



# A GUIDE TO THE APPEALS PROCESS

for centres offering CCEA qualifications

# INTRODUCTION

An appeal is notification to CCEA of a belief that CCEA has not followed procedures, in the awarding of its qualifications, in marking, moderation, malpractice, access arrangements or special consideration. It indicates that a head of centre/private candidate (and, for malpractice, an individual staff member) is dissatisfied with a decision made in any of these areas and wishes it to be reviewed.

An appeal must be submitted in accordance with the **JCQ Appeals Booklet** and the information in this document.

## Appeals do not include:

- » Queries before the review of marking/moderation process has been completed
- » Queries or complaints about question papers, mark schemes or their content
- » Queries or complaints relating to TAC 6 feedback
- » Queries about an individual candidate's mark in an internally assessed unit/component
- » Queries or complaints about examination script annotation, including disagreement with annotations
- » Queries or complaints on performance across units/components, specifications and years
- » Queries or complaints about qualifications and specifications
- » Queries or complaints about CCEA support materials or events



## Who can appeal?

Appeals for internal candidates must be submitted by the head of centre. A private candidate may submit an application for an appeal to an awarding body. For findings of malpractice, a member of staff may appeal against a sanction imposed on him/her.



**Please note: An internal candidate or parent is not entitled to appeal directly to CCEA.**

## How do I appeal?

You should complete the JCQ form **JCQ/App1**, available in the **JCQ Appeals Booklet**, within the JCQ deadlines specified in this document and email to [appealsmanager@ccea.org.uk](mailto:appealsmanager@ccea.org.uk). The JCQ deadline does not make allowance for any internal delays at the centre.

You should ensure that your submission sets out clearly and concisely the grounds for the appeal and provides specific information and evidence to support the appeal application. It is this information that will be used to evaluate the appeal submission.



## What action will CCEA take on receipt of the appeal application?

Your application will be acknowledged within five working days of receipt. A senior officer who has not previously been involved with the case will consider:

- » the timescale of the application;
- » if the appeal was submitted by the appropriate person;
- » the validity of the grounds for appeal;
- » if the appeal comprises precise information and evidence to enable the appeal to be accepted; and
- » whether a clerical re-check, review of marking or review of moderation has been completed.



**An appeal will be rejected if required conditions are not appropriately met.**

If the appeal is accepted, a senior officer will conduct a review/investigation based on the information and evidence submitted.

# Reviews of Marking and Moderation

If a head of centre/private candidate is dissatisfied with examination results following the outcome of the review of marking/moderation process, and **genuinely believes that CCEA has not followed procedures**, an appeal can be submitted in accordance with the JCQ appeals process and information in this guide.

For AS and A level qualifications, GCSE English Language, GCSE English Literature, GCSE Gaelge and GCSE Mathematics, an appeal can also be submitted on extended grounds that the mark scheme hasn't been properly applied and there has been a marking error, i.e. the mark could not have been given by a trained and standardised marker who had appropriate subject knowledge and who had exercised his/her academic judgement in a reasonable way.



Regulatory guidance states that 'where assessors are required to exercise academic judgement, there will often be different marks which could reasonably be awarded for an answer without a marking error being made. The starting point for considering whether there has been such an exercise of academic judgement is therefore always the mark which is being challenged (and not any alternative mark which the Learner/Centre feels should have been awarded)'.

## What information should I provide to support a review of marking/moderation appeal application?

The head of centre/private candidate must set out **clearly** and **concisely** the grounds of the appeal.

There are two acceptable grounds of appeal:

- i) That CCEA has not applied its, and/or JCQ, procedures consistently, properly and fairly in arriving at judgements (*the exercise of academic judgement in relation to the outcome of marking or moderation does not constitute the application of a procedure*) or not applied procedures which are consistent with regulatory requirements.

If an appeal is being made on the grounds that CCEA has not applied its own or JCQ procedures consistently, properly and fairly in arriving at judgements, it must provide specific and detailed supporting evidence of which procedure has not been properly applied and how this has been the case.

- ii) For AS and A level qualifications, GCSE English Language, GCSE English Literature, GCSE Gaelge and GCSE Mathematics, that there has been a marking or moderation error.

Regulatory requirements specify that awarding bodies must not change a mark unless there has been a marking error.

An appeal being made on these grounds must include **specific information and evidence using the candidate's work and the mark scheme to demonstrate where it is believed a marking error has been made**.

**Appeals will not be accepted if the application is based on general assertions, for example:**

- » that the outcome did not meet a candidate's predicted grade;
- » that a cohort's outcomes were lower than in previous years or predictions; or
- » that a candidate/cohort's results in one unit/component were not as good as their results in another unit/component or other qualifications.



Once received, CCEA will either accept or decline an application. If an application is not accepted, a reason will be given.

If the appeal is accepted, a Preliminary Investigation will be undertaken.

## What happens during a Review of Marking/Moderation Preliminary Investigation?

The Preliminary Investigation will check if CCEA has properly, fairly and consistently applied the procedures as identified by the centre in its appeal application. Where an appeal is based on the rationale of a marking error, for AS and A level qualifications, GCSE English Language, GCSE English Literature, GCSE Gaeilge or GCSE Mathematics, a second review of marking will be undertaken by a reviewer who was not the original examiner or first reviewer.

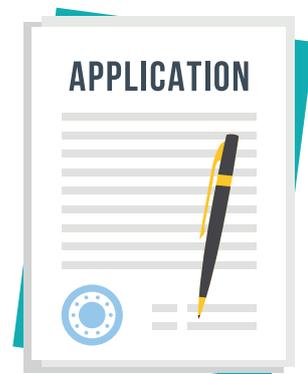
Based on the investigation, the appeal will be rejected or upheld. If upheld, any necessary further work on the candidate's script or results will be undertaken.

