



ICA Appeals Policy

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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 for all learners studying with ICA.
- 1.2. The policies and procedures contained herein apply to all registered ICA learners, regardless of their mode, level, or place of study, including apprentices appealing the outcome of their apprenticeship assessment.
- 1.3. This procedure sets out the process for handling appeals concerning assessments, awarding of qualifications and certification. This procedure does not cover complaints or mitigating circumstances, which are covered by separate procedures. It does, however, cover appeals against decisions arising from a malpractice finding or from a refusal to grant reasonable adjustments; the investigation of the underlying malpractice allegation or adjustment request itself is governed by the relevant separate policy. Please see the ICA website for the *Assessment Guidance*
- 1.4. 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, it will be rejected.
- 1.5. Appeals may not be submitted following individual assessments or examinations and will only be permitted after the assessment board has issued final grades, and these have been communicated to learners.
- 1.6. Appeals will only be accepted if they are received within 20 working days of the receipt of final grades from the assessment board.
- 1.7. This procedure may be used only when there are eligible grounds for doing so (as specified in section 3) and cannot be used solely on the basis of dissatisfaction with a result.
- 1.8. A learner may submit an appeal only on their own behalf.

2. ICA policy

- 2.1. This procedure may be used by any learner who wishes to appeal against a final decision of an assessment board that affects that learner'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 learner has been unsuccessful in all attempts to complete assessments to the required standard within the respective timeframe
 - an assessment board has determined that the learner has obtained marks by deception and that the decision of the board is not to proceed with an award in this case
 - the learner has not completed all necessary assessments for awarding purposes and ICA staff have not been able to contact the individual concerned after repeated attempts to resolve the matter.
 - b. On grounds of unsatisfactory progress, failure to meet academic or professional requirements, or a finding of academic malpractice.
 - c. A requirement that the learner interrupt his or her studies.
 - d. A requirement that the learner transfers to a programme offering a qualification of lower rank.
 - e. A decision not to allow the learner to progress from the Advanced Certificate to Diploma or from the Diploma to the Professional Postgraduate level qualifications.
 - f. Appeals from learners relating to an ICA decision to decline a request to make reasonable adjustments or give special considerations.
 - g. Appeals from learners in relation to the application by ICA of a sanction.

3. Grounds for appeal

- 3.1. An appeal which questions the academic or professional judgement of those charged with the responsibility for assessing a learner's academic performance or professional competence will not be permitted.
- 3.2. An appeal may only be made within 20 working days of the receipt of final grades for a qualification, and on grounds alleging one or more of the following:
 - a. That there exists, or existed, circumstances affecting the learner'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.
 - Appellants 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.
 - 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.
 - Appellants wishing to appeal on these grounds should present their appeal with evidence of the error or irregularity accompanying their claim.
 - c. That there is evidence of prejudice or bias or lack of proper assessment on the part of one or more of the examiners.
 - Appellants are not permitted to use these grounds simply because they are dissatisfied with their grade. Evidence of bias or lack of proper assessment must accompany their appeal.
- 3.3. All appeals must be submitted via the appeals process using the form provided on the website and appellants must make it clear which of the above grounds applies to their case. Appeals submitted without that information or supporting evidence will automatically be rejected.

ICA will not accept appeals in the following circumstances:

- Where appeals are submitted more than 20 working days after the decision has been communicated.
- Where the relevant events/activities took place prior to the learner completing the gateway to completion process

- Where anything has occurred that should be dealt with under the 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).
- Where the relevant matters relate to the apprenticeship on programme learning activities.

4. Formal procedure

- 4.1. A formal appeal may be made by completing the form on the *ICA website* within 20 working days of the notification of the overall grade or decision. Appeals cannot be submitted following individual assessments or examinations; appellants can only submit appeals once they have received their **overall final grade**. Appeals should be accompanied by any documents they wish to be considered in the appeal.
- 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 appellants will be notified within 20 working days of the appeal being received that the appeal is not eligible, with reasons given.
- 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 designate a senior member of the ICA staff (not party in any way to the case under review) to conduct an investigation and decide on the outcome of the appeal.
- 4.4. 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 appellants will be notified accordingly. The appeal procedure will cease, and the appellants will be issued with a completion of procedures letter (see paragraph 5.1).

4.5. Appeal outcome and chair's action

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 appellants will be informed of this decision in writing, normally within 20 working days of the appeal having been received. The appellants will be given reasons for the decision. If the appellants 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 4.7).

- 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 appellant's grade will be made and the outcome communicated to the appellants.
 - 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 chair of the assessment board with recommended action.
- 4.6. The chair has the power to make decisions by 'chair's action' or to reconvene the assessment board for reconsideration, taking into account any new information, or any guidance from ICA. The chair, or reconvened board, will have the power to confirm or alter the original decision. Where the original decision is confirmed, the appellants will be given reasons for that decision. There will be no opportunity for the appellants to appeal against the decision of the chair or assessment board and the appellants will be issued with a completion of procedures letter (see paragraph 5.1).
- 4.7. Appellants whose appeal has been rejected by ICA or dismissed due to lack of information or supporting evidence (see 3.3) can request a review if they believe that their appeal has not been handled properly or fairly. Requests for a review, with reasons provided, should be submitted in writing to ICA within 20 working days of receipt of the letter informing them of the outcome of their appeal.
- 4.8. Requests for reviews should be sent to: The ICA assessment team via our website - [*Contact Us*](#)
- 4.9. The ICA President will re-examine the case together with all related documents to determine whether the case has been handled correctly and the decision is reasonable in the light of the available evidence. The President may also refer the case for independent review (usually by an external examiner) to inform their final decision.
- 4.10. The appellants will be informed of the outcome of the review in writing, normally within 20 working days of the review request having been received. The appellants will be given reasons for the decision. The decision of the ICA President will be final, and the appellant will be issued with a completion of procedures letter (see paragraph 5.1).

5. Conclusion of the appeal process

5.1. At the conclusion of the appeals procedure, the appellant will be issued with a completion of procedures letter.

5.2. For apprenticeship assessment only

In situations where an appeal has been successful, or when an investigation following notification from Ofqual indicates a failure in our processes, ICA will give due consideration to the outcome and will as appropriate take actions such as:

- identify any other apprentices who have been affected and undertake corrective action for example, amend the results for the apprentices affected following an appropriate investigation, or
- review our associated processes and policies to ensure the 'failure' does not occur again or to mitigate the situation as far as possible if the failure that occurred cannot be corrected.

We will also cooperate with any follow up investigations required by Ofqual and if appropriate agree any remedial action with them.

An apprenticeship learner who remains dissatisfied with the procedures and processes followed by ICA in relation to an apprenticeship assessment can *Make a complaint to Ofqual*.



International Compliance Association – Head Office

Suite 215/216 2nd Floor, Fort Dunlop, Fort Parkway, Birmingham, B24 9FD, United Kingdom
+44 (0) 121 362 7534 | www.int-comp.org