Appeals

Grounds for appeal

If the employer and/or apprentice wishes to formally appeal, they may do so in respect of the decisions of the Assessment Board and/or the feedback given on assessed work only on the following grounds.

- That there exists or existed circumstances affecting the apprentice’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. [Note: if an employer or apprentice wishes to appeal on such grounds, they must give adequate reasons, with supporting documentation, why this information was not made available before the decision was made.]
- 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.
- That there is evidence of prejudice or bias or lack of proper assessment on the part of one or more of the examiners.

ICA will not accept appeals in the following circumstances:

- where appeals are submitted more than 20 working days after the release of results
- where the relevant events / activities took place before ICA received confirmation that the apprentice had completed the Gateway process
- where anything has occurred that should be dealt with under employer’s own disciplinary or grievance procedure
- where the matter involves anything concerning qualifications that have been delivered as part of the apprenticeship (either mandatory or non-mandatory) other than those provided by ICA
- where the relevant matters relate to the apprenticeship OPL activities
- where an appeal questions the academic or professional judgement of those charged with the responsibility for assessing an apprentice’s academic performance or professional competence.

Procedure for submitting an appeal

If the employer and/or apprentice remains dissatisfied with the result or decision once informal avenues have been exhausted and believes there are valid grounds for appeal (as specified in section 6.1), they may invoke the formal appeal procedure.

A formal appeal may be initiated in writing and submitted to the ICA Assessment team (epa@int-comp.org) within 20 working days of notification of the result or
decision. The employer and/or apprentice should submit with the appeal any documents they wish to be considered in the appeal. When submitting an appeal, the following supporting information must be supplied:

- employer’s name, address and contact details
- apprentice’s name and unique learner number
- key date(s) on which the employer or the apprentice received notification of a decision
- date the relevant assessment took place
- title of the apprenticeship affected
- a clear statement of the grounds for the enquiry and/or appeal, i.e. full details of the nature of the appeal, including any evidence that is relevant to the appeal
- where an internal appeal has taken place in the employing organisation, the outcome of any investigation carried out relating to the issue and the documentation relating to that appeal (in the case of an assessment appeal, this may include the apprentice’s work, records of assessment, internal quality assurance and the nature of the internal appeal)
- the appellant’s name, position and signature.

On receipt of the formal appeal, ICA will initially consider whether the appeal satisfies one or more of the grounds specified in section 6.1. If this test fails, the apprentice will be notified within ten working days of receipt of the appeal, that the appeal is not eligible, with reasons given. There will be no opportunity for the apprentice to appeal against this decision.

If the appeal is shown to have been made on one or more of the grounds set out in section 6.1, then ICA will obtain comments on the appeal from an appeals committee.

The appeal will then be considered by the appeals committee, who may make any of the following decisions:

- to allow the appeal and amend the assessment
- to reject the appeal
- to refer the appeal to the Examination Committee and Test Board, on the basis that it has raised serious issues that require further investigation and consideration.

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 employer and/or apprentice will be notified accordingly, the appeal procedure will cease, and the employer and/or apprentice will be issued with a Completion of Procedures Letter.

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

a. That the appeal does not, after all, have substance, in which event the employer and/or apprentice will be informed of this decision in writing,
normally within 20 working days of the receipt of the appeal. The employer and/or apprentice will be given reasons for the decision. If the employer and/or apprentice 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.
b. 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 employer and/or apprentice will be given reasons for that decision. There will be no opportunity for the employer and/or apprentice to appeal against the decision of the reconvened board and the employer and/or apprentice will be issued with a Completion of Procedures Letter.
c. 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 committee.

An employer and/or apprentice 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
Wrens Court
52-54 Victoria Road
Sutton Coldfield
Birmingham
B72 1SX.

The 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 employer and/or apprentice will be informed of the outcome of the review in writing, normally within 20 working days of the receipt of the appeal.

The employer and/or apprentice will be given reasons for the decision.

The decision of the ICA President will be final, and the employer and/or apprentice will be issued with a Completion of Procedures Letter.