

## Appeals Policy

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Teachers' Association

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### 1. Introduction

This policy is aimed at teachers and candidates who are involved in the assessment of all qualifications offered by IDTA.

The purpose of this policy is to set out the procedures that candidates and centres should follow if they wish to make an appeal to IDTA.

An appeal is defined as a request to the awarding organisation to carry out checks on the marks or grades awarded as a result of the candidate being dissatisfied with the result of their assessment. Please see below for the grounds of appeal accepted by IDTA.

If candidates or teachers have any general complaints to make about the service provided by IDTA which do not affect results or grades, please see the Complaints procedure published by IDTA.

This policy is available on our website at [www.idta.co.uk](http://www.idta.co.uk).

This policy will be subject to review and monitoring by IDTA and if necessary will be amended and updated following feedback from candidates and teachers. All future versions to this policy will be flagged and will be posted on our website.

Please note that we treat all appeals in confidence and will not make details available to any other parties.

### 2. Ofqual Conditions of Recognition

For regulated qualifications, Ofqual, the qualifications regulator for England, sets out requirements for all awarding organisations to comply with<sup>1</sup>. For appeals, the Conditions are as follows:

11.1 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 or maladministration.

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<sup>1</sup> Ofqual Handbook <https://www.gov.uk/guidance/ofqual-handbook/section-i-appeals-and-certificates>. Similar requirements apply for qualifications regulated in Wales by Qualifications Wales through their Standard Conditions of Recognition <https://www.qualificationswales.org/regulation-reform/regulating/regulatory-conditions/> and CCEA in Northern Ireland <https://ccea.org.uk/regulation/information-awarding-organisations/general-conditions-recognition>

I1.2 For the purposes of Condition I1.1, an awarding organisation's appeals process must provide for:

- (a) the effective appeal of results on the basis that the awarding organisation did not apply procedures consistently or that procedures were not followed properly and fairly,
- (b) all appeal decisions to be taken by individuals who have no personal interest in the decision being appealed,
- (c) appeal decisions to be only taken by persons who have appropriate competence
- (d) the final decision in respect of the outcome of an appeal 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, and
- (e) timelines 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.

I1.4 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.

IDTA's appeals procedure is written to comply with these Conditions, and applies to both regulated and non-regulated qualifications.

### **3. Procedure for appeals**

If a candidate wishes to make an appeal they may do so in writing to:

Chief Operations Officer

IDTA

International House

76 Bennett Road

Brighton

East Sussex

BN2 5JL

Or via e-mail to: [info@idta.co.uk](mailto:info@idta.co.uk)

Appeals should be accompanied by an **appeal form at the end of this policy**.

Candidates may only appeal once their result has been received.

Only one appeal per candidate will be accepted. This may come from either the candidate themselves if they are aged over 16, their teacher, centre or a designated person acting on the candidate's behalf (eg a parent or carer).

Appeals from candidates, teachers or parents/guardians should be received within 30 days from the postmark of the result slip, stating the candidates' name, PIN number and the nature of their appeal. Please provide as much information as possible to enable a thorough investigation to be carried out.

#### 4. Personnel and conflicts of interest

The following IDTA personnel are involved with appeals:

**Chief Operations Officer** – deals with the overarching appeals process and first level appeal

**Chief Executive** – final arbiter of decisions relating to the third level appeal (independent review)

**Joint Quality Assurance Panel members** – the Chairs of each Faculty Committee.

In cases where an individual named in the policy declares a conflict of interest in an appeal (e.g. a personal or professional interest in the appellant or the examiner concerned in the appeal), a suitable individual will be substituted to carry out the work. This person will be selected on the basis of their capability and competence to carry out the work in question and will be required to prove that they have no personal interest in the appeal.

For second level appeals, members of the Joint Quality Assurance Panel will be required to declare any personal interests in an appeal prior to selection to participate in the panel. Any member declaring a personal or professional interest will not be selected.

#### 5. Grounds for appeal

Appeals by candidates will be considered if they concern:

- Appeals against IDTA's decisions on reasonable adjustments or special considerations requests.
- Appeals in relation to actions taken as the result of an investigation into Malpractice or Maladministration.
- Appeals in respect of results, errors in procedure or in matching comments to marks awarded

##### **Appeals against decisions on special considerations or reasonable adjustments**

A candidate may make an appeal against IDTA, if IDTA has declined a request for a special consideration or reasonable adjustment. In these cases, the Chief Operations Officer 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. All appeals and decisions made will be subject to review by the Joint Quality Assurance Panel.

