



# Examination Procedures Review Service

## Terms of Reference

The Examination Procedures Review Service (EPRS) is a service provided by CCEA Regulation in order to review CCEA Awarding Organisation's and WJEC's adherence to their appeals procedures.

1. In accordance with Condition I2 of CCEA Regulation's General Conditions of Recognition (GCoR), Awarding Organisations must comply with their appeals procedures.
2. These Terms of Reference have been put in place for the consideration of applications relating to CCEA Awarding Organisation's awards issued for GCSE, AS and A Level qualifications from the summer 2022 series onwards. The EPRS also applies to Centres in Northern Ireland taking WJEC AS and A level qualifications.
3. The EPRS will be provided through an electronic computer-based application known as the EPRS App, which will be accessible by Centres via the CCEA Central Login. Applications concerning CCEA Awarding Organisation will only be accepted through the EPRS App.
4. WJEC applications should be completed using the electronic form available on the CCEA website at <https://ccea.org.uk/regulation/guidance/eprs>. Completed applications should be emailed to CCEA Regulation EPRS at [eprs@ccea.org.uk](mailto:eprs@ccea.org.uk).

### Role

5. On receipt of an eligible application, the role of the EPRS is to determine whether the Awarding Organisation has:
  - a. Followed its own procedures; and
  - b. Secured outcomes which reflect the GCoR and the Qualification Level Conditions set and published by CCEA Regulation.

### Outcomes of the EPRS

6. In accordance with Condition I2.2 of the GCoR, the Awarding Organisation must give due regard to the outcome of the EPRS process in relation to any qualification which it makes available.

7. An application to the EPRS may be allowed or dismissed.
8. An application to the EPRS will be allowed where it is concluded that the Awarding Organisation has:
  - a. Failed to follow its own procedures (allowed on procedural grounds); and/or
  - b. Failed to secure the outcomes required by the GCoR and the Qualification Level Conditions set out and published by CCEA Regulation (allowed on compliance grounds).

Where necessary, the standard of proof applied by the EPRS will be the balance of probabilities.

9. An application to the EPRS will be dismissed in all other circumstances.

## Eligibility Criteria

10. Applications to EPRS, and all communications related thereto, must be made by the Relevant Centre. The Relevant Centre is the applicant, acting on behalf of the Candidate. If there is no Relevant Centre, and in those exceptional circumstances only, an application may be made by a Private Candidate.
11. The EPRS will consider applications which concern one or more of:
  - a. A qualification listed at paragraph 2 of these Terms of Reference;
  - b. A result of an Assessment leading to such a qualification;
  - c. A decision on Reasonable Adjustments in the context of such a qualification;
  - d. A decision on Special Consideration in the context of such a qualification;
  - e. The operation and outcome of the Awarding Organisation's appeals process in relation to any of the matters listed at (a) – (d) above.
12. The EPRS will only consider an application:
  - a. In respect of a GCSE, AS or A level qualification offered in Northern Ireland;
  - b. Made after the conclusion of the final stage of the Awarding Organisation's appeals process; and
  - c. (Unless there are exceptional circumstances) submitted to EPRS within 20 working days of the Awarding Organisation issuing a final decision in respect of the conclusion of the final stage of its appeals process.
13. Applications to the EPRS which do not meet the eligibility criteria at paragraphs 11-12 of these Terms of Reference will be rejected. Eligible applications will proceed to the Review stage.

## Eligibility Determination

14. On receipt of an application, an Education Manager from CCEA Regulation will determine whether the application meets the eligibility criteria at paragraphs 11-12 of these Terms of Reference.
15. Where the application does not meet the eligibility criteria, CCEA Regulation will contact the Relevant Centre via the EPRS App within 10 working days of receipt of the application and identify the basis on which the application has been deemed ineligible.
16. Where the application meets the eligibility criteria, CCEA Regulation will contact the Relevant Centre via the EPRS App to confirm eligibility and outline the timescales to be adopted in the EPRS process.
17. CCEA Regulation will endeavour to complete the EPRS process within 6 weeks. If more time is required, CCEA Regulation will contact the Relevant Centre to explain why.

