

LASER Appeals Policy and Procedures

Including Requests for Remark of Externally Marked Assessment/Examination

Policy Statement

Laser Learning Awards (LASER)¹ is committed to providing a high quality service and to maintaining the highest standards for its learners, centres, and other stakeholders. However, if you are dissatisfied with a certain decision which has been made by LASER, you may appeal against it if it is in scope of this policy. This includes external assessment/examination results (ie those which have been marked by LASER).

This policy sets out what you can appeal against, how you can make an appeal to LASER, and LASER’s procedures for dealing with appeals.

Policy Relevance

LASER will consider appeals from learners, centres, or individuals affected by a decision, in relation to the circumstances in the table below.

You must make any appeals against internal assessment decisions (ie an assessment decision made by a member of centre staff) directly to the centre itself. LASER can only accept these appeals if you have exhausted the centre’s own Appeals Policy and Procedures, and evidence of this must be supplied.

This policy and procedure does not cover complaints about LASER provision and its associated services. If you wish to make a complaint, please follow the LASER Complaints Policy and Procedures which can be found on the LASER web site: www.laser-awards.org.uk.

Policy Responsibility and Review

This policy is the responsibility of the Quality Manager, and will be reviewed by December 2022 at the latest.

Grounds for Appeal, Timescales and Fees

You may make an appeal on any of the grounds listed in the table below.

Appeals made on behalf of the centre must be made by the head of centre.

You should always make your appeal as soon as possible after the event, and timescales given below are absolute maximums².

You must pay the relevant fee in full within the timescales given below and this must be cleared before the appeal process can begin. LASER will refund your fee in full if your appeal is upheld (including in the case of a re-marked paper, where the paper is re-graded from a fail to a pass).

LASER will charge centres £250 plus expenses per visit if it is necessary to visit the centre during the course of the appeal, and/or other fees as necessary (eg courier fees to send assessment evidence). These fees are non-refundable. If an appeal against a centre’s internal assessment decision (made by centre staff) is upheld, LASER will pass all associated costs on to the centre.

Category	Appeal By	Appeal Against (Appeal Type)	Timescale for Appeal	Fee
1	Centre or trainer	Withdrawal of approved status to deliver LASER provision	Within 10 working days of the centre or trainer receiving notification of withdrawal of approval	£300
2	Centre, trainer, learner or individual	Outcome of an investigation of any kind and/or sanctions imposed or actions taken against them (except category 3)	Within 10 working days of the centre, trainer, learner or individual receiving notification of the outcome and/or sanctions/actions	£300

¹ All references to LASER in this document also refer equally to Trident Awards, which is the brand name for LASER’s work in the security industry.

² Throughout this document, number of working days does not include weekends, English public holidays, or LASER’s Christmas office closure dates.

3	Learner	Proctor fail decision against online remote invigilated examination learner as a result of learner's failure to abide by proctoring rules (where invigilation is carried out by LASER not centre, and whether or not learner is barred from taking future exams)	Within 10 working days of the learner receiving notification of the decision	£75
4	Centre	Refusal of centre's application for approval of a trainer (where trainer approval is required)	Within 10 working days of the centre receiving the decision	£300
5	Centre	Contents of a quality report, or conduct during a quality visit, whether planned or unannounced	Within 10 working days of the centre receiving the report/of the visit (as applicable)	£300
6	Centre	Refusal of centre's request for reasonable adjustments or special considerations for a learner/group of learners	Within 10 working days of the centre receiving the decision	£75
7	Complainant	Conclusion of a formal complaint where it is believed that the LASER Complaints Policy has not been followed correctly	Within 10 working days of the complainant receiving the conclusion of the formal complaint	£300
8	Learner	Internal assessment decision (made by centre staff), only if the centre's own Appeals Policy and Procedures have been exhausted and if there is evidence that the centre has failed to follow its own policy and procedures	Within 10 working days of the learner receiving the final outcome of the centre's Appeals Procedures	£75
9	Centre or learner	External assessment result, ie a re-mark of paper(s) marked by LASER	Within 10 working days of the centre/learner receiving notification of results	£26 per paper

Appeals Procedure

Stage One

You should make your appeal in writing (which may be by email) to the Quality Manager within the timescales stated above and allowing for payment to be made and cleared within the same timescales. Contact details can be found on the LASER web site www.laser-awards.org.uk.

