

OCN London Appeals Procedure - OCN London qualifications and units

Introduction

This procedure is intended to ensure that any appeals received by OCN London are dealt with quickly, fairly, and effectively. OCN London aims to resolve appeals promptly. However, these matters can be complex and may require scrutiny of extensive documentation. OCN London will aim to reach its final conclusion within three months of receiving the written appeal. An appeal will normally be made in writing although, where this presents difficulty, other means of communicating will be accepted.

The procedure may be used for appeals:

- By a Centre against a decision concerning its application to deliver an OCN London qualification or units of a qualification.
- By a Centre against the contents of a Quality Engagement report or Access to HE moderation report.
- By a learner against an internal assessment decision, once the Centre's own appeals process has been exhausted.
- By a Centre and/or learner against the result of an external assessment, including on the basis that the procedures were not applied consistently or were not followed properly and fairly.
- By a Centre and/or learner against a decision regarding Reasonable Adjustments or Special Consideration.
- By a Centre or learner against a decision relating to any action to be taken following an investigation into malpractice or maladministration.
- By a Centre concerning a decision to impose a sanction to its approval to deliver an OCN London qualification or units of a qualification, up to and including withdrawal of that approval or of Centre Approval.
- By a Centre or learner against a decision relating to a complaint against OCN London.

Appeals against results of external assessment should be made as soon as possible after the assessment concerned and, at the latest, within four weeks of the learner receiving notification of results.

Appeals against the outcomes of Internal Assessment should be made as soon as possible to the Centre following the assessment decision. Once the Centre's own process is exhausted,

any appeal to OCN London should then be made within four weeks of the learner receiving the outcomes of the Centre's Appeal Process.

OCN London will consider appeals from individual learners or their advocates, groups of learners or their representatives, or from a Centre or a group of Centres.

Procedure

When an appeal is made to OCN London concerning its Qualifications or Units of its Qualifications the Chief Executive or another Representative of OCN London will acknowledge the appeal within five working days of receipt. S/he will also determine whether the matter falls within the scope of OCN London's remit as outlined above. Where the appeal is not within its scope, the Chief Executive or Representative will write to the appellant giving the reasons why the appeal cannot be acted upon. If the appellant should follow an alternative appeals procedure, the matter will be referred as appropriate. The Chief Executive or other Representative dealing with an appeal will not have any personal interest in the subject or outcome of the appeal.

Informal consideration

Where the appeal is within the scope of OCN London's remit, the Chief Executive or Representative will first consider whether the subject of the appeal may be resolved informally without recourse to the appeals procedure. If there appear to be reasonable grounds to believe that this may be achievable, the Chief Executive or Representative will contact the appellant with a proposed response to the subject of the appeal. If the appellant is satisfied with the proposed response the appeals procedure will not need to be invoked.

Formal consideration of an appeal

If the matter cannot be resolved informally, the appeals procedure will be initiated.

Within 15 working days the Chief Executive or Representative will seek relevant information and documentation from both the appellant and any other parties, for example the Access to HE Post-Awards Board Appeals Board, a Quality Reviewer, External Verifier or External Assessor.

Within ten working days of receiving the full documentation, the Chief Executive or Representative will consider whether the evidence presented is sufficient to reach a decision. If it is not, further documentation may be requested from relevant parties, or further clarification from the appellant.

Once the Chief Executive or Representative is satisfied that all relevant documentation is present, s/he will appoint an independent person who has appropriate competence and no personal interest in the decision being appealed to consider the appeal. This person will be

independent of OCN London in that s/he is not an employee of the organisation, a contractor working for it, or otherwise connected to it (for example as a part of the Governance structure or as an agent through a third party) and has not held any of these roles for the past five years.

The person considering the appeal will reach an initial conclusion on the matter and write to the appellant, providing a judgement on each point raised and referencing this judgement with relevant evidence. The initial conclusions will, if appropriate, identify any recommendation or implications of the outcome. The appellant will be invited to comment on the factual accuracy of OCN London's initial conclusion within 10 working days.

The person considering the appeal will consider any additional information provided before reaching a final conclusion. A final conclusion will be confirmed to the appellant within 10 working days.

Ofqual's complaint process

OCN London will implement the requirements of any appeals process established by Ofqual in the form in which it may be published by Ofqual and revised from time to time and will give due regard to the outcome of any such appeals process in relation to a qualification which it makes available.

In any case where Ofqual notifies OCN London of failures that have been discovered in the assessment process of another awarding organisation, OCN London will review whether a similar failure could affect its own assessment process. Where that review identifies such a potential failure, OCN London will take the same action as if a failure has been discovered in relation to it by virtue of the application of Ofqual's appeals process.

QAA's Concerns Scheme

For Access to HE Diplomas, OCN London will comply with QAA's Licensing Conditions for Access Validating Agencies (AVAs) and any applicable guidance relating to complaints and appeals, as updated from time to time. OCN London will give due regard to the outcome of any QAA complaints process relating to qualifications it makes available.

OCN London issues [guidance](#) for Access to HE providers and learners on how to make an appeal to OCN London. All queries about appeals on the Access to HE Diploma should be sent to AccesstoHEAppeals@ocnlondon.org.uk.

The [QAA Access to HE Concerns Scheme](#) provides an opportunity for learners, staff or other parties to raise concerns about the delivery and management of Access to HE courses, or the way in which an AVA is undertaking its responsibilities or meeting regulatory requirements. OCN London will cooperate with any investigation undertaken by QAA under the remit of the Access to HE Concerns Scheme.

In any case where QAA notifies OCN London of failures that have been discovered in the assessment process of another Access Validating Agency, OCN London will review whether a similar failure could affect its own assessment process. Where that review identifies such a potential failure, OCN London will take the same action as if a failure has been discovered in relation to it by virtue of the application of QAA's appeals process.

Outcome of an appeal

Where the application of the appeals process in the case of a Learner leads to the discovery of a failure in the assessment process, OCN London will take all reasonable steps to protect the interests of all learners and the integrity of the qualification, including as appropriate:

- Identifying any other Learner who has been affected by the failure.
- Correcting or, where it cannot be corrected, mitigating as far as possible the effect of the failure.
- Reviewing quality processes and implementing any updates to ensure that the failure does not recur in the future.
- Carrying out a review of the qualification and its units if there is evidence to suggest that their integrity may have been compromised.

Reporting

OCN London will report annually to the OCN London Board of Trustees on the operation of its appeals arrangements, including the number and nature of appeals submitted and their outcomes. Relevant records and data will be shared with the qualification regulators on request.

Company Secretary use only

Document version control			
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1.0	First version	Dixa Patel	1 May 2023
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