

## General

### Introduction

This appeals policy is aimed at our customers, including Learners, who are delivering/enrolled on or have taken a Pensions Management Institute (from this point 'us', 'we' or the PMI) approved qualification or unit. This policy sets out the processes to be followed when submitting appeals to the PMI and the processes we will follow when responding to enquiries and appeals.

This policy will ensure PMI Qualifications team deal with all appeals in a consistent manner.

### PMI Procedures

The appeals procedure is intended for consideration of circumstances that materially affect a learner's performance in an assessment where all other available routes for enquiries have been exhausted.

The committee responsible for the operation of the PMI's examinations process is the Lifelong Learning Committee who report directly to the PMI Board.

Other sub-committees are:

#### PMI Awarding Body Committee (PMIAB)

The PMIAB provide the PMI Board with assurance and independent judgement that the PMI remains compliant with the general conditions and principles of regulation as stipulated by the Office of the Qualifications and Examinations Regulator (Ofqual) and to add value and guide the PMI in achieving its remit in line with PMI's Strategy and Business Plan.

### Examination Committees

These committees operate a rigorous and robust marking process with numerous safeguards to ensure the anonymity of Learners, the impartiality of the examining process, reliability, consistency, validity, objectivity and fairness. They report to PMI's Lifelong Learning Committee.

In the event Learners have enquiries about their results, PMI provide the services below.

## General Procedures

Enquiries can be made by Learners, Examination Partner/Centre's or both.

All enquiries about results or the conduct of examinations must be made in writing on the appropriate form to the manager of the Qualifications Team by email at;

[PMIQualifications@pensions-pmi.org.uk](mailto:PMIQualifications@pensions-pmi.org.uk)

within 20 days of the publication of examination results.

Learners are advised to submit enquiries as soon as possible after the results have been issued as requests received after the time allowed will not be accepted.

All enquiries about results will be acknowledged within 3 working days of receipt (our standard SLA).

Fees are payable for the results/enquiries services and are refundable if there view result is changed (e.g. from a Fail to a Pass).

## Examination Partner/Examination Partner/Centre's responsibilities

It's important that anyone involved in the management, assessment, delivery and quality assurance of our qualifications, including Learners, are aware and understand the contents of the policy.

In addition, the Examination Partner/Centre is responsible for, and must have in place, a policy and appeal arrangement which Learners can fully access if they wish to appeal against a decision taken by them (Examination Partner/Centre).

If a learner wishes to appeal against a decision already made by an Examination Partner/Centre they must first formally go through the Examination Partner/Examination Partner/Centre's appeals process.

If you are an independent learner then please contact the Qualification coordinator for the relevant qualification directly.

If the learner is still not entirely happy with the decision a second appeal should be raised and lodged to PMI. This needs to be in a form of email containing the reason for the appeal and the original outcome from the Examination Partner/Centre.

## Areas covered by the Appeals Policy

This policy covers the following:

- Appeals from Learners and/or Examination Partner/Centre's in relation to an assessment decision on the basis that we did not apply procedures consistently or that procedures were not followed properly and fairly.
- Appeals from Examination Partner/Centre's in relation to a PMI decision concerning the Examination Partner/Examination Partner/Centre's application to offer a PMI qualification.
- Appeals from Examination Partner/Centre's concerning the contents of the Examination Partner/Centre's monitoring report.
- Appeals from Examination Partner/Centre's and/or Learners relating to a PMI decision to decline the Examination Partner/Centre's request to make reasonable adjustments or give special considerations.
- Appeals from Examination Partner/Centre's or Learners in relation to the application by PMI of a sanction/action on an Examination Partner/Centre's resulting from a verification visit or an investigation into malpractice or maladministration or a decision to amend a learner/set of Learners results following a malpractice or malpractice investigation.
- Appeals from Examination Partner/Centre's relating to a decision made by PMI following an investigation into a complaint about an Examination Partner/Centre.
- Appeals on the basis of the PMI not applying procedures consistently or that procedures were not followed properly, consistently and fairly.

## Post Results Services

There are four options available:

- Clerical re-check and Review
- Post Results (specifically following and MCQ exam)
- Re-mark of the paper
- Appeal.

### Clerical re-check and Review

Requests for a clerical re-check should be made inwriting to the above email address within 20 days of the release date of the results.

