

## History

### History

Date	Amendments made
May 2024 V14	<ul style="list-style-type: none"><li>• Amendments made to the complete documentation</li><li>• URLs embedded into the document</li><li>• Addition of Regulatory Conditions and Principles section</li><li>• Removal of Stages 3 &amp; 5 from the previous policy</li><li>• Change of wording of upheld or rejected at each stage</li><li>• A legal representation statement added</li><li>• Fee sentence added</li></ul>
September 2021 V13	<ul style="list-style-type: none"><li>• Revision to stage two appeal; removing reference to external organisations</li><li>• SQA new principles</li></ul>
December 2020 V12	<ul style="list-style-type: none"><li>• Adding clarity to appeal stages; amending Policy in line with revised Ofqual and CCEA Conditions of Recognition</li></ul>
November 2019 V11	<ul style="list-style-type: none"><li>• Updated SQA contact details following an external SQA audit</li></ul>
July 2019 V10	<ul style="list-style-type: none"><li>• Complete revision of the previous document to add clarity regarding the procedure which should be followed by Learners at Approved and Registered Centres wishing to make an appeal about an assessment decision made through the CMI EA marking system.</li><li>• Removal of reference to 'enquiries' as the first stage of an appeal</li><li>• Document created as a Policy AB/POL/0029/July19/V10</li><li>• Discontinuation of CMI Enquiry and Appeals Procedure AB/PRO/0015/Mar17/V7</li></ul>

## Distribution

### Distribution List

- All Quality Managers
- All CMI Markers & Moderators
- Partner Relationship Managers
- Customer Service Team
- Partner Engagement Managers
- Awarding Body Support Team
- CMI Centres

This policy will be published on the [CMI website](#).

## Purpose

### Document Purpose

This procedure applies to all Chartered Management Institute (CMI) Registered and Approved Centres and Learners registered on a CMI qualification. This document sets out guidance on how to make an appeal to CMI and the procedure to follow.

All CMI Centres, as part of the approval process, are required to have in place their own appeals procedure. CMI expects Learners to exhaust their Centre process before contacting CMI.

This Policy should be read in conjunction with the following CMI policies to check which is the most applicable

CMI Awarding Body Whistleblowing Policy & CMI Complaints Policy and Procedure are found on the [CMI website](#).

### Exceptions

For End-Point assessment please refer to the EPA Enquiries and Appeals policy document.

## Scope

### Scope

This procedure applies to all key stakeholders engaged with the CMI qualifications. This includes CMI Centres, Centre staff and CMI Learners.

There are some instances where CMI will not be able to investigate or review an appeal:

- An appeal is received outside the timescales outlined in this procedure.
- A situation that has taken place prior to CMI receiving the Learner's registration, or in the instance that the Learner has never been registered with CMI
- Anything that should be dealt with under law, employer's disciplinary or grievance procedures

## Introduction

### Document Introduction

CMI is committed to providing a duty of care to its Learners, to supporting its Centres and to delivering a high standard of customer service.

Feedback is most welcome and will help towards improving our service.

# Definition

## Definitions

### Appeal

The term “Appeal” relates to the dissatisfaction with a CMI decision or CMI Centre decision which may include the following areas:

- Assessment decisions
- Decisions regarding the application for Reasonable Adjustments or Special Consideration
- Decisions made in cases of malpractice and maladministration - Decision or Sanction resulting from an investigation
- Decisions made in relation to Centre/Qualification status
- The outcome of a complaint

**Learner** - The term “Learner” refers to an individual who has been registered on a specific CMI qualification at a CMI Approved or Registered Centre. The Learner will have received confirmation from CMI that they have been registered and will have been issued with a unique Learner number which can be used to locate them on CMI records.

**Centre** - The term “Centre” refers to an organisation such as a training provider, employer, higher education institution or further education college approved by CMI to undertake the delivery of qualifications and assessments and, as the case may be, other activities to Learners on behalf of CMI.

## Regulatory Requirements

### Regulatory Requirements

As part of the regulators’ requirements ([CCEA Regulation](#), [Ofqual](#) and [Qualifications Wales](#)), there is a requirement under Condition I1 and [SQA Accreditation Regulatory Principles](#), SQA Principle 17; for all regulated awarding organisations/bodies to publish an appeals procedure. This document fulfils that requirement.

