



## Appeals Policy

### **General**

#### **Introduction**

This appeals policy is aimed at our customers, including learners, who are delivering/enrolled on or have taken a PMI approved qualification or unit. This policy sets out the process you should follow when submitting appeals to us and the process we will follow when responding to enquiries and appeals.

This policy will ensure PMI internal staff deal with all appeals in a consistent manner.

#### **Centre's responsibilities**

It's important that any staff involved in the management, assessment, delivery and quality assurance of our qualifications including your learners are aware and understand the contents of the policy.

In addition, you as the centre are responsible for, and must have in place a policy and appeal arrangements which learners can fully access if they wish to appeal against a decision taken by your centre.

If a learner wishes to appeal against a decision already made by the centre they must first formally go through the centre's appeals process.

If the learner is still not entirely happy with the decision a second appeal should be raised and lodge to PMI. This need to be in a form of email containing the outcome from the centre

#### **Review arrangements**

The appeals policy will be reviewed annually as part of PMI self-evaluation arrangements and revised as in conjunction to the regulatory authorities to align with any appeals and complaints process established by the regulatory authorities such as Ofqual where applicable.



## Appeals Policy

### Areas covered by the Appeals Policy

This policy covers the following:

- Appeals from learners and/or centres' in relation to an assessment decision on the basis that we did not apply procedures consistently or that procedures were not followed properly and fairly
- Appeals from centres' in relation to a PMI decision concerning the centre's application to offer a PMI qualification.
- Appeals from centres' concerning the contents of the centre monitoring report.
- Appeals from centres' and/or learners relating to an PMI decision to decline the centre's request to make reasonable adjustments or give special considerations
- Appeals from centres' or learners in relation to the application by PMI of a sanction/action on a centre resulting from a verification visit or an investigation into malpractice or maladministration or a decision to amend a learner/set of learners results following a malpractice or malpractice investigation
- Appeals from centres' relating to a decision made by PMI following an investigation into a complaint about a centre.
- Appeals if you believe we have not applied our procedures consistently or that procedures were not followed properly, consistently and fairly.

### Process for raising an appeal

The centre and learners have 20 working days from the date we notified you of the decision you are appealing against in which to lodge an appeal against our decision - this includes assessment results. It is important and advisable that the learners/staff are to retain their course evidence until they receive the outcome.

If you the centre are appealing on behalf of your learners, you **must** ensure that you have obtained the written permission of the learner(s) concerned as grades/results can go down as well as up as a result of an investigation.

Learners who wish to appeal about their assessment results or about a related decision should either be supported by their centre and should have exhausted their centre's own appeals process before appealing to us. In the latter case, learners must provide us with evidence that they have first appealed to their centre. It is expected that learners will only appeal directly to us in exceptional circumstances.



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Centres' should supply relevant supporting information such as the following where relevant:

- learner's name and PMI registration number
- date(s) you or the learner received notification of PMI's decision
- title and number of the PMI qualification affected, or nature of service affected (if appropriate)
- full nature of the appeal
- contents and outcome of any investigation carried out by you relating to the issue

### **Situations brought to our attention by the Regulatory Authorities**

Where the regulators notify us of failures that have been discovered in the assessment process of another awarding organisation, we will review whether or not a similar failure could affect our own assessment processes and arrangements.

### **Initial Review of the appeals process**

Upon receipt of all appeals we will acknowledge receipt of the appeal within 2 working days and aim to respond fully to the initial review of the potential appeal within 20 days. Please note that in some cases the review processes may take longer, for example, if a centre visit is required. In such instances, we will contact all parties concerned to inform them of the likely revised timescale.

At all times we will ensure that PMI personnel assigned to the appeal investigation have the appropriate level of training and competence and they have had no previous involvement or personal interest in the matter.

The first stage will be for us to undertake an initial, informal assessment of a potential appeals to ensure the application is complete and to ascertain if the issue can be resolved before it goes to a formal appeal. In all instances we will ensure that the person carrying out this initial check will not have a personal interest in the decision being appealed.

Following the initial review of the potential appeal we will write to the appellant with details of our decision to either:

1. amend our original decision in light of the new rationale/evidence being put forward and which has now been reviewed
2. to confirm we stand by our original decision and in doing so the rationale for this and request that you confirm (within 15 days),
3. whether you now accept this decision or if you wish to formally proceed to our formal appeals process which will be carried out by an independent party.



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### Seeking an Independent Review

If you decided to proceed to the independent appeal stage PMI will arrange for an independent review to be carried out.

This will be carried out by someone who is not an employee, an assessor, or otherwise connected to PMI.

They will be someone with relevant competence to make a decision in relation to the appeal and will have not a personal interest in the decision being appealed.

The Independent Reviewer will review all the evidence which took place in the above stages and review if we've applied our procedures fairly, appropriately and consistently in line with PMI appeals policy.

The independent review process may involve:

- a discussion with the appellant or the learner and PMI personnel
- a request for further information from the appellant, the learner or PMI personnel
- a centre visit by authorised PMI personnel.

The Independent Reviewer's decision is final in relation to how PMI will consider such appeals and PMI will let you know the outcome of the review within 20 days of receipt of the third appeal. If the centre/learner is still not satisfied with the outcome at this stage, they are entitled to raise the matter with the relevant qualification regulator (e.g. Ofqual in England).