If you are appealing against an external assessment result, ie asking for a re-mark of paper(s) marked by LASER, you must fill in and email to the Quality Manager the 'Request for Remark of Exam Papers' form which you can download from the LASER web site www.laser-awards.org.uk or request from the LASER office.

For all other appeals, you should state that you are making an appeal and include:

- Your full name.
- Your contact details.
- The exact appeal type (copied from the box above).
- Your role in making the appeal (eg learner, trainer, head of centre on behalf of the centre, etc).
- Full details of the centre/course/etc as appropriate.
- A clear and full explanation of the reasons for your appeal.
- Copies of any relevant documents and/or evidence to support the appeal (NB new evidence relating to the original decision cannot be accepted or considered at this stage).

For all appeals, you can ask for payment details from LASER so you can make a direct bank transfer, or you can pay on a debit or credit card by telephone to the LASER office.

LASER will acknowledge receipt of your appeal within five working days. If the Quality Manager will not be available to pick up emails within five working days, you will receive an out of office message giving an alternative email address to which you should forward your original email, otherwise you will receive a response within five working days of the Quality Manager's return. LASER will determine whether the matter falls within the scope of the LASER Appeals Policy and Procedures as outlined above. If the appeal is not within its scope, LASER will explain why the appeal cannot be accepted, and will return the fee if paid. If there is a relevant alternative policy and procedure, you will be advised of this.

If the fee has not been paid and the appeal is within scope, LASER will advise you how to make the payment. If payment is not received within five working days of being advised of how to pay, it will be assumed that you no longer wish to proceed with your appeal and your case will be permanently closed.

Stage one appeals will be investigated initially by a LASER senior manager with appropriate competence who has no personal interest in the decision (eg is not assigned to the centre in any way) and has not been involved in the decision which is being appealed. The senior manager will gather any information, evidence or documents relevant to your appeal. This may include contacting you to discuss your appeal and/or for further information or clarification, and/or may include contacting third parties, such as the centre concerned, and will produce a short summary and recommendation. An individual with appropriate competence, not directly employed by LASER and who has no personal interest in the decision (eg is not connected to the centre) will then carry out a review of the summary and recommendation, supported by evidence documents.

In the case of a re-mark of an externally assessed examination, a marker who did not carry out the original marking will re-mark the paper(s) under appeal.

The purpose of the stage one appeal review is to form a view on whether the decision that is being appealed was correct at the time the decision was taken, on the basis of the evidence which was available at the time of the decision. It is not to rehear the matter in its entirety, or to accept new evidence or submissions.

Once the recommendation has been approved (or amended) by the reviewer based on all the available evidence, LASER will write to you to explain the outcome, within 30 working days of receiving your appeal or fee (whichever is the later). If this is not possible, for example if all the required evidence cannot be gathered in this time, then LASER will tell you this, within 30 working days, and will tell you how long is expected to be needed.

The outcome will be either that the appeal is upheld, or that it is rejected.

If your appeal is upheld, the appeal fee you paid will be refunded to you in full within three working days of the outcome being decided and of you providing your bank details for the refund.

Stage Two

If, and only if, you believe that LASER has not followed this Appeals Policy and Procedure correctly, you may make a stage two appeal at a further fee of the same amount as the fee for the original appeal.

To do this, you should write (which may be by email) to the CEO within five working days of receiving the stage one outcome. Contact details can be found on the LASER web site www.laser-awards.org.uk.

You should state that you are making a stage two appeal and include:

- Your full name.
- Your contact details.
- A summary of your original appeal and the outcome.
- A clear and full explanation of the reasons for your appeal, ie exactly where/how you believe LASER failed to follow its Appeals Policy and Procedure correctly.
- Copies of any relevant documents and/or supporting evidence.

LASER will acknowledge receipt of your stage two appeal within five working days. If the CEO will not be available to pick up emails within five working days, you will receive an out of office message giving an alternative email address to which you should forward your original email, otherwise you will receive a response within five working days of the CEO's return.

LASER will determine whether the matter falls within the scope of a stage two appeal as outlined above. If the stage two appeal is not within its scope, LASER will explain why it cannot be accepted.

If the request is within scope, LASER will advise you how to make the appropriate payment, which must be made within five working days of receiving payment details. If payment is not made within five working days, it will be assumed that you no longer wish to proceed with your stage two appeal and your case will be permanently closed.