### Regulatory Requirements and Definitions

This policy meets the regulatory requirements set out by the [CCEA Regulation/Ofqual](#)- General Conditions of Recognition, [Qualifications Wales](#) - Standard Conditions of Recognition -

### Condition I1 - Appeals Process

#### Responding to enquiries from Users of qualifications

**I1.1** 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.

**11.2** For the purposes of Condition 11.1, 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

**11.3** An awarding organisation must publish information on its appeals process to enable the results of assessments to be appealed.

**11.4** 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

This policy also meets the requirements of the [SQA Accreditation Regulatory Principles](#):

**SQA Principle 17.** The awarding body and its providers must have clear, fair and equitable systems, policies and procedures to manage appeals.

The awarding body and its providers are responsible for demonstrating clearly-defined processes to handle appeals against decisions.

Consideration should be given to:

- how, when, and under what circumstances, an appeal can be made
- who can appeal
- timescales for appeals
- independent review

Where a referral is made to SQA Accreditation, we may undertake activities to assess the effectiveness of the awarding body's and/or the provider's appeals process to ensure they are in line with our regulatory requirements.

Where SQA Accreditation raises any concerns, the awarding body and/or provider should take appropriate, corrective and/or preventative action.

The awarding body and its providers should ensure that their documentation is clear that SQA Accreditation is unable to overturn assessment decisions or academic judgements.

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## Appealing to the Regulator(s)

The regulators are not appeal bodies and will only arbitrate if the evidence is provided. Therefore anyone approaching the regulators for this purpose should provide written copies of all relevant communications. The regulators will be looking to assess the effectiveness of the awarding body, their policies and procedures.

[CCEA Regulation](#), [Ofqual](#) and [Qualifications Wales](#) will consider complaints about CMI activities or functions but **will not get involved in individual appeals**. Similarly, [SQA Accreditation](#) will look at any referrals but will not overturn an assessment decision or academic judgement.

Please refer to Annex A of this document for further details on submitting complaints to the regulators.

## CMI Appeals Procedure

### Appeals Procedure

- If you are a Learner wishing to appeal a CMI marking service decision.
- If you are a Centre wishing to appeal a CMI marking service decision.
- If you are a Centre wishing to appeal a CMI moderation decision.
- For a Centre wishing to appeal a decision made by CMI in respect of a malpractice or maladministration investigation, complaint outcome or other decision concerning your Centre's status.

**Note** - If a Learner, Centre or any other relevant party wishes to be legally represented in relation to any aspect of the appeal, we must be informed in writing; this must include details of who, what their credentials are and what interest they have in the appeal case. CMI reserves the right to also be legally represented.

### Summary of Procedure

Stage	Purpose	Responsibility
<b>Stage 1</b>	Learners wishing to appeal against a Centre decision regarding - <ul style="list-style-type: none"> <li>● An assessment decision made by an Approved CMI Centre</li> <li>● A decision regarding reasonable adjustments or special consideration</li> <li>● A decision regarding a malpractice outcome</li> <li>● A decision regarding a complaint outcome</li> </ul>	The Centre's own complaints procedure should be followed
<b>Stage 2</b>	The purpose of this stage is to identify if CMI or the CMI Centre followed the correct processes, procedures and policies for any of the types of decisions listed above.  Learners wishing to appeal against a Centre decision regarding - <ul style="list-style-type: none"> <li>● An assessment, malpractice or reasonable adjustments/special consideration decision made by the Approved Centre at which they are registered.</li> <li>● A CMI marking service decision.</li> <li>● A CMI complaint investigation outcome.</li> </ul> Centres wishing to appeal against a CMI decision regarding - <ul style="list-style-type: none"> <li>● A CMI marking service decision.</li> <li>● A CMI moderation decision.</li> <li>● A CMI malpractice or maladministration investigation outcome.</li> <li>● A CMI complaint investigation outcome.</li> <li>● A decision made by CMI in respect of their Centre/Qualification status</li> </ul>	CMI
<b>Stage 3</b>	Independent Review of the Process - The purpose of this stage is to identify if CMI followed the correct processes, procedures and policies for any of the types of decisions listed above.	Independent Review Panel appointed by CMI

## Fee

There are no fees applied to an appeal.