## EPRS Review

18. Applications which meet the eligibility criteria will move to the EPRS Review stage and will be considered by the EPRS panel.
19. The EPRS panel will consist of 3 members of CCEA Regulation (two Education Managers and one Programme Manager). In the event of disagreement between the members of the EPRS panel the application shall be decided by a majority of votes cast by the members of the EPRS panel, each of whom shall have one vote.
20. The EPRS panel will conduct a review of all documentary evidence, taking into account any written representations made through the EPRS App by relevant parties.
21. Where additional evidence is identified as required at any point during the review process, the EPRS panel may request such information from the Relevant Centre and/or the Awarding Organisation.
22. The EPRS panel will determine whether such further evidence should be disclosed to the Relevant Centre and/or the Awarding Organisation, as appropriate. Each party may make written representations in respect of any such additional evidence within 7 days of such disclosure. Such written representations must be made via the email address [eprs@ccea.org.uk](mailto:eprs@ccea.org.uk)
23. The EPRS panel may at any time take legal, technical, or other advice as deemed necessary, including from independent subject specialists.
24. Where the EPRS panel forms a provisional view that the application should be dismissed, the EPRS panel will inform the Relevant Centre, setting out the reasons for this provisional view.

- a. The Candidate will be given 7 days to respond (via the Relevant Centre) to this provisional view. The Awarding Organisation will be given 7 days to respond to any written representations made on behalf of the Candidate.
- b. Where, having considered the representations made, the EPRS panel remains of the view that the application should be dismissed, the Relevant Centre will be informed of this decision.

## **EPRS Review: Head of Regulation**

25. If dissatisfied with the decision of the EPRS panel, the Candidate may appeal the decision of the EPRS panel, through the Relevant Centre, to the Head of Regulation.
  - (a) The Candidate must, by written representations via the Relevant Centre, set out the basis for their dissatisfaction with the EPRS panel decision. Written representations must be made via email to [eprs@ccea.org.uk](mailto:eprs@ccea.org.uk) within 7 days of the notification of the EPRS panel decision. The Awarding Organisation will be given 7 days to respond, in writing, to written representations made on behalf of the applicant.
  - (b) Following receipt of these representations, the Head of Regulation will consider all of the material that was before the EPRS panel afresh, together with all written representations submitted in accordance with 25(a).
  - (c) The Head of Regulation may at any time take legal, technical, or other advice as is deemed necessary, including from independent subject specialists.
  - (d) The Head of Regulation will issue a decision in writing within 14 days of receipt of the written representations from the Candidate and any written representations provided by the Awarding Organisation, whichever is later. The decision of the Head of Regulation is final.

## **Decisions**

26. The EPRS panel/Head of Regulation will report its/their decisions in writing to:
  - The Relevant Centre/Private Candidate;
  - CCEA Awarding Organisation or WJEC
  - CCEA Regulation Committee.
27. The EPRS decision notice will, as applicable, include the following:
  - (a) Identification of the aspect of the Awarding Organisation's own procedure that it has determined the Awarding Organisation has failed to follow; and/or
  - (b) Identification of the outcome that the panel has determined the Awarding Organisation has failed to secure; and

(c) The reasons for its decision.

The EPRS case will then be closed.

28. If the EPRS Panel / Head of Regulation identifies instances of potential non-compliance on the part of the Awarding Organisation, this will be taken forward through CCEA Regulation's annual monitoring and compliance programme.

## **Review Terms of Reference**

29. These Terms of Reference will be reviewed and amended as and when necessary.

## **Interpretation**

30. The rules of interpretation and definitions set out in Condition J1 of the General Conditions of Recognition shall apply to these Terms of Reference.

31. The following terms shall have the following meaning in these Terms of Reference:

## **Relevant Centre**

In relation to a Candidate, a Centre which:

- a. Has purchased the qualification (on behalf of the Candidate), and
- b. Has materially contributed to the preparation of the Candidate for the assessment (whether through teaching or instruction provided by Teachers employed by it or otherwise), and
- c. Has delivered the assessment to the Candidate.

## **Private Candidate**

A Candidate in relation to whom there is no Relevant Centre.