

APPEALS POLICY

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1 ABBREVIATIONS AND GLOSSARY OF TERMS

Applicant	A person who has submitted or who intends to submit an appeal
AQP	A body delegated by the QCTO to develop assessment instruments and manage the external integrated summative assessments of specific NQF registered occupational qualifications and part qualifications
Assessor	A person who is qualified and registered with the Institute in accordance with established criteria to conduct internal and/or external assessments for NQF registered occupational qualifications and part qualifications
Board	Means the Board of the Compliance Institute Southern Africa
Candidate	A person whose performance is being assessed by an evaluator / assessor
Learner	A person who is enrolled on a qualification, but who has not yet obtained competence
Moderator	A person who is registered by the Institute in accordance with established criteria to ensure that the assessment process and procedure is fair, valid, reliable and unbiased
NQF	National Qualifications Framework – a comprehensive system for the classification, registration, publication and articulation of quality assured national qualifications
Occupational qualification	A qualification associated with a trade, occupation or profession resulting in learning in and for the workplace
Professional Body	Any body of expert practitioners in an occupational field, and includes an occupational body
Professional designation	A title or status conferred by a professional body in recognition of a person's expertise and/or right to practice in an occupational field
Qualification	A qualification or part qualification registered on the NQF
QCTO	Quality Council for Trades and Occupations
SAQA	South African Qualifications Authority
Skills Development Provider	An organisation that has been recommended by the Institute and accredited by the QCTO to offer certain occupational qualification(s)
The Institute	Compliance Institute Southern Africa

2 INTRODUCTION

The Compliance Institute Southern Africa ('the Institute') is dedicated to supporting SAQA and the QCTO's mandate to further develop and implement the NQF. As a Professional Body, Development Quality Partner (DQP) and Assessment Quality Partner (AQP) the Institute is responsible for certain delegated functions.

Candidates, learners, assessors, moderators, Skills Development Providers and other parties who observe irregularities may appeal to the Institute against decisions related to findings or sanctions of the Disciplinary Committee, assessment processes, exemption processes, examinations, or any other marks or outcomes.

3 POLICY STATEMENT

The Institute is responsible for providing a communication channel for all its stakeholders in matters which give rise to disputes and appeals.

4 PURPOSE OF THE APPEALS POLICY

The purpose of the appeals policy is to provide guidelines to aggrieved candidates, Skills Development Providers and other parties wishing to appeal the examination, assessment, registration or interview decision made by the Institute.

The policy ensures:

- a) That unfair accreditation and assessment decisions are heard and corrected
- b) That concerns about unethical behaviour and/or unfair processes and practices are investigated and problems are identified and addressed
- c) The credibility of the various accreditation and assessment processes
- d) The maintenance of the integrity of the accreditation and assessment system

5 POLICY SCOPE

This policy applies to all individuals or organisations who have declared a dispute related to:

- a) Accreditation of a Skills Development Provider
- b) Quality of training
- c) Evidence requirements
- d) Assessor or Moderator registration (withholding registration, de-registration or non-renewal of assessor / moderator registration)
- e) A recommended finding or sanction of the Disciplinary Committee against a member who is found guilty of a breach of the Institute's policies or codes
- f) The decision or outcome regarding exemption from writing the Board Examination and/or the outcome of the work experience evaluation
- g) Disputed assessment or Board Examination results
- h) Irregularities that may have occurred before, during or after an assessment or examination
- i) Unethical behaviour or unfair or inequitable condition, processes or practices related to the assessment process
Unethical behaviour by the Skills Development Provider, learner, assessor, moderator, exam officer or invigilator.

6 PRINCIPLES FOR ADDRESSING APPEALS AND COMPLAINTS

- a) Confidentiality – All persons have the right to confidentiality
- b) Representation – The applicant lodging the appeal shall have the right to representation in all proceedings pertaining to the appeal
- c) Transparency - The Institute will publish the appeals policy and procedures on its website
- d) The Institute will attempt to resolve the issues to the satisfaction of all parties concerned

7 ROLES, RESPONSIBILITIES AND RIGHTS

7.1 APPEALS COMMITTEE

- a) The Board must appoint an Appeals Committee consisting of at least 3 persons to evaluate the appeal
- b) A person hearing an appeal must not have been a member of the Investigation Panel or Hearing Panel which dealt with the matter
- c) Persons appointed to the Appeals Committee should not be members of the Disciplinary Committee or the Board