### Successful appeals and/or issues brought to our attention by Ofqual

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

- amend the profile of the centre concerned in the PMI system
- identify any other learners who may or may not have been affected (e.g. and amend the results for those affected following an appropriate investigation)
- review PMI associated processes and policies to ensure that this type of situation is not repeated in future



## Appeals Policy

### **PMI Procedures**

#### **Post Results Policy (Multiple Choice Examinations)**

The PMI is committed to providing fair and transparent processes. The appeals procedure is intended for consideration of circumstances that materially affect a learner's performance in an assessment where all other available routes for enquiries have been exhausted.

The committees responsible for the operation of the PMI's multiple-choice type examinations are as follows:

- Awards in Pension Trusteeship Committee
- Retirement Provision Certificate Committee
- Certificate in Pensions Automatic Enrolment Committee
- Certificate in DC Governance Committee

#### **Board of Examiners**

These committees operate a rigorous and robust marking process with numerous safeguards to ensure the anonymity of learners, the impartiality of the examining process, reliability, consistency, validity, objectivity and fairness.

They report to PMI's Qualifications, Examinations and Assessment Committee which in turn reports directly to the PMI Board.

In the event learners have enquiries about their results, PMI provide the services below.



## Appeals Policy

### General Procedures

- Enquiries can be made by learners.
- All enquiries about results or the conduct of examinations must be made in writing on the appropriate form to the Head of Qualifications at PMI or by email at [KHoodless@pensions-pmi.org.uk](mailto:KHoodless@pensions-pmi.org.uk) within one month of the publication of examination results.
- Learners are advised to submit enquiries as soon as possible after the results have been issued. Requests received after the time allowed will not be accepted.
- All enquiries about results will be acknowledged within 10 working days of receipt.
- Fees are payable for the results enquiries services and are refundable if the review results in a pass.

### Post Results Services

There are two options available:

- Clerical re-check and Review
- Appeal.

### Clerical re-check and Review

Requests for a clerical re-check should be made in writing to the above email address within four weeks of the release date of the results.

This service will comprise the following checks:

- that all parts of the answer sheet have been marked correctly;
- the totalling of marks;
- the recording of marks;
- that any examiner or moderation adjustments, have been correctly applied;
- the application of any grade boundaries;
- the application of any special consideration if applicable (in relation to either reasonable adjustments made prior to the examination or following incidents at the time of the examination).

In addition to the above learners will receive their exact mark for the examination.



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The PMI will aim to provide written notification of the outcome of the re-check within 10 working days of receipt of the request.

The re-check and review are undertaken by PMI Staff in consultation with the relevant committee where necessary and overseen by the Head of Qualifications.

If appropriate this stage and its outcome will be reviewed by the PMI Head of Professional Standards.

### **Fees**

A fee of £30 is payable for this service and is refundable should the result/outcome be changed

### **Appeals**

Following the clerical re-check and review if an individual remains dissatisfied with the outcome it is possible to make an appeal as described below.

All appeals must be made in writing to the Head of Qualifications and Lifelong Learning within 14 days of the date on which the notification of the final outcome of the above review.

### **Grounds for an appeal**

The appeal process will consider whether the PMI's procedures are consistent and have been fairly and properly applied.



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The grounds for an appeal include:

- irregularities in the conduct of an examination
- the procedures for question setting, marking and results moderation of examinations
- extenuating circumstances that were not revealed for valid reasons prior to receipt of result notification.
- dissatisfaction with decisions taken concerning malpractice or maladministration

### Fees

A fee of **half of the original examination entry fee** is payable for such an appeal and is refundable if the findings of the investigation results in a change of outcome for the learner.

### The Process

The process consists of two parts:

#### (part A) – PMI Staff

- A review by the Head of Professional Standards to provide advice and guidance to the learner where the grounds for the appeal might be unlikely to succeed.
- The outcome of this review will be notified in writing.

#### (part B) – PMI Appeals Panel

If the case is not resolved by the review by PMI Staff, it will be referred to an Appeals Panel convened by the Qualifications, Examinations and Assessment Committee.

The Appeals Panel will include:

- A member of the Qualifications, Examinations and Assessments Committee
- An independent examiner as appropriate
- The PMI Chief Executive or nominated representative
- An independent member drawn from the PMI Professional Standards Committee
- The case will be presented to the Appeals Panel.
- The Appeals Panel can instruct PMI to reconsider the case and may offer recommendations.
- The outcome of and a report on the decision of the panel will be provided.



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PMI will aim to complete the appeal process and report the outcome within 50 working days.

The outcome of this Stage is **final**, and no further requests will be considered.

### Data Protection Act

The above options are in addition to an individual's right to request personal data in accordance with GDPR Regulations and the Data Protection Act 1998. PMI will comply with such requests as soon as possible and in any event within the relevant timescales.

PMI reserves the right to levy a fee for such requests. This fee is currently £10.00. Requests for personal data relating to examinations should be made to PMI.

### Monitoring the Post Results Policy

PMI has procedures in place for monitoring, evaluating and reporting annually on the operation of this policy, including the number and nature of enquiries and appeals and their outcomes. Where necessary PMI shares relevant data with the regulatory authorities on request.

For regulated qualifications, in cases where a learner might be unsatisfied with the outcome of an appeal, they can contact PMI's regulator, the Office of the Qualifications and Examinations Regulator (Ofqual) directly. Their website is at:

<https://www.gov.uk/government/organisations/ofqual>

In all the processes described above, where deadlines have passed, exceptional circumstances may still be considered.

PMI will also cooperate with any follow-up investigations required by the qualifications regulators and if appropriate agree any remedial action with them.

### Contact us

If you have any queries about the contents of the policy, please contact [KHoodless@pensions-pmi.org.uk](mailto:KHoodless@pensions-pmi.org.uk) with the subject title "appeals".