## Appeal acceptance

The decision of whether to accept the application for an appeal at any stage is based on the following:

- Whether the appeal submitted falls within our acceptance criteria
- Whether any other relevant/required process, procedure or policy has first been completed
- Whether there is sufficient evidence that our relevant processes, procedures and policies have not been consistently and fairly applied

## Stage 1

### **Stage 1 – Internal Centre Appeal (Applicable to Learners at Approve/Registered Centres).**

Applies to:

- Learners wishing to appeal an assessment decision made by an Approved CMI Centre at which they are registered.
- Learners wishing to appeal a decision regarding Reasonable Adjustments or Special Consideration made by the CMI Centre at which they are registered.
- Learners wishing to appeal a decision regarding malpractice outcome made by the CMI Centre at which they are registered.
- Learners wishing to appeal against the complaint investigation outcome made by the CMI Centre at which they are registered.

As part of the CMI approval process, Centres are required to have in place their own policy in relation to appeals. This policy should set out the Centre's appeals procedure and how they will work with Learners informally to resolve any issues at an early stage.

Learners should exhaust their Centre's internal Appeals Procedure in the first instance. If, after this appeal, the issue remains unresolved, Learners can make an appeal to CMI as per Stage 2.

## Stage 2

### **Stage 2 – CMI Review of assessment decision (Moderation/Marking) or other decision including reasonable adjustments/special consideration decision, complaint investigation outcome, malpractice/maladministration investigation outcome or Centre/Qualification status decision made by CMI or a CMI Centre.**

Applies to:

- Learners wishing to appeal an assessment, malpractice or reasonable adjustments/special consideration decision made by the Approved Centre at which they are registered (once the Centre's own procedure has been exhausted).
- Learners wishing to appeal a CMI marking service decision.
- Centres wishing to appeal a CMI marking service decision.
- Centres wishing to appeal a CMI moderation decision.
- Centres wishing to appeal a decision made by CMI in respect of a malpractice or maladministration investigation.
- Centres wishing to appeal a decision made by CMI in respect of a complaint.
- Learners wishing to appeal a decision made by CMI in respect of a complaint.

- Centres wishing to appeal a decision made by CMI in respect of their Centre/Qualification status

### Approved Centre

An appeal to CMI regarding an Approved Centre's assessment decision must be made to CMI within **20 working days (UK)** of the Learner being informed of the decision, outcome or result of their Centre's Appeals Procedure (for example, after Stage 1).

**Note** - Learners at Approved Centres wishing to appeal an assessment decision must have already exhausted the Centre Appeals Procedure (Stage 1 as above).

### Registered Centre (or Approved Centre using CMI Marking service)

An appeal from a Learner at a Registered Centre (or an Approved Centre using the CMI Marking service) regarding a CMI assessment decision made as part of the CMI marking procedure must be made to CMI within **20 working days (UK)** of the marking results for that Learner being returned to the Centre.

**Note** - If any Centre wishes to appeal an assessment/moderation decision and starts the CMI appeals process and then decides to resubmit the assessment at the same time it will void the appeal. Once the appeals process has begun then the correct stages must be followed.

### How to make the appeal (Stage 2)

Any appeal should be made in writing to CMI, clearly stating the grounds for the appeal with all relevant supporting documentation. The title of the letter or email should clearly state 'Appeal' in the subject header. The [CMI Appeals Policy and Procedure Form](#) must be fully completed and returned with the appeal (see [CMI Appeals Policy and Procedure Form](#)).

### Notification

Please notify all appeals in writing using one of the following options:

By email to: [awardingbody@managers.org.uk](mailto:awardingbody@managers.org.uk)

By post to: FAO Awarding Body, Chartered Management Institute, Management House, Cottingham Road, Corby, Northamptonshire, NN17 1TT

CMI will confirm, in writing, receipt of the appeal within **3 working days (UK)**. If Learner work is held on an e-portfolio system, access will be required to the original Learner work.

### Review of the appeal

Where CMI receives an appeal, it is important that this is dealt with promptly and in line with CMI procedures. The appeal will be reviewed by a CMI Independent Reviewer who is independent of the Learner or Centre.