##### **Appeals against actions as a result of an investigation into Malpractice or Maladministration**

Individuals may make an appeal against IDTA, if IDTA has taken action following an investigation into an incident of malpractice or maladministration. In these cases, the Chief Operations Officer will review the application and make a final decision about whether the action taken was justified in terms of the requirements set out in the malpractice policy. All appeals and decisions made will be subject to review by the Joint Quality Assurance Panel.

##### **Appeals against results, errors in procedure or matching comments to marks awarded**

Grounds for an appeal will be accepted in respect of:

- Results awarded
- Comments made by examiners on report forms which do not match the marks awarded, or
- Processes set out in examiners handbooks have not been followed.

## **6. Stages of appeal**

### **First Level Appeal**

The first level appeal will be carried out by the Chief Operations Officer who will carry out a desktop review of the appeal and supporting evidence including a response from the examiner concerned, a review of statistical data including teacher and examiner results over time and individual report forms for candidates. They will make a judgement about whether the appeal should be upheld or not.

Once the judgement has been made the appellant will receive written confirmation of the outcome. If the appeal is upheld IDTA will offer a free re-examination at a mutually agreed location. If a re-examination is offered, IDTA will agree a time limit with the candidate concerned to protect the interests of all concerned and reproduce the original conditions as closely as possible.

We will inform you within 28 days of acknowledgement of receipt of the appeal whether the appeal is successful. In the case of a successful appeal, the offer of a re-examination will terminate the appeals process if it is accepted.

### **Second Level Appeal**

If a candidate is unhappy with the judgements made in the first level appeal, then they have the right to a second level of appeal. The second level appeal involves a special appeals panel which is made up of members of the Quality Assurance Panel for the appropriate branch (Theatre or Ballroom) who have no relationship with any of the parties concerned in the appeal. The panel will review the first level appeal process to ensure that it has been carried out appropriately in accordance with the policy. The panel will decide whether the appeal should be upheld or not.

Once the judgement had been made the appellant will receive written confirmation of the outcome.

Second level appeals must be made no later than 14 days from the date of the previous decision.

We will inform you within 28 days from the beginning of the second stage of the process whether the appeal is successful. A fee of £25 will be applicable for each candidate up to a maximum of £125 for five candidates or more which will be refunded if the appeal is successful.

### **Third Level Appeal (independent review)**

If a candidate is unhappy with the decisions reached in the second level appeal, they may take their appeal to the third level which consists of a review by an independent representative who has no direct involvement with IDTA. The independent review will analyse whether the process at first and second level have been carried out appropriately in accordance with the policy.

The decision of the independent representative will be reviewed by the Chief Executive and a final decision taken on whether to uphold the appeal or not.

Third level appeals must be delivered to the IDTA head office for the attention of the Chief Operations Officer, clearly marked as an appeal, no later than 14 days from the date of the previous decision. The decision of the Chief Executive is final.

We will inform you within 28 days from the beginning of the third stage of the process whether the appeal is successful. A fee of £50 will be applicable per candidate up to a maximum of £250 which will be refunded if the appeal is successful.

**Fourth Level Appeal:** A fourth level of appeal is open to candidates who may take their appeal to the regulatory authorities should they wish.

# Appeals Form



Please ensure you have read the Appeals Policy before completing this form.

Candidates must be 16 to make an appeal on their own behalf, any candidates under this age should ensure the appeal is made by their teacher/parent/guardian or similar responsible adult.

Candidate Full Name	
Candidate ID	
Teacher name	
Teacher membership number	
Date of examination	
Name of person making the appeal (if different)	
Relationship to candidate (teacher, parent, guardian etc)	
Correspondence e-mail	
Contact telephone number	

Level of appeal (please tick)

First Level	
Second Level	
Third (Independent) Level	

I am making the appeal in accordance with the advertised policy against the following concern (please tick):

IDTA decision regarding a reasonable adjustment/special consideration	
IDTA actions as a result of an investigation into Malpractice or Maladministration	
Appeals against results, errors in procedure or matching comments to marks awarded	

Please give an brief description of the appeal below:

*Appellants may continue on a separate page if needed, but all appeals must be accompanied by a cover sheet.*