ICA Assessment Appeals Policy and Procedure

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1. **Introduction**

1.1. As a part of its commitment to ensuring the standard and quality of its assessments, ICA has established this procedure for dealing with appeals from its candidates.

1.2. The policies and procedures contained herein apply to all registered ICA candidates irrespective of their mode, level or place of study.

1.3. This procedure sets out the process for handling appeals concerning assessments, awarding of qualifications and certification. For any complaints or issues related to the programme of study or teaching, candidates should discuss the matter with their training provider.

1.4. This procedure does not cover complaints, mitigation, academic misconduct, or the receipt of any anonymous complaints, which are covered by separate procedures.

1.5. ICA will treat all appeals seriously and will deal with them without recrimination. Where, however, an appeal is shown to be frivolous, vexatious or motivated by malice, disciplinary action may be taken against the complainant.

1.6. This procedure may be used only when there are eligible grounds for doing so (as specified in section 3) and may not be used simply because a candidate is dissatisfied with the outcome of his or her assessment or other decision concerning their academic position or progress.

1.7. An appeal which questions the academic or professional judgement of those charged with the responsibility for assessing a candidate’s academic performance or professional competence will not be permitted.

1.8. A candidate may submit an appeal only on his or her own behalf; an appeal submitted by a third party will not be accepted unless accompanied by written authorisation from the candidate.

2. **ICA policy**

2.1. This procedure may be used by any candidate who wishes to appeal against a final decision of an Assessment Board that affects that candidate’s academic status or progress, including (but not limited to) the following judgements.

a. A decision not to award a qualification on the grounds that:

   - the candidate has been unsuccessful in all attempts to complete assessments to the required standard within the respective timeframe
   - an Assessment Board has determined that the candidate has obtained marks by deception and that the decision of the Board is not to proceed with an award in this case
the candidate has not completed all necessary assessments
for awarding purposes and administrative staff have not been
able to contact the individual concerned after repeated
attempts to resolve the matter.

b. A decision that the candidate be removed from the course of study
on grounds of unsatisfactory progress or failure to meet academic or
professional requirements or has engaged in academic malpractice.

c. A requirement that the candidate interrupt his or her studies on
grounds of unsatisfactory progress or failure to meet academic or
professional requirements.

d. A requirement that the candidate transfers to a programme offering
a qualification of lower rank.

e. A decision not to allow the candidate to progress from the
Advanced Certificate to Diploma or from the Diploma to the
Professional Postgraduate level qualifications.

3. Grounds for appeal

3.1. An appeal may be made only on grounds alleging one or more of the
following.

a) That there exists or existed circumstances affecting the candidate’s
performance of which, for good reason, the Assessment Board may
not have been made aware when the decision was taken, and which
might have had a material effect on the decision.\(^1\)

b) That there had been a material administrative error or procedural
irregularity in the assessment process or in putting into effect the
regulations for the programme of study of such a nature as to cause
significant doubt as to whether the decision might have been
different if the error or irregularity had not occurred.

c) That there is evidence of prejudice or bias or lack of proper
assessment on the part of one or more of the examiners.

3.2 Any appeals submitted by candidates must make it clear which of the
above grounds applies to their case. Appeals submitted without that
information will automatically be rejected.

3.3. An appeal which questions the academic or professional judgement of
those charged with the responsibility for assessing a candidate’s academic
performance or professional competence will not be permitted.

4. Formal procedure

4.1. A formal appeal may be initiated by submitting it to the ICA Assessment
team (icaassessments@int-comp.org), in writing within 20 working days of
notification of the result or decision. The candidate should submit with the
appeal any documents they wish to be considered in the appeal.

\(^1\) Candidates who wish to appeal on such grounds must give credible and compelling reasons with supporting
documentation explaining why this information was not made available prior to the decision being made.
4.2. On receipt of the formal appeal, ICA will initially consider whether the appeal is made on one or more of the grounds specified in section 3. If this test fails, the candidate will be notified within ten working days of the appeal being received that the appeal is not eligible, with reasons given. There will be no opportunity for the candidate to appeal against this decision.

4.3. If the appeal is shown to have been made on one or more of the grounds set out in section 3, then ICA will form an Appeal Committee to consider the appeal.

4.4. The appeal will then be considered by the Appeal Committee, which may make any of the following decisions:

   i. to uphold the appeal and amend the result of the assessment or the decision against which the candidate has appealed
   ii. to reject the appeal
   iii. to refer the appeal to an Appeal Panel, on the basis that it has raised serious issues that require further investigation and consideration.

4.5 The outcome of accepted appeals will be communicated to the candidate within 20 working days of receipt. Where this is not possible, the appellant will be kept informed of progress.

4.6 If, at any time during these enquiries, ICA decides, on the basis of the information contained in the appeal, to reconsider the matter about which the appeal has been made and to substitute an alternative outcome, the candidate will be notified accordingly, the appeal procedure will cease and the candidate will be issued with a Completion of Procedures Letter (see paragraph 6.1).

