements;
- the adequacy of the opportunities offered in order to demonstrate competence.

The outcome of the appeal will be either:

- confirmation of the original decision; or
- confirmation of a revised decision which could go down as well as up

#### Informal Internal Appeals Process

If a learner has any concerns about the procedures used in assessing their internally assessed work i.e. controlled assessment/coursework/portfolios, they should raise the matter with the Assessor/Lecturer within 5 working days **of receiving** the assessment grade. This can be done either in writing, including the use of Teams and e-mail or verbally.

The assessor/lecturer will provide a review the assessment decision and the verbal/written feedback provided against specified Performance Criteria with the learner, providing advice and support if further evidence is required to prove competence/performance.

Following that, if the matter remains unresolved, the formal internal appeal procedure may be used by the learner concerned (see Appendix ONE for flowchart).

#### Formal Internal Appeals Process

Should a Learner wish to make a formal appeal then the appeal must be lodged with the original Assessor within 10 working days **of receiving** the assessment grade by completing Form 1 (available via CG Connect). The appeals procedure will then be initiated and pursued within the time scales laid down.

#### Stage 1 - Assessor and Learner

Form 1 must be completed by both the Learner and Assessor and passed by the Assessor to the Nominated Internal Verifier who will investigate the assessment decision

The Nominated Internal Verifier will consider the assessment decision and evaluate it in the light of:

- all relevant evidence which relates to the Learner's assessment
- completed Form 1
- Assessor's rationale for the decision

- the opinion of the Learner
- the opinion of the Independent Assessor who will scrutinise the Learners work and provide the Nominated Internal Verifier with an independent assessment.

The Nominated Internal Verifier must complete Form 2 (available via CG Connect) and provide the Learner with the Stage 1 decision within 5 working days of receipt of Form 1.

## **Stage 2 – Head of School**

If the learner is still unhappy with the assessment decision from Stage 1, they must inform the Head of School in writing within 5 working days of notification of the Stage 1 decision.

The Head of School will arrange for the learner's portfolio/work evidence to be re-assessed in order to confirm that no incorrect assessment was recorded. In such cases, the re-assessment will be carried out by a person or persons other than the persons involved at stage 1. The learner will be provided with a report of the re-assessment, and the decision made, within 10 working days from the receipt of the original request.

## **Stage 3 - Appeals Panel** (*convened at the Learner's Campus*)

If the Learner is dissatisfied with the outcome at Stage 2 the appeal can be taken to Stage 3 (Appeals Panel). The Learner must inform the Head of School, in writing, that this is the preferred course of action within 5 working days of receiving the Stage 2 decision.

The Appeals Panel will comprise of:

- Head of Quality (Chair);
- the Assessor;
- the Nominated Internal Verifier;
- Head of School;

The Learner will have the right to attend the Appeals Panel meeting and to be accompanied by a friend or advisor, neither of whom will be present when the Appeals Panel considers the "evidence" and decides.

The Appeals Panel will scrutinise:

- all relevant evidence which relates to the Learner's assessment
- completed Form 1
- completed Form 2

The Chair will convene the Appeals Panel which must reach a decision within 10 working days of being informed by the Head of School that the Learner wishes to proceed to Stage 3.

All appeals paperwork will be filed and be available to:

- the External Verifier
- the Curriculum Group
- the Quality Group
- the Principal/Chief Executive
- the *Examination Board*

The decision of the Appeals Panel will *only be subject to review by the Awarding Body* and must be recorded by the Chair of the Appeals Panel on Form 3 which will also record, if appropriate, explanatory comments.

## Final Appeal

If the learner is dissatisfied with the result of the Appeal, he/she may make a final appeal to the appropriate Awarding Body/HEI Partner or in the case of HE students the Office of the Independent Adjudicator for HE. The examination department will keep a record of all appeals made. It should be noted that appeals to the relevant Awarding Body can only be made where this process is allowed by that Awarding Body. This stage does not apply to not apply for Centre assessed marks for GCSE Controlled Assessments, GCE Coursework and GCSE and GCS Non-examination Assessments. Awarding Bodies charge fees for this process which will be refunded if the decision is found in the learner's favour. In some cases, there may be the requirement to make professional bodies aware of the appeal.

Refer also to the Controlled Assessment Policy available on the Learner Portal:

<http://learners.coleggwent.ac.uk/index.php/policies1/policy>

## SECTION TWO

### POLICY ON APPEALING AGAINST EXTERNAL ASSESSMENTS FOR EXTERNAL QUALIFICATIONS (FE learners only)

Any learner who wants to query a mark/grade awarded by an Awarding Body upon issue of results should follow the following procedure:

- I. Contact your subject teacher as soon as possible [***before the published deadline for 'Enquiry about Results' (EARs)***] to discuss the mark/grade. The subject teacher will advise on the options available to query the mark/grade and the costs involved.
- II. Learners should be aware that EARs can result in marks/grades being raised, confirmed or lowered. Learners must sign a consent form to confirm that they understand the consequence of an EAR. Consent forms will be available on the student portal.
- III. The subject teacher will review the learner's marks/grades and discuss with the Head of School to agree on the appropriate action considering the breakdown of marks, the grade boundaries and the learner's predicted grades.