7.2 SKILLS DEVELOPMENT PROVIDERS

Skills Development Providers must:

- a) Develop and publish a learner appeals policy and procedures for the organisation
- b) Inform and advise the learner about the appeals policy and procedures
- c) Inform learners about their rights and responsibilities, and
- d) Provide the Institute with all relevant information about unresolved appeals and complaints

7.3 LEARNERS

7.3.1 Role and responsibilities

- a) Learners have the responsibility of familiarising themselves with the Skills Development Provider's policies regarding assessment
- b) Learners have the responsibility of familiarising themselves with the kinds of assessment activities that they would be asked to perform, the standard and level of performance expected, the type and amount of evidence to be collected and their responsibility regarding the collection and presentation of evidence
- c) Learners are responsible for their own readiness for assessment or re-assessment, and for agreeing to arrangements for the date and time of the assessment and any re-assessment offered

7.3.2 Rights

- a) Learners should be assessed against the specific outcomes in the qualification for which they are registered.
- b) Learners' assessments should address each specific outcome contained within a curriculum, and all assessment criteria and range specified within the curriculum should be taken into consideration in the assessment design. The curriculum contains all the information and criteria necessary for assessment.
- c) Once they have been found competent against a qualification, learners will be certificated for that qualification.
- d) If learners are found 'not yet competent' as a result of the assessment, they will be given specific feedback regarding the areas of shortfalls, and will be guided and informed on how to address identified gaps.
- e) Learners have a right to access to their assessment records.
- f) If learners do not agree with the assessment decision, they have the right to ask that the assessment be moderated (if not already done).
- g) If after the moderation learners still do not agree with the results of the assessment, they have the right to lodge a formal appeal with the Skills Development Provider.
- h) If the issue is still not resolved to the satisfaction of the learner, or if the learner's complaint is against the Skills Development Provider in question or one or more of its employees, he/she has the right to lodge a formal appeal with the Institute,

providing reasonable grounds for the complaint and furnishing evidence in support of it.

- i) Confidentiality regarding learner's assessment and assessment results must be maintained, and only authorised parties should have access to this information during the appeals process.

8 APPEALS PROCEDURES

8.1 APPEALS PROCEDURES AT THE SKILLS DEVELOPMENT PROVIDER (SDP)

The following procedures must be in place:

- a) Complaints about the assessment and assessment process by learners should be lodged at the accredited Assessment Centre or approved site. The applicant must lodge a complaint or appeal about the disputed assessment results directly to the SDP, using the correct form and supplying all the necessary information.
- b) The SDP will attempt to resolve the issues to the satisfaction of all parties concerned.
- c) If the matter is not resolved, the SDP must refer the matter to the Institute.
- d) The applicant must be informed that the Institute will conduct further investigation into the matter, and will take appropriate action.

8.2 APPEALS PROCEDURES AT THE INSTITUTE

- a) The SDP or any other applicant may lodge a complaint or appeal using the prescribed form and supplying the necessary information.
- b) The appeal must be lodged with the Institute within 14 calendar days after the applicant has been informed or became aware of a result, outcome or decision.
- c) The Institute will acknowledge receipt of the appeal.
- d) Depending on the nature of the appeal, the Appeals Committee may appoint an Investigative Panel and/or Hearing Panel.
- e) Where the appeal is against the results of an assessment, the Institute may appoint an independent assessor to independently re-assess the candidate's answer paper and perform other assessment techniques as required. The findings of the independent assessor are final.
- f) The applicant is responsible for all costs that the Institute may incur in the appeals process. Should the appeal be successful, the applicant will be reimbursed with these costs.
- g) The applicant should be given an opportunity to present argument on the appeal before the Appeals Committee will make a recommendation to the Board based on their findings.
- h) The Appeals Committee must consider the appeal within 30 days after the notice is delivered to the Institute.
- i) In matters related to Occupational Qualifications, appeals on the assessment and assessment process by learners should be lodged with the Institute (in their capacity as AQP), in which the decision of the Institute's appeals committee shall be final.

**REVIEWED BY THE AUDIT, RISK, REMUNERATION, GOVERNANCE AND NOMINATION
COMMITTEE ON: 2014-12-12**