



CMI Enquiry and Appeals Procedure – Ref: AB/PRO/0015/Jul18/V09

Purpose

This procedure applies to all Chartered Management Institute (CMI) Centres, Employers and Learners registered on a CMI qualification and Apprenticeship End Point Assessment. This document sets out guidance on how to make an enquiry and/or an appeal to CMI and the procedure to follow.

All CMI Centres, as part of the approval process, will have in place their own appeals procedure. CMI expects Learners to exhaust their Centre process before contacting CMI.

Introduction

This procedure details CMI's commitment to the provision of duty of care to CMI Learners. It also details the commitment to support CMI Centres and to deliver a high standard of customer service.

Feedback from CMI Centres and Learners is most welcome.

Regulatory Requirements

Regulations require CMI to publish procedures to Learners and CMI Centres for dealing with enquiries and appeals, to maintain the integrity of the CMI qualifications. This document fulfils that requirement.

General Conditions of Recognition:

Condition D4 – Responding to enquiries and complaints procedures

Responding to enquiries from Users of qualifications

D4.1 – An awarding organisation must answer accurately, fully and within a reasonable time, any reasonable enquiries received by it from Users of qualifications

Condition I1 – Appeals process

I1.1 An awarding organisation must establish, maintain and comply with an appeals process in relation to all qualifications which it makes available, which must provide for the appeal of –

- (a) The results of assessments,
- (b) Decisions regarding Reasonable Adjustments and Special Consideration, and
- (c) Decisions relating to any action to be taken against a Learner or a Centre following an investigation into malpractice and maladministration

I1.2 For these purposes, the appeals process must provide for –

- (a) The effective appeal of results on the basis that the awarding organisation did not properly follow procedures consistently or that procedures were not followed properly or fairly
- (b) All appeal decisions to be taken by individuals who have no personal interest in the decision being appealed
- (c) All appeal decisions to involve at least one decision maker who is not an employee of the awarding organisation, an Assessor working for it, or otherwise connected to it
- (d) Appeal decisions to be only taken by persons who have appropriate competence
- (e) Timeline for the outcome of appeals

I1.3 An awarding organisation must publish information on its appeals process to enable the results of assessments to be appealed.

11.4 Where the application of an appeals process in the case of a Learner leads an awarding organisation to discover a failure in its assessment process, it must take all reasonable steps to –

- (a) Identify any other Learner, who has been affected by the failure,
- (b) Correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure, and
- (c) Ensure that the failure does not recur in the future.

SQA Principles:

Principle 13

The awarding body and its providers must have clearly defined processes to deal with appeals for services that it offers.

Consideration should be given to:

- how, when and the circumstances under which an appeal can be made,
- timescales for appeals,
- independent review.

Where a referral is made to SQA Accreditation, we may undertake activities to assess the effectiveness of the Awarding Body and/or the provider's appeals process to ensure they are in line with regulatory requirements.

Where SQA Accreditation raises any concerns the Awarding Body and/or provider must take appropriate, preventative and/or corrective action to prevent re-occurrence.

The awarding body and its providers should ensure that their documentation is clear that SQA Accreditation is unable to overturn assessment decisions or academic judgments.

Scope

This procedure applies to all key stakeholders engaged with the CMI qualifications. This includes CMI Centres, Employers, Centre staff and CMI Learners.

There are some instances where CMI will not be able to investigate or review an enquiry/appeal:

- An enquiry/appeal is received outside the set deadlines within this procedure.
- A situation that has taken place prior to CMI receiving the Learner's registration
- Anything that should be dealt with under law, employer's disciplinary or grievance procedures

Definition of Enquiries and Appeals

Enquiry

The term "Enquiry" relates to the dissatisfaction of a CMI decision or CMI Centre decision which may include the following areas:

- Assessment decisions
- Decisions regarding Reasonable Adjustments or Special Consideration
- Decisions made in cases of malpractice and maladministration
- The outcome of a complaint

Appeal

The term "Appeal" relates to the dissatisfaction with the outcome of a decision once all the initial stages have been followed. The final appeal will review the evidence to ensure that the procedure has been followed.

Summary of the process

Summary of the process for enquiries/appeals against assessment decisions

- Stage 1 is the Centre's own internal appeals process. Learners that disagree with their assessment decision must follow this first before contacting CMI.
- Stage 2 is the enquiry review process. If the Learner/Centre remains dissatisfied, they can enquire about the assessment result to CMI who will arrange a review of the marking or moderation by staff not previously involved.

