



# Appeals Policy

Document Specification:			
Purpose:	To set out the policy and procedure to be followed by NALP on receipt of an appeal by a Learner (whether directly or via a Centre) regarding the outcome of an assessment decision, plus appeals from Centres regarding the outcome of any sanctions taken against them due to malpractice or maladministration, etc.		
Accountability:	NALP Governing Board	Responsibility:	Responsible Officer
Last Review date:	23 <sup>rd</sup> June 2016	Next Review due:	24 <sup>th</sup> June 2018
Version:	5.1	Links to Ofqual GCR:	I1 and I2

## National Association of Licensed Paralegals (NALP)

LG.02 Lincoln House,  
 1-3 Brixton Road,  
 London  
 SW9 6DE  
**Tel: 0845 862 7000**

## CONTENTS

No		Page
1.	<b>Purpose and Scope of Policy</b>	<b>3</b>
2.	<b>Appeals Against Assessment Decisions</b>	<b>3</b>
3.	<b>Appeals Against Decisions on Requests for Reasonable Adjustments or Special Considerations</b>	<b>3</b>
4.	<b>Appeals by Centres Against Sanctions</b>	<b>3 – 4</b>
	4.1 Stage 1 – Informal Review	4
	4.2 Stage 2 – Formal Review	4
	4.3 Stage 3 – Review by Governing Body	4
	4.4 Escalation to Ofqual	4

# Appeals Policy

## 1. Purpose and Scope of Policy

The National Association of Licensed Paralegals (NALP) is an awarding organisation recognised and regulated by Ofqual. The qualifications offered by NALP are well regarded and relied upon by users, most of whom are in the legal sector. NALP undertakes all assessment decisions in order to uphold consistent standards of marking and awarding, thus ensuring the ongoing validity of the qualifications. Due to qualifications being 100% externally assessed, plus the fact that the vast majority of students come directly to NALP via distance learning routes, all appeals on assessment decisions are dealt with by NALP.

## 2. Appeals Against Assessment Decisions

Appeals cannot be made against decisions that are primarily based upon an exercise of academic judgment. All examiners are monitored and moderation of assessed work is undertaken in line with our Quality Assurance and Moderation Policy to ensure consistent and reliable assessment decisions.

As NALP does not set formal examinations, but sets assignments for Learners to undertake within a set timeframe, no appeal lies in respect of issues related to the conduct of an examination by a Centre or invigilator, etc. Should a Learner claim that their assessment results were impacted by a failure of process at a Centre, it will be dealt with under NALP's Complaints Policy and/or Malpractice and Maladministration Policy.

## 3. Appeals Against Decisions on Requests for Reasonable Adjustments or Special Considerations

A learner may appeal if NALP has declined a request for a special consideration or reasonable adjustment. In these cases, the NALP Chief Executive and the Governing Board will review the application and make a final decision about whether the grounds for refusal was justified in terms of the equal opportunities and fair access to assessment policy and the policy for reasonable adjustments and special considerations.

The Chief Executive will make the decision known to the learner within 10 days of the decision being made. If there is any delay to this deadline for any reason, the Chief Executive will inform the learner, providing a revised deadline for completion and keep them updated of any progress made.

If a learner wishes to take their appeal further, they have the right to contact Ofqual.

## 4. Appeals by Centres Against Sanctions

If a Centre has received a Sanction against them due to malpractice or maladministration, they have the right of appeal against that sanction. Any such appeals must be made within 20 working days of receipt of the official written notification of the sanction being applied by NALP. For the avoidance of doubt, any such notification issued via E-mail will be deemed to have been received the working day following it being sent by NALP and any notification issued by post will be deemed to have been received 3 working days after posting by NALP. If a Centre has not received an official notification within 5 working days of a decision being due or their being verbally informed that a decision has been taken, the centre must contact NALP to advise them of this. **Late appeals will not be considered on the basis that the notification had not been received.**

### **4.1. Stage 1 – Informal Review**

In the first instance, the case will be sent back to the staff member who made the original decision for them to review and reconsider their decision. Once they have completed this review, they will provide a report to the Responsible Officer, including a rationale for either upholding or changing the original decision. The Responsible Officer will take a view on whether the new decision rationale is acceptable and inform the Centre of the outcome within 3 working days of the decision being made.

### **4.2. Stage 2 – Formal Review**

If the Centre remains dissatisfied with the outcome of Stage 1, all information available, including the reports of any quality assurance reviews, complaints or other feedback received, will be reviewed by either the Responsible Officer or the Chief Executive. The reviewer will check all aspects of the case thoroughly and consider:

- All reports from quality assurers, assessors and other internal staff
- Any correspondence from learners or users of the qualification
- Any responses or evidence provided by the Centre
- Any other relevant information, reports, correspondence or other evidence

The reviewer will determine whether the correct process for malpractice or maladministration has been followed, whether the actions taken against the centre were appropriate and proportionate, and whether the appeals process has been followed up to date. They will determine whether the original decision will stand and inform the centre of their decision within 3 working days of it being made and ensure all records have been updated.

### **4.3. Stage 3 – Review by Governing Board**

Should the Centre remain dissatisfied with the outcome of the above two stages of the appeal, they can request this to be taken to the Governing Board. The Responsible Officer and Chief Executive will recuse themselves from the decision-making process, however they will be available to the Governing Board at all times to answer questions. The members of the Governing Board will be furnished with all possible information, evidence and testimonies to assist them in determining whether the Malpractice/Maladministration Policy and the Appeals Policy have been followed and whether the actions taken are appropriate and proportionate. Once the Governing Board have come to a decision, the Chair of the Governing Board will inform the Chief Executive and the Responsible Officer, the latter of whom will inform the Centre of the outcome and ensure that all records are updated.

### **4.4. Escalation to Ofqual**

All Centres have the right to escalate their case to Ofqual. Centres will need to provide Ofqual with full details of the case and a clear rationale why they believe the sanction applied is unfair. NALP is committed to cooperating fully with Ofqual in any resulting investigation and will provide Ofqual with all records in relation to the Centre, the malpractice or maladministration incident and all correspondence, testimony and other evidence, including emails, text messages, notes of conversations or meetings held, and any commentary on social media, etc.