Stage two reviews will be carried out by two individuals with appropriate competence, not directly employed by LASER, who have no personal interest in the decision (eg are not connected to the centre) and were not involved in the stage one review.

The reviewers will gather any further information, evidence or documents relevant to your appeal. This may include contacting you to discuss your appeal and/or for further information or clarification, and/or may include contacting third parties, such as the centre concerned.

The purpose of the stage two appeal review is to form a view on whether the LASER Appeals Policy and Procedure was followed correctly. It is not to review the original decision which was appealed (unless the stage two appeal outcome identifies a potential compromise to the integrity of the stage one appeal outcome, in which case the stage one appeal will be reconsidered), or to accept new evidence or submissions.

Once a decision has been agreed by the reviewers based on all the available evidence, LASER will write to you to explain the outcome, within 30 working days of receiving your appeal or fee (whichever is the later). If this is not possible, for example if all the required evidence cannot be gathered in this time, then LASER will tell you this, within 30 working days, and will tell you how long is expected to be needed.

The outcome will be one of the following:

1. The stage two appeal is upheld, the effect of which is such that it is relevant for the stage one appeal to be reconsidered, ie the failure to apply the LASER Appeals Policy and Procedure may have adversely affected the stage one appeal. This review will be carried out following the stage one procedure detailed above, but by two individuals with appropriate competence, not directly employed by LASER, who have no personal interest in the decision (eg are not connected to the centre) and were not involved in the stage one review. This may be the same two individuals who carried out the stage two appeal. There will be no additional charge for this review, and if the original stage one appeal outcome is overturned, the stage one appeal fee will be refunded in addition to the stage two appeal fee.
2. The stage two appeal is upheld, but has no potential to affect the integrity of the stage one appeal outcome, which still stands. The stage two appeal fee (only) will be refunded.
3. The stage two appeal is rejected. The stage two appeal fee will not be refunded.

If your stage two appeal is upheld (and if your stage one appeal is reconsidered and upheld) the appeal fee(s) you paid will be refunded to you in full within three working days of the outcome being decided and of you providing your bank details for the refund.

Recommendations and/or Requirements Arising from an Appeal

Whatever the outcome of your appeal, recommendations and/or requirements may be identified. These may be for LASER itself and/or for centre(s), and may be to improve LASER's service and/or to address concerns/issues. LASER will ensure that any such recommendations and/or requirements are actioned, and centres are required to co-operate with LASER where relevant to ensure that this happens.

If LASER identifies any failure in its processes, including anything which may compromise the integrity of LASER awards, LASER will take all reasonable steps to:

- Identify whether anyone else has been affected by the failure.
- Correct, or where it cannot be corrected, mitigate as far as possible the effect of the failure.
- Take whatever action may be appropriate and necessary to protect the integrity of the award of certificates.
- Apply sanctions to the relevant centre if the failure occurred at a centre.

- Ensure that the failure does not recur in the future.
- Inform the regulatory authorities of findings and actions, where relevant/required.

Monitoring and Evaluation of Appeals

LASER will report all appeals to the LASER Quality Committee, and in turn to its Board of Trustees, for monitoring and evaluation. These reports will cover the number and nature of appeals submitted at each stage, their outcomes, and any actions identified.

Vexatious Correspondence or Behaviour

LASER staff have the right to work without fear of abuse, intimidation, or harassment. Threatening or abusive correspondence or behaviour will not be tolerated under any circumstances, and LASER staff will not engage with persistent or harassing contact from appellants. If this kind of behaviour occurs, LASER will treat it as vexatious.

Vexatious behaviour includes, but is not limited to:

- Abusive, intimidating or threatening written or telephone correspondence or physical behaviour in a face to face meeting.
- Persistent repeated contact without providing any new information or evidence, or harassment of any kind.
- Making unreasonable demands on LASER staff, eg outside the remit of the appeal.
- Making accusatory or malicious remarks about or against LASER, LASER staff or representatives, or LASER centres.
- Making statements known to be false/inaccurate.

Vexatious behaviour will be reported to the Deputy Chief Executive Officer or Chief Executive Officer to be dealt with appropriately, which may include reporting to the police where an offence has been committed. All vexatious behaviour will be reported to the LASER Quality Committee and to the Board of Trustees.

Policy Approval

Approved internally by Deputy CEO 08.12.20

Approved externally by Quality Committee 15.12.20