- Stage 3 is the appeal process. If the Learner continues to be dissatisfied they may make an appeal. All appeals are reviewed by a team of CMI management staff independent of the Learner, the Centre and the assessment staff.
- Stage 4 is the independent review. This is used if there is cause to believe that CMI has not followed its own procedures.

Summary of the process for enquiries/appeals against other decisions

- Stage 1 is the Centre's own internal appeals process. Learners that have any issues with their Centre must follow this first before contacting CMI
- Stage 2 not applicable
- Stage 3 is the appeal process. If the issues are unresolved the Learner or Centre may make an appeal to CMI. All appeals are reviewed by a team of CMI Management staff independent of the Learner or the Centre
- Stage 4 is the independent review. This is used if the outcome remains unresolved or there is cause to believe that CMI has not followed its own procedures.

CMI Enquiry and Appeal Procedure

Stage 1 – Internal Centre appeal (Applicable to Learners)

As part of the CMI approval process, Centres are required to have in place their own policy in relation to appeals. This policy should set out the Centre's appeals procedure and how they will work with Learners informally to resolve any issues at an early stage.

Learners should exhaust their Centre's internal Appeals Procedure in the first instance. If, after this appeal, the issue remains unresolved, Learners can make an enquiry to CMI as per Stage 2.

Stage 2 – CMI Review of assessment decision (remark)

An enquiry about an assessment decision must be made to CMI within 20 working days of the Centre or Learner being informed of the decision, outcome or result.

Learners wishing to enquire about an assessment decision must have already exhausted the Centre Appeals Procedure (Stage 1 as above).

Any enquiry should be made in writing to CMI, clearly stating the grounds for the enquiry with all relevant supporting documentation, and sent to the following address: The Appeals Template must be fully completed and returned with the enquiry/appeal see Appendix A

By Post:

Awarding Body & Compliance
Chartered Management Institute
Management House
Cottingham Road
Corby
Northamptonshire
NN17 1TT

Or via email: awardingbody@managers.org.uk

CMI will confirm, in writing, acknowledgement of receipt of the enquiry within 10 working days.

The enquiry will then be reviewed by a CMI Lead Moderator who is independent from the Learner or Centre

Moderation Decision – Where an enquiry is made following a Moderation Decision, the Independent Lead Moderator will review the following documentation:

- Learner Work
- Assessment Brief
- IV Feedback

- Assessor Feedback
- Moderator Feedback Report

Marking Decision – Where an enquiry is made following a Marking Decision, the Independent Lead Moderator will remark the Learner work, the Centre/ Learner will be informed of the decision in writing.

If an Assessment Decision (Moderation or Marking) is being challenged, and the outcome is different to that of the initial assessment or there is a query, a Quality Manager will be notified and they will make the final decision.

We will normally provide a response within 20 working days. The Centre will receive a decision on the outcome. If it is going to take longer than the 20 working days, the enquirer will be kept fully informed.

If the enquirer remains dissatisfied with the outcome of their enquiry, they may make an appeal to CMI following Stage 3.

Stage 3 – Appeal against a CMI Decision – Senior Quality Management Review

Appeals against a malpractice decision, a CMI decision, a complaint or an unresolved Stage 2 enquiry will be dealt with following Stage 3.

All appeals must be made within 20 working days of receiving CMI's decision.

All appeals should be made in writing to CMI, clearly stating the grounds for your appeal with all relevant supporting documentation, and sent to the following address:

By Post:

Awarding Body & Compliance
Chartered Management Institute
Management House
Cottingham Road
Corby
Northamptonshire
NN17 1TT

Or via email: awardingbody@managers.org.uk

CMI will confirm, in writing, acknowledgement of receipt of the appeal within 10 working days.

The appeal will be reviewed by a member of the CMI Senior Management Team, independent from the Centre or Learner, and could include:

- Senior Quality Manager
- Head of Awarding Body and Compliance

We will normally provide a response within 20 working days. The Centre will receive a decision on the outcome. If it is going to take longer than the 20 working days we will keep the Centre and any other parties fully informed.

If the appeal is upheld we will amend the Centre result and/or marks held on our records and take any further action as appropriate.