This service will comprise the following checks:

- that all parts of the answer sheet have been marked correctly;
- the totalling of marks;
- the recording of marks;
- that any examiner or moderation adjustments, have been correctly applied;
- the application of any grade boundaries;
- the application of any special consideration if applicable (in relation to either reasonable adjustments made prior to the examination or following incidents at the time of the examination).

## Post Results Policy (Multiple Choice Examinations)

The PMI is committed to providing fair and transparent processes. The policy of the PMI is to a scored result to Multiple Choice Exams, with the resultant pass or fail outcome . This means there will in normal circumstances there are borderline candidates. In those circumstances any learner who has scored a borderline pass/fail score will have their mark reviewed by the appropriate examination committee as part of our normal procedures (for verification and then validation).

## Re-Mark of the Paper

If the appellant is unhappy with the clerical check, then a request for a re-mark by an independent examiner can be requested. This will be the original script marked against the original mark scheme by an independent (to the original process) examiner.

## Appeals

Following the clerical re-check and re-mark if the appellant remains dissatisfied with the outcome it is possible to make an appeal as described below.

### Grounds for an appeal

The appeal process will consider whether the PMI's procedures are consistent and have been fairly and properly applied.

The grounds for an appeal include:

- irregularities in the conduct of an examination
- the procedures for question setting, marking and (results) moderation of examinations
- extenuating circumstances that were not revealed for valid reasons prior to receipt of result notification.
- dissatisfaction with decisions taken concerning malpractice or maladministration

Upon receipt of all appeals we will acknowledge receipt of the appeal within 3 working days (our standard SLA) and aim to respond fully to the initial review of the potential appeal within 20 days.

Please note that in some cases the review processes may take longer, for example, if an Examination Partner/Centre visit is required. In such instances, we will contact all parties concerned to inform them of the likely revised timescale.

At all times we will ensure that PMI personnel assigned to the appeal investigation have the appropriate level of training and competence and they have had no previous involvement or personal interest in the matter.

## Independent Review process (Initial Review)

If the appellant/learner decides to proceed to the appeal stage, the PMI will arrange for an independent review to be carried out. This will be carried out by someone who is not an employee, an assessor, or otherwise connected to the PMI Awarding Body, and will be someone with relevant competence to make a decision in relation to the appeal and will have not a personal interest in the decision being appealed. The PMI will advise the appellant accordingly.

The Independent Reviewer will review all the evidence which took place in the above stages and review if we've applied our procedures fairly, appropriately and consistently in line with the PMI appeals policy.

The independent review process may involve:

- a discussion with the appellant (Centre or the Learner) and PMI personnel
- a request for further information from the appellant, the learner or PMI personnel
- an Examination Partner/Centre's visit by authorised PMI personnel.

In these circumstances the Independent Reviewer's decision is final, and the PMI will let the appellant know the outcome of the review within 20 days of receipt of the appeal.

Following the initial review we will write to the appellant with details of our decision to either:

1. amend the original decision in light of the new rationale/evidence being put forward and which has now been reviewed
2. to confirm the original decision and in doing so the rationale for this, and request that it is accepted (within 15 days),
3. whether to proceed to the formal appeals process (carried out by an independent panel). All appeals of the independent review (and move towards a formal appeal) must be made in writing to the Manager of the Qualifications team within 14 days of the date on which the notification of the final outcome of the above independent review.

### Process for raising a Formal Appeal

If the initial review has not produced a satisfactory outcome, then the Examination Partner/Centre or Learner has 14 working to lodge an appeal against the decision- this includes assessment results.

It is important and advisable that the Learners and the Qualifications Team (of the Examination Partner/Centre) retain their course evidence until they receive the outcome if this is a results-based appeal.

If the Examination Partner/Centre is appealing on behalf of their Learners, they must ensure that they have obtained the written permission of the learner(s) concerned as grades/results can go down as well as up as a result of an investigation. This permission will be requested before any appeal takes place.

Learners who wish to appeal about their assessment results or about a related decision should either be supported by their Examination Partner/Centre and should have exhausted their Examination Partner/ Centre's own appeals process before appealing to the PMI.

In the latter case, Learners must provide the PMI with evidence that they have first appealed to their Examination Partner/Centre. It is expected that Learners will only appeal directly to us in exceptional circumstances. Independent Learners will contact the PMI Qualifications Coordinator as appropriate.