**Moderation decision** – where an appeal is made following a moderation decision, the independent Lead Moderator will review the following documentation:

- Learner Work
- Assessment Brief
- IQA Feedback
- Assessor Feedback
- Moderator Feedback Report

**Marking decision** – where an appeal is made following a marking decision, the Independent Reviewer will re-mark the Learner's work, and the Centre/Learner will be informed of the decision in writing.

**Other areas** - where an appeal is made following other areas, CMI will review the following documentation:

- Malpractice or maladministration decision and outcome.
- Reasonable adjustments/Special consideration application and decision.
- Complaint investigation and outcome.
- Centre/Qualification information.
- [CMI Appeals Policy and Procedure](#)
- Copies of communication to Centre/Learner/CMI
- Copies of all documentation used as part of the appeal

Stage 2 review would normally take the form of a desk-based review and may include the opportunity for the reviewer to seek clarification on points raised by the Appellant.

The appeal will be reviewed by a suitably competent member of the CMI Senior Management Team, independent from the Centre or Learner, who has had no prior involvement in any decisions or investigations relating to the outcome in question and may include -

- Quality Manager
- Senior Quality Manager
- Head of Awarding Organisation
- Deputy Director of Awarding Body

CMI will normally provide a response within **20 working days (UK)**. The Centre will receive a decision on the outcome. If it is going to take longer than **20 working days (UK)**, the appellant will be kept fully informed.

## Appeal upheld

If the stage 2 review found that CMI or the Centre had not correctly applied our processes, procedures or policies fairly or consistently, we'll send you an appeal outcome letter via email, which will include remedial actions to be completed, including appropriate timescales. If the appeal is upheld CMI will amend the Centre result and/or marks held on the Learner's records and take any further action as appropriate. The relevant Marker/Moderator and Quality Manager will be informed of the outcome.

If the appeals process identifies any shortcoming or failure in the assessment process, CMI will also take steps to:

- Identify any other Learner who has been affected by the failure,
- Correct or, where it cannot be corrected, mitigate as far as possible the effect of the failure, and
- Ensure that the failure does not recur.

## Appeal rejected

If the stage 2 review found all processes, procedures and policies to have been applied correctly and in a fair and consistent way the appeal will be rejected. If the appellant remains dissatisfied or has cause to believe that CMI has not followed its own published procedures they may consider a stage 3 appeal for an independent review. The independent review will check to ensure that the correct procedures were followed. Please follow Stage 3 of this procedure.



## Stage 3

### Stage 3 – Independent Review of the Process

In the event that there is cause to believe that CMI has not followed its own published procedure, CMI will direct the appeal to an independent decision maker, who is not an employee of CMI. An Independent external reviewer may be employed by another Awarding Organisation.

All appeals must be made within **20 working days (UK)** of receiving CMI's decision following the Stage 2 appeal.

### How to make the appeal (Stage 3)

A stage 3 appeal can only be made after the stage 2 process has been exhausted. Any stage 3 appeal should be made in writing by the appellant to CMI, clearly stating the grounds for the appeal with all relevant supporting documentation from stage 2. The title of the letter or email should clearly state 'Appeal' in the subject header. The Appeals Template must be fully completed and returned with the appeal (see [CMI Appeals Policy and Procedure Form](#)).

### Notification

Please notify all appeals in writing using one of the following options:

**By email to:** [awardingbody@managers.org.uk](mailto:awardingbody@managers.org.uk)

**By post to:** FAO Awarding Body, Chartered Management Institute, Management House, Cottingham Road, Corby, Northamptonshire, NN17 1TT

CMI will confirm, in writing, receipt of the appeal within **3 working days (UK)**.

The independent decision maker will only review documentation and evidence from Stage 2 and verify that all procedures were followed fairly and consistently as per the CMI procedure. It will not be possible for further materials to be submitted for consideration as part of the review by any party.

The stage 3 review would normally take the form of a desk-based review and may include the opportunity for the reviewer to seek clarification on points raised by the Appellant.

The independent decision-maker will review the following documentation:

- [CMI Appeals Policy and Procedure](#)
- Copies of communication to Centre/Learner/CMI
- Copies of all documentation used as part of the appeal

The decision of the Independent Review Panel is final and there are no further avenues of appeal against decisions taken.

