



**INTERNATIONAL
COMPLIANCE**
ASSOCIATION

Assessment Appeals Procedure

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Assessment Appeals Procedure

Notes:

- I. This Procedure may be used only when there are eligible grounds for doing so (as specified in paragraph 2 below) 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.
- II. 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.
- III. 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.
- IV. A candidate thinking of appealing should discuss the matter with his or her mentor, personal tutor, or other appropriate person in the organisation where they are studying before doing so, in order to better understand the reason for the result or decision against which they wish to appeal. A formal appeal should only be submitted if a candidate remains dissatisfied once informal avenues have been exhausted.
- V. Any reference in these procedures to named officers should be read also as a reference in each case to a delegated nominee.

Scope

1. This Procedure may be used by candidate's who wish to appeal against a final decision of an assessment board which affects a candidate's academic status or progress, including (but not limited to) the following:
 - A. 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 arising from unsatisfactory work and attendance
 - B. a requirement that the candidate interrupt his or her studies on grounds of unsatisfactory progress or failure to meet academic or professional requirements
 - C. a requirement that the candidate transfers to a programme offering a qualification of lower rank, for example:
 - I. Professional Postgraduate to Diploma
 - II. Diploma to Advanced Certificate
 - III. Advanced Certificate to Awareness

- D. a decision not to allow the candidate to progress from the Advanced Certificate to Diploma or from the Diploma to the Professional Postgraduate
- E. a decision not to award a qualification on the grounds that:
 - I. the candidate has been unsuccessful in all attempts to complete assessments to the required standard within the respective timeframe
 - II. a decision has been made by an Assessment Board that the candidate has obtained marks by deception and that the decision of the Board was not to proceed with an award in this case
 - III. 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.

Grounds for Appeal

- 2 An appeal may be made only on grounds alleging:
- 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 [*Note: if a candidate wishes to appeal on such grounds, they must give adequate reasons with supporting documentation 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 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
 - D. that the training received by the candidate was unsatisfactory to the point that his or her performance was seriously affected.

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.



Formal Procedure

3. If a candidate remains dissatisfied with the result or decision once informal avenues have been exhausted and believes there are valid grounds for appeal (as specified in paragraph 2 above), he/she may invoke the formal appeal procedure.
4. A formal appeal may be initiated by completing an Appeals Form and submitting it to the ICA Manager within twenty working days of notification of the result or decision. The candidate should submit with the Form any documents he or she wishes to be considered in the appeal.
5. On receipt of the formal appeal, the ICA Manager will initially consider whether the appeal is made on one or more of the grounds specified in paragraph 2 above. 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 within ICA.
6. If the appeal is shown to have been made on one or more of the grounds set out in paragraph 2, then the ICA Manager will obtain comments on the appeal from the Course Director, Chief Examiner or other appropriate person and form an Appeals Committee
7. The appeal will then be considered by the Appeal Committee who may make any of the following decisions:
 - I. to allow the appeal and amend the assessment
 - II. to reject the appeal
 - III. 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.
8. 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 15).]
9. The ICA Manager, having considered the outcome of the formal appeal, may determine:
 - 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 twenty 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, he/she has the right to request a review of the handling of their appeal (see paragraph 10)

- 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 which 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 the ICA Manager. 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 15)
 - c) that the appeal has raised serious or complex matters which require further investigation and enquiry, in which event the case will be referred to an Appeal Panel (see paragraph 11).
10. Candidates whose appeal has been dismissed by the ICA Manager 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 the CEO of the ICA within 20 working days of receipt of the letter from the ICA Manager informing them of the outcome. The CEO 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 twenty working days of the appeal having been received. The candidate will be given reasons for the decision. The decision of the CEO will be final and the candidate will be issued with a Completion of Procedures Letter (see paragraph 14).

Appeal Panel

11. Appeals which are considered by the ICA Manager 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 be as follows:
- ICA Chief Executive who will chair the meeting
 - The Chief Examiner for that discipline
 - ICA Manager or ICA representative who will minute the meeting
 - Member of teaching staff or representative from the Partner Organisation from whom the candidate is registered with.
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12. 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 his or her case. Where the candidate decides not to attend, the Panel may proceed in his or her absence. The candidate may be accompanied at the meeting by a fellow candidate or a member of staff. 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.
13. Having considered the evidence, the Appeal Panel may:
 - a) 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 within ICA; or
 - b) 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 within ICA for the candidate to appeal against the decision of the reconvened assessment board; or
 - c) 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 element of the programme; or
 - d) revoke the original decision not to award a qualification and to direct that the examiners reconsider their decision for reasons stated; or 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.
14. The candidate will be informed of the Appeal Panel's decision, with reasons, within 5 working days and will be issued with a Completion of Procedures Letter.

Conclusion of the Appeal Process

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