Examination Partner/Centre's should supply relevant supporting information such as the following where relevant:

- Learner's name and PMI registration number
- date(s) the examination Partner/Centre or the Learner received notification of PMI's decision
- title and number of the PMI qualification affected, or nature of service affected (if appropriate)
- full nature of the appeal
- contents and outcome of any investigation carried out (by the Examination Partner/Centre) relating to the issue

## Formal Appeals

### The Process

The process consists of two parts:

#### Part A – PMI Staff

A review by the Manager of the Qualifications team to provide advice and guidance to the appellant where the grounds for the appeal might be unlikely to succeed and if they would like to continue with the appeal. (e.g. advising of a lack of correct support documentation)

The outcome of this review will be notified in writing.

#### Part B – PMI Appeals Panel

If the case is not resolved by the review by the Manager of the Qualifications team, it will be referred to an Appeals Panel convened by the Lifelong Learning Committee.

The Appeals Panel will include:

- A member of the Lifelong learning Committee (in normal circumstances, the Chair of this committee)
- An independent examiner as appropriate
- The PMI Chief Executive or nominated representative
- An independent member drawn from the PMIAB (in normal circumstances, the Chair of this committee)

The case will then be presented to the Appeals Panel.

The Appeals Panel can instruct PMI to reconsider the case and may offer recommendations. The outcome of and a report on the decision of the panel will be provided.

The PMI will aim to complete the appeal process and report the outcome within 50 working days.

The outcome of this Stage is the completion of Appeals process, and no further requests will be considered.

If the Examination Partner/Centre or learner is still not satisfied with the outcome at this stage, they are entitled to raise the matter with the relevant qualification regulator (e.g. Ofqual in England).

### Appeals to the Regulator (Ofqual)

For regulated qualifications, in cases where a learner might be unsatisfied with the outcome of an appeal, they can contact PMI's regulator, the Office of the Qualifications and Examinations Regulator (Ofqual) directly. Their website is at:

<https://www.gov.uk/government/organisations/ofqual>

In all the processes described above, where deadlines have passed, exceptional circumstances may still be considered.

The PMI will also cooperate with any follow-up investigations required by the qualifications regulators and if appropriate agree any remedial action with them.

### Successful appeals and/or issues brought to our attention by Ofqual

In situations where an appeal to the Regulator has been successful, or where an investigation following notification from Ofqual indicates a shortfall in PMI processes, the PMI will give due consideration to the outcome and will as appropriate take actions such as:

- amend the profile of the Examination Partner/Centre concerned in the PMI CRM system.
- identify any other Learners who may or may not have been affected (e.g. and amend the results for those affected following an appropriate investigation).
- review PMI associated processes and policies to ensure that this type of situation is not repeated in future.

### Situations brought to our attention by the Regulatory Authorities

Similarly, where the regulator notifies us of failures that have been discovered in the assessment process of another awarding organisation, we will review whether or not a similar failure could affect our own assessment processes and arrangements and specifically on appeal whether it affects the appellant directly.

## Data Protection Act

The above options are in addition to an individual's right to request personal data in accordance with Data Protection Act 2018.

The PMI will comply with such requests as soon as possible and in any event within the relevant timescales. If an individual requires any information in regard of their exam then they can ask for a Subject Access Request (SAR) – please contact:

[PMIQualifications@pensions-pmi.org.uk](mailto:PMIQualifications@pensions-pmi.org.uk)

for further details.

## Fees

A fee of half of the original examination entry fee is payable (or £80 whichever is the lower) for such an appeal and is refundable if the findings of the investigation results in a positive change of outcome for the learner.

All current fees can be found on the PMI Website under the 'Fees' section.

## Review arrangements

This appeals policy will be reviewed annually as part of PMI self-evaluation arrangements and revised as in conjunction to the regulatory authorities to align with any appeals and complaints process established by the regulatory authorities such as Ofqual where applicable.

## Monitoring the Policy

The PMI has procedures in place for monitoring, evaluating and reporting annually on the operation of this policy, including the number and nature of enquiries and appeals and their outcomes.

Where necessary PMI shares relevant data with the regulatory authorities on request.

## Contact us

If you have any queries about the contents of the policy, please contact

[PMIQualifications@pensions-pmi.org.uk](mailto:PMIQualifications@pensions-pmi.org.uk)

with the subject title "appeals".