If the appeals process identifies any shortcoming or failure in the assessment process, CMI will also take steps to –

- (a) Identify any other Learner who has been affected by the failure,
- (b) Correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure, and
- (c) Ensure that the failure does not recur in the future.

The decision of the CMI Senior Management Team is final and there are no further avenues of appeal against decisions taken.

If the appellant remains dissatisfied or has cause to believe that CMI has not followed its own published procedures they may consider an independent review. The independent review will check to ensure that the correct procedures were followed. Please follow Stage 4 of this procedure.

Stage 4 – Independent Review of the process

In the event that there is cause to believe that CMI has not followed its own published procedure, CMI will direct the appeal to an Independent Decision Maker, who is not an employee of CMI, a CMI Marker/Moderator or anyone otherwise connected to it.

All appeals must be made within 20 working days of receiving CMI's decision.

All appeals should be made in writing to CMI, clearly stating the grounds for your appeal with all relevant supporting documentation, and sent to the following address:

By Post:

Awarding Body & Compliance
Chartered Management Institute
Management House
Cottingham Road
Corby
Northamptonshire
NN17 1TT

Or via email: awardingbody@managers.org.uk

CMI will confirm, in writing, acknowledgement of receipt of the enquiry within 10 working days.

The Independent Decision Maker will only review all documentation and evidence from Stage 2 and Stage 3 and verify that all procedures were followed fairly and consistently as per CMI procedure.

The Independent Decision Maker will review the following documentation:

- Copy of the CMI Enquiry and Appeals Procedure
- Copies of communication to Centre/Learner/CMI
- Copies of all documentation used as part of the enquiry

This stage is the final stage that CMI will investigate.

We will normally provide a response to you within 20 working days. The Centre will receive a decision on the outcome, if it is going to take longer than the 20 working days we will keep you fully informed. If the appeal is upheld we will amend the Centre result and/or marks held on our records and take any further action as appropriate.

If a Centre or Learner remains dissatisfied with an outcome or decision, they may make a complaint to CMI's regulators.

Final arbitration

The regulators are not appeal bodies and will only arbitrate if evidence is provided therefore anyone approaching the regulators for this purpose should provide written copies of all relevant communications. The regulators will be looking to assess the effectiveness of the awarding body, their policies and procedures.

Ofqual and the Qualifications Wales will consider complaints about CMI activities or functions but will not get involved in individual appeals. Similarly SQA Accreditation will look at any referrals but will not overturn an assessment decision or academic judgment.

If Ofqual decides that your request does not meet their criteria for a review and you are affected by the decision, or you are affected by the outcome of the review, you can contact your local MP who may refer the matter to the Independent Parliamentary Commissioner for Administration (the Ombudsman). The Ombudsman will normally only consider complaints which are brought within six months after the completion of Ofqual or the Qualifications Wales's investigation.

In Scotland, users of public bodies have the right to complain to the Scottish Public Service Ombudsman (SPSO) as the final arbiter. Users have to exhaust the public body's own complaints procedure before the SPSO will consider their complaint, and it must usually have been raised within the previous 12 months. The complaint cannot be under consideration in a court of law. The SPSO will not consider complaints about academic decisions, such as the outcomes of an assessment. These types of complaints should be treated as an appeal using CMI enquiry and appeal procedure.

The contact details are as follows:-

For formerly Qualification Credit Framework (QCF) qualifications and Regulated Qualifications Framework (RQF) :-

Ofqual

Spring Place
Coventry Business Park
Herald Avenue
Coventry
CV54 6UB

For Scottish Vocational Qualifications (SVQ's) or qualifications on the Scottish Credit Qualification Framework (SCQF):-

Scottish Qualification Authority Accreditation (SQA)

The Optima Building
58 Robertson Street
Glasgow
G2 8DQ

Qualifications Wales

Q2 Building
Pencarn Lane
Imperial Park
Coedkernew
Newport
NP10 8AR

CCEA Regulation

29 Clarendon Road
Belfast
BT1 3BG

Monitoring and Review

Use of this procedure will be monitored annually to ensure the procedure and its approach remains fit for purpose.



Appendix A

CMI Appeal Form (to be completed by Centre/Learner)

Centre name		Centre number	
Learner name		Learner number	
Batch number	Unit title/s		Qualification/Apprenticeship Standard
Please list each the assessment criteria that you are appealing	Outline your reasons for appealing this decision		

Signed:	Name:	Centre/Learner (please delete)
Date		