If the Head of School agrees to support the EAR:

- a. The request, together with the learner's consent form, should be made to the Examinations Officer ***before the published deadline for EARs***.

If the Head of School does not agree to support the EAR:

- b. A learner may appeal against the decision not to support an EAR. Appeals should be made in writing to the Examinations Officer, ***before the published deadline for EARs***. The appeal should state, in detail, the reason(s) for the appeal. This appeal should be signed and dated and should include the daytime contact telephone number of the learner and parent or guardian of a learner (who is under the age of 18). The appeal information will be reviewed by the Faculty Director; the outcome of the appeal will be communicated by telephone and 1<sup>st</sup> class letter post within 24 hours of receipt. This decision is final.

- c. If the Faculty Director/college does not support the EAR the learner may still proceed with the EAR, in which case the supporting statement will not be completed by the college on the submission document. Requests must be made in person to the Examinations Officer ***before the published deadline for EARs.***

IV. Outcomes following EARs will be forwarded by the Examinations Officer to the learner as soon as they have been received from the Awarding Bodies.

Please refer to the JCQ Appeals booklet <https://www.jcq.org.uk/exams-office/appeals/>

## **SECTION THREE**

### **MALPRACTICE**

The regulations for GCSE, GCE, Entry Level and Project Qualification Coursework Assignments and GCSE Controlled Assessments state that:

- a) “The work you submit for assessment must be your own”
- b) “You must not copy from someone else or allow another candidate to copy from you”
- c) “If you copy the words or ideas of others and don’t show your sources in references and a bibliography, this will be considered as cheating or malpractice”

Teachers have the right to reject a learner’s work on the grounds of malpractice if any of the above regulations are broken.

The learner and parent or guardian of a learner (who is under the age of 18) has the right to appeal against any decisions to reject a candidate’s internally assessed work on the grounds of malpractice.

### **Monitoring and Evaluation**

The Director (Curriculum and Information Services) will review performance against this policy on an annual basis and as a result can amend this policy document, whenever it is deemed appropriate. Amendments made by the Director (Curriculum and Information Services) at any time will be submitted to the appropriate trade unions as part of the consultation process.

### **Further Information**

Copies of College Policies and Codes of Practice are held in all Campus Learning Centres (LCs) and are also available on the Learner Portal site:

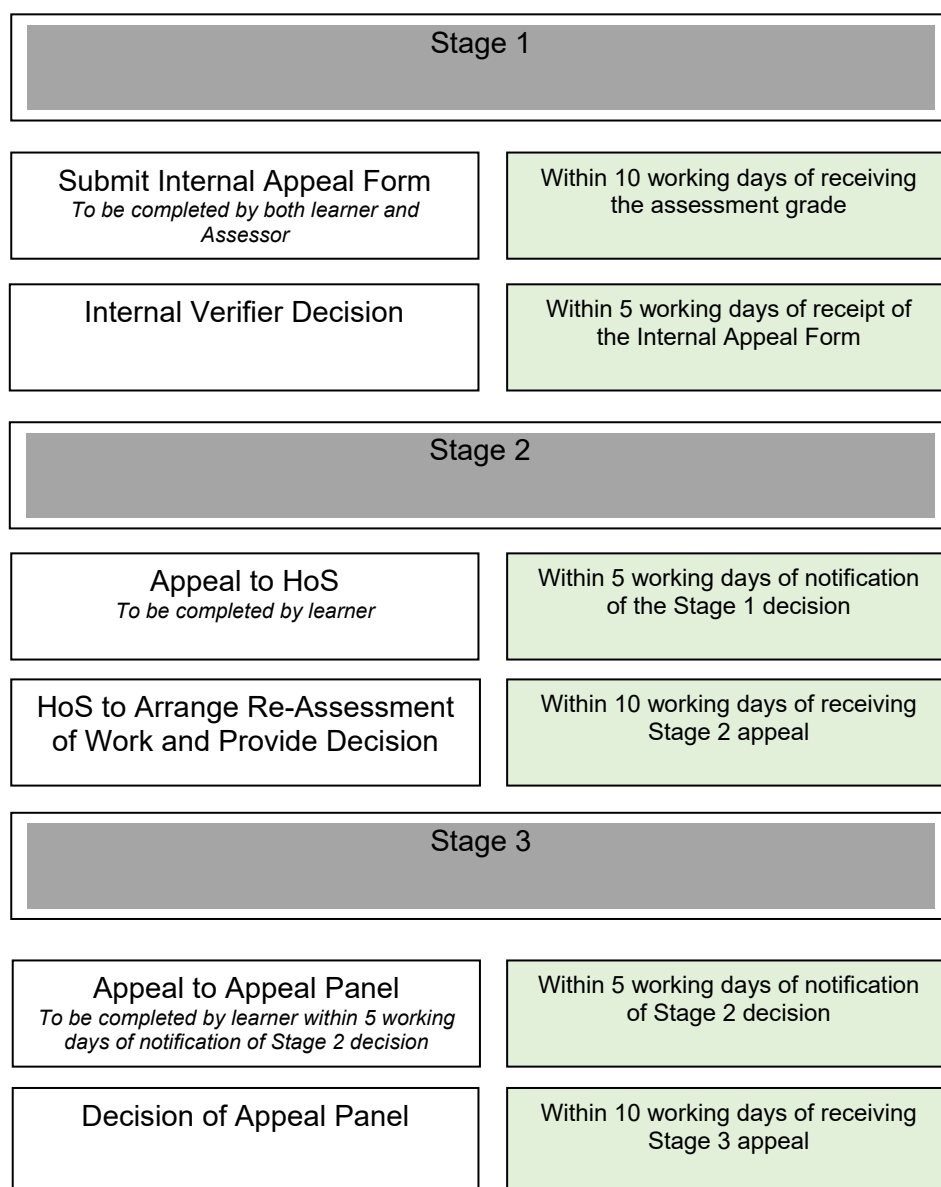
<http://learners.coleggwent.ac.uk/index.php/policies1/policy>