4.7 ICA, having considered the outcome of the formal appeal, may make one of the following determinations.

   a) That the appeal does not, after all, have substance, in which event the candidate will be informed of this decision in writing, normally within 20 working days of the appeal having been received. The candidate will be given reasons for the decision. If the candidate believes that their appeal has not been dealt with properly and fairly, they have the right to request a review of the handling of their appeal (see paragraph 4.8).

   b) That the appeal has identified that there had been procedural or administrative errors, in which event ICA will take relevant remedial action and any necessary adjustment to the candidate’s result will be made and the outcome communicated to the candidate.

   c) That the appeal has identified relevant matters that were not known to those making the original decision or that there had been procedural or administrative errors that might have affected that decision, in which event the case will be referred back to the original Assessment Board for reconsideration, taking into account any new
information, or any guidance, from ICA. The reconvened board will have the power to confirm or alter its original decision. Where the original decision is confirmed, the candidate will be given reasons for that decision. There will be no opportunity for the candidate to appeal against the decision of the reconvened board and the candidate will be issued with a Completion of Procedures Letter (see paragraph 6.1).

d) That the appeal has raised serious or complex matters that require further investigation and enquiry, in which event the case will be referred to an Appeal Panel (see section 5).

4.8. Candidates whose appeal has been dismissed by ICA as being without substance can request a review if they believe that their appeal has not been handled properly or fairly. Requests for review, with reasons given, should be submitted in writing to ICA within 20 working days of receipt of the letter informing them of the outcome.

Letters should be addressed to:
The ICA President
ICA
Wrens Court
52 – 54 Victoria Road
Sutton Coldfield
Birmingham
B72 1SX.

4.9. The ICA President will review the documents relating to the case in order to determine whether the case has been handled properly and the decision is reasonable in the light of the available evidence. The candidate will be informed of the outcome of the review in writing, normally within 20 working days of the review request having been received. The candidate will be given reasons for the decision. The decision of the ICA President will be final and the candidate will be issued with a Completion of Procedures Letter (see paragraph 6.1).

5 Appeal Panel

5.1 Appeals considered by ICA to raise serious or complex matters that require further investigation and enquiry will be referred to an Appeal Panel. The composition of the Appeal Panel will include but not be limited to:

- ICA’s Director of Quality Assurance (who will chair the meeting)
- the Chief Examiner for that discipline
- an ICA representative (who will minute the meeting)
- a member of teaching staff or representative from the partner organisation with which the candidate is registered.

5.2 The candidate will be given ten working days’ notice of the date and time of the Appeal Panel meeting and will be invited to attend the meeting of the Appeal Panel to present their case. Candidates may choose to attend the Panel via video conference.
5.3 Where the candidate decides not to attend, the Panel may proceed in their absence.

5.4 The candidate may be accompanied at the meeting by a supporting person. The designated supporting person must be eligible to provide support to the candidate at the time of the meeting. This would normally involve their being in attendance and, where necessary, assisting the candidate with their responses.

It is not normal for the supporting person to speak throughout on the candidate’s behalf, owing to the purpose of the inquiry. They may, however, assist with articulation of responses and, where appropriate, issues of recall.

5.5 The candidate will be sent copies of all documents to be made available to the Appeal Panel. The Appeal Panel is empowered to call members of staff with knowledge of the case to attend the meeting to give evidence, and to correspond with external examiners or others as appropriate. The candidate and the accompanying person will be permitted to speak and to question any persons giving oral evidence to the Panel.

5.6 Having considered the evidence, the Appeal Panel may make one of the following decisions.

a) To reject the appeal, in which case the candidate will be given reasons for the decision. If the appeal is rejected, there is no further right of appeal.

b) To refer the matter back to the original Assessment Board for reconsideration, taking into account the new information or any guidance from the Appeal Panel. The reconvened Assessment Board will have the power to confirm or alter its original decision. Where the original decision is confirmed, the candidate will be given reasons for that decision. There will be no opportunity for the candidate to appeal against the decision of the reconvened Assessment Board.

c) To revoke the original decision of the Assessment Board and, as appropriate, allow the candidate a further opportunity to satisfy the requirements for continuation on the programme or relevant element of the programme.

d) To revoke the original decision not to award a qualification and to direct that the examiners reconsider their decision for reasons stated.

e) To direct that further assessment options be made available to the candidate to re-take any component of the assessment function as recommended by the Panel.

5.7 The candidate will be informed of the Appeal Panel’s decision, with reasons, within five working days and will be issued with a Completion of Procedures Letter.
6 Conclusion of the appeal process

6.1. At the conclusion of the appeals procedure, candidates will be issued with a Completion of Procedures Letter. There are no other appeals procedures beyond those detailed above.