CMI will normally provide a response within **20 working days (UK)**. The Centre will receive a decision on the outcome. If it is going to take longer than **20 working days (UK)**, CMI will keep the appellant fully informed.

### Appeal upheld

If the stage 3 review found that we had not correctly applied our processes, procedures or policies fairly or consistently, we'll send you an appeal outcome email, which will include remedial actions to be completed, including appropriate timescales. If the appeal is upheld, CMI will amend the Centre result and/or marks held on the

Learner's records and take any further action as appropriate.

### Appeal rejected

If the stage 3 review found all processes, procedures and policies to have been applied correctly and in a fair and consistent way the appeal will be rejected. The decision of the Independent Appeals reviewer is final and will complete our appeals procedure. We will not accept any further appeal.

## Whistleblowing

### Whistleblowing

Attention is also drawn to the [CMI Awarding Body Whistleblowing Policy](#) which may be more suitable for some cases.

## Monitoring and Review

### Monitoring and Review

This policy will be reviewed annually to ensure the appropriateness and approach are fit for purpose.

## Annex A

### The Regulators contact details are as follows:-

For vocational qualifications in England - [Ofqual \(Office of Qualifications and Examinations Regulation\)](#), Station Square, Coventry CV1 2FL

Alternatively, contact them directly - <https://complaints.ofqual.gov.uk/>  
Telephone number for assisted complaints - 0300 303 3344

If you think that the outcome of the internal review is wrong or if you do not agree with Ofqual's decision not to conduct an internal review, you can [contact the Parliamentary and Health Service Ombudsman](#). The ombudsman carries out independent investigations into complaints about public bodies.

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For vocational qualifications in Wales - [Qualifications Wales](#), Q2 Building, Pencarn Lane, Imperial Park, Coedkernew, Newport, NP10 8AR

Alternatively, contact them directly - Please complete the [complaint form](#) below and email it to - [report@qualifications.wales](mailto:report@qualifications.wales)

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For vocational qualifications in Northern Ireland - [CCEA Regulation](#), CCEA Regulation Complaints Coordinator, 29 Clarendon Road, Belfast, BT1 3BG

Alternatively, contact them directly - [info@ccea.org.uk](mailto:info@ccea.org.uk) / [ccearegulation@ccea.org.uk](mailto:ccearegulation@ccea.org.uk) or telephone 028 9026 1200.

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For all SQA-accredited qualifications, You can complain in person or in writing - [SQA Accreditation](#), The Optima Building, 58 Robertson Street, Glasgow G2 8DQ

Alternatively, contact them directly - [accreditation@sqa.org.uk](mailto:accreditation@sqa.org.uk) / telephone 0345 213 5249 or by completing their online complaints form: [https://accreditation.sqa.org.uk/accreditation/About\\_Us/Complaint](https://accreditation.sqa.org.uk/accreditation/About_Us/Complaint)

As part of SQA's Gaelic Language plan, complaints can also be submitted in Gaelic and Scottish Qualification Authority Accreditation will reply to you in Gaelic.

**Note** - In Scotland, users of public bodies also have the right to complain to the Scottish Public Service Ombudsman (SPSO) as the final arbiter. Users have to exhaust the public body's own complaints procedure before the SPSO will consider their complaint, and it must usually have been raised within the previous 12 months. The complaint cannot be under consideration in a court of law.

The SPSO will not consider complaints about academic decisions, such as the outcomes of an assessment. These types of complaints should be treated as an appeal using the CMI assessment review and appeal procedure as detailed in the SQA Accreditation's Regulatory Principles (2021). Although the SPSO's rules apply only to public bodies (for example, FE Colleges and local authority Centres), in this context SQA, the regulator for Scotland is also a public body. Therefore Learners at CMI Centres that are not public bodies will be able to escalate their complaints to the SPSO.

[Scottish Public Services Ombudsman](#), Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NSR

Alternatively, contact them directly -

- Freephone: 0800 377 7330
- Online contact: <https://www.spsso.org.uk/contact-us>

- Website: <https://www.spsa.org.uk/>
- Mobile site: <https://m.spsa.org.uk/>