The head of centre/private candidate will **normally** be informed of the decision and reasons within **five calendar weeks** of CCEA receiving the appeal application and all relevant information/evidence.

## What happens following a Review of Marking/Moderation Preliminary Investigation?

If the head of centre/private candidate remains dissatisfied with the outcome of the Preliminary Investigation, form **JCQ/App1** should be used to submit an application for an Appeal Hearing. A request for an Appeal Hearing must be made within two calendar weeks of receipt of the preliminary appeal outcome letter. CCEA will reject appeals made outside of this timescale.

When conducting an Appeal Hearing, CCEA will follow the procedures documented in the **JCQ Appeals Booklet *A guide to the awarding bodies' appeals processes*** – *The procedure for Appeal hearings* (page 9).



The Appeal Hearing is the final stage of CCEA's appeals process. If the appellant (the individual or body who submits the appeal) remains dissatisfied, a further appeal should be made to CCEA Regulator.

# Malpractice Appeals

Malpractice decisions are based on agreed inter-awarding body procedures as documented in the **JCQ Suspected Malpractice in Examinations and Assessments, Policies and Procedures**.

If, after consulting the JCQ guidance, the head of centre or individual staff member disagrees with the decision and has a reasonable belief that CCEA has not followed due procedures, an appeal may be submitted.

Appeals against malpractice decisions must be received by CCEA within **two calendar weeks** of receipt of the outcome using form **JCQ/App1**. In the case of candidate malpractice, the head of centre must submit the appeal. In the case of centre staff malpractice, the appeal should be submitted by the head of centre or the individual concerned. A third party who has been barred from taking examinations or assessments with CCEA may appeal against this decision.



## Appeals must be based on reasonable grounds such as the following:

- » The incident was not dealt with in accordance with the published procedures in the **JCQ Suspected Malpractice in Examinations and Assessment** publication.
- » The decision was unreasonable in light of the evidence presented.
- » Further evidence has come to light which may change the basis of the decision.
- » A reasonable belief that the outcome is not in line with the JCQ guidelines or precedents or that the sanction imposed is disproportionate to the seriousness of the malpractice found.

## The following do not constitute grounds for appeal:

- » The individual did not intend to cheat.
- » The individual has an unblemished record/is of good character.
- » The individual could lose a university or college place or employment, or any related impact of a sanction imposed on an individual or a centre.
- » The individual regrets his/her actions.



**The appeal application will be refused if no new evidence has been provided in support of the application and/or the grounds for the appeal are weak or unjustified.**

## What action will CCEA take on receipt of a malpractice appeal?

**For candidate malpractice appeals**, if there is reasonable evidence, a senior officer who has not been involved with the original case will consider the evidence. The decision may be referred to a panel. The decision of the appeal review is final and there are no further avenues for appeal. A letter will be sent to the head of centre outlining the decision and reasons.

**For centre and centre staff malpractice appeals**, if there is reasonable evidence, a senior officer at CCEA (or committee of officers) not involved with the original case may:

- » refer the appeal for fresh consideration;
- » refer the matter to the Appeals Committee; or
- » reject the grounds of appeal.

If required, a hearing of the Appeals Committee will be convened to consider the case. The committee will normally include a minimum of three individuals, including at least one independent member. They will not have had any previous involvement with the case and will not have a conflict of interest. CCEA will liaise with the appellant/centre to determine an appropriate date for the hearing.



If the appellant chooses not to attend, the decision will be made on the written evidence. The secretariat for the Appeals Committee will provide the appellant with a copy of all papers, documents and reports to be considered by the committee. The Chair of the Committee will have the right to decide whether any further evidence is admissible for tabling at the hearing and whether witnesses can be called.

The procedures of the hearing will follow those identified in JCQ's document **A guide to the awarding bodies' appeals processes**. The Chair will advise appellants of the process again at the start of the hearing.

**!** The decision of the Appeals Committee in relation to malpractice is final and there are no further avenues of appeal.

# Access Arrangements and Special Consideration

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Access arrangement and special consideration decisions are based on an inter-awarding body agreement as documented in the [JCQ Access arrangements and reasonable adjustments and A guide to the special consideration process](#).

If, after consulting the documents, the head of centre disagrees with the decision and is convinced that CCEA has not followed due procedures, a written request setting out the grounds for the appeal should be forwarded to CCEA using the JCQ form **JCQ/App1**.

The appeal application must be made within **two calendar weeks** of receiving the original decision. An acknowledgement will be sent within **five working days** of receipt.

The first stage of the appeal, the Preliminary Investigation, involves a fresh examination of the case by a CCEA senior officer (or committee of officers) with no previous involvement in the case. The review will take account of the written submission from the appellant and a review of the JCQ procedures followed in arriving at the decision. The head of centre will normally be informed of the decision and reasons within **five calendar weeks** of CCEA receiving the appeal application and all relevant information/evidence.

If the head of centre remains dissatisfied with the outcome of the Preliminary Investigation, form **JCQ/App1** should be used to submit an application for an Appeal Hearing. The application must be submitted within **two calendar weeks** of receipt of the outcome of the Preliminary Investigation letter.

When conducting an Appeal Hearing, CCEA will follow the procedures documented in the [JCQ A guide to the awarding bodies' appeals processes](#).

The decision of the CCEA Appeal Hearing Committee is final. The relevant regulator may at their discretion hear an appeal once all CCEA's appeal stages have been completed.

# Useful Information

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[appealsmanager@ccea.org.uk](mailto:appealsmanager@ccea.org.uk)



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