These documents are available for the reference of all learners attending the College.

The following College policies relating to learners may also be relevant:

- Strategic Equality Plan

## APPENDIX ONE – Formal Internal Assessment Appeals Process Flowchart



## Equality Impact Assessment (EIA)

Name of Policy/Procedure	Learner Assessment Appeals & Malpractice Policy	Owner	DIRECTOR (Curriculum and IS)
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### EIA Form Stage 1 – INITIAL Assessment

Please tick one 'Impact' box only for each Equality Target Group

Equality Target Group	Positive Impact ✓	No Impact ✓	Negative Impact ✓	Reason/Comment
Age		✓		
Disability		✓		
Gender		✓		
Race		✓		
Sexual Orientation		✓		
Faith Groups / No Faith		✓		
Welsh Language		✓		
Other		✓		

### EIA Form Stage 2 – FULL Assessment

Complete this section only if you have ticked any of the 'Negative Impact' boxes above

Equality Target Group	What changes or actions will be taken to improve the procedure or to eradicate/minimise the negative impact?
All above	It's important to note that this policy applies to all the above groups



## **Additional Guidance**

### **1.0 Legal requirement Impact Assessment.**

Legislation requires that public authorities to conduct an Impact Assessment upon their current or draft policies, practices, functions and services on the grounds of race, disability and gender. In anticipation of future legislative changes in relation to disability, the College's Impact Assessment will be implemented to consider the impact on all areas of diversity.

### **2.0 Examples of Equality Target Groups.**

#### **2.1 Age**

The definition of age groups will need to be sensitive to the policy under consideration. For example, in relation to employment policies the middle aged are often a vulnerable group and pensionable age is different for men and women.

#### **2.2 Gender**

Men (including boys), Women (including girls) and Transgender people. This can also include impact on a particularly gender who has caring commitments.

#### **2.3 Disability**

Persons with a disability as defined within the Disability Discrimination Act such as those with hearing impairment, visual impairment, physically disabled, learning disability or mental health problems.

#### **2.4 Racial Group**

A group of people defined by race, colour, nationality and ethnic or national origins. Examples include; Romany Gypsies, Jews, Sikhs, Chinese, Indian, Pakistani, Bangladeshi, Black African, Black Caribbean, White, Irish, Welsh, Turkish, Greek Cypriot, mixed ethnic group, any other ethnic group/nationality.

#### **2.5 Faith/Religion**

Religion or belief is any religion, religious belief or similar philosophical belief but does not include any philosophical or political belief unless it is similar to a religious belief. A religious belief is likely to include some form of collective worship, a clear belief system or a profound belief affecting the way of life or view of the world. Non-belief is also covered by the regulations. Examples include; Buddhism, Christianity (Protestant, Catholic etc), Hinduism, Atheist, Agnostic etc, any other religion.

#### **2.6 Sexual Orientation**

As defined under the Employment Equality (Sexual Orientation) Regulation 2003:

- Orientation towards persons of the same sex (gay/lesbian)
- Orientation towards persons of the opposite sex (heterosexual)
- Orientation towards persons of the same sex and the opposite sex (bisexual)

#### **2.7 Other (for example Welsh Language)**

This includes different contract types, such as full time, part time, hourly paid or any other area not already addressed, such as vulnerable people e.g. victims of domestic violence and forced marriages.