



nebosh

Enquiries About Results (EARs) policy and procedures

Version 17a (June 2021)

Changes from the previous version are highlighted.

Contents

1. Policy	4
2. Scope	4
3. Regulatory authorities' criteria	4
4. Enquiries About Results (EARs)	4
4.1 Submitting Enquiries About Results	4
4.1.1 EAR timescales	4
4.1.2 Multiple choice examinations EAR timescales	5
4.1.3 Re-sitting assessments	5
4.1.4 Late EAR submissions	5
4.2 Types of Enquiries About Results	5
4.2.1 Type 1 EAR: Clerical check	5
4.2.2 Type 2 EAR: Re-mark and clerical check	6
4.2.3 EARs for multiple choice examinations	6
4.3 Enquiries About Results - individual requests	6
4.3.1 Individual EAR requests from learners	6
4.3.2 Individual EAR requests from Learning Partners	7
4.3.3 Cost of individual EARs	8
4.3.4 Submission address	8
4.4 Enquiries About Results - batch requests by Learning Partners	8
4.4.1 Multiple choice examinations	8
4.4.2 Submitting batch EAR requests	8
4.4.3 Cost of batch EARs	9
4.4.4 Submission address	9
5. Processing Enquiries About Results	9
5.1 Timescales	9
5.1.1 Type 1 EAR	9
5.1.2 Type 2 EAR	9
5.1.3 MCQP EARs	10
5.2 Outcomes	10
5.2.1 Individual EAR	10
5.2.2 Batch EARs	12
6. Translations	12
6.1 Practical assessments	12
6.2 Written examinations	12
6.3 Translation complaints	12
6.4 Applying for a retrospective special consideration	12
7. Appeals against EAR decisions	12
7.1 Grounds for an appeal	12
7.2 Application for an appeal	13

7.2.1 Cost	14
7.2.2 Stage 1 Appeal procedure	14
7.2.3 Outcomes	14
7.2.4 Stage 2 Appeal procedure	14
7.2.5 Outcomes	15
7.3 Unresolved appeals	15
8. Data Protection	16
9. Document control	16
Appendix 1: Stage 2 Appeals Process	17

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1. Policy

NEBOSH supports the right of learners and/or Learning Partners to enquire about a result where it does not meet reasonable expectations and to appeal against the outcome of that enquiry. This document details the policy and procedures put in place to ensure that enquiries about results and appeals are dealt with in a thorough and equitable manner.

2. Scope

This policy applies to all Enquiries About Results (EARs) and appeals concerning NEBOSH qualifications made by learners and NEBOSH Learning Partners for all assessments.

For definitions of terms used in this document, please see the *Glossary of NEBOSH Policy Terms* document available in the 'Policies and Procedures' section of our website: <https://www.nebosh.org.uk/policies-and-procedures>.

3. Regulatory authorities' criteria

NEBOSH is an awarding body approved by Scottish Qualifications Authority (SQA) Accreditation, which has a UK-wide regulatory remit.

In addition to statutory duties, this policy is intended to meet the relevant requirements of the regulatory criteria as set out in Principle 13 of the *SQA Accreditation Regulatory Principles (2014)*:

"13. The awarding body and its providers shall have clear, fair and equitable procedures to manage appeals."

4. Enquiries About Results (EARs)

4.1 Submitting Enquiries About Results

4.1.1 EAR timescales

If a learner believes that the result of an assessment does not match their reasonable expectations, an Enquiry About Result (EAR) may be made within **20 working days** of the result/s notification date (as shown on the unit result notification letter) of the result to which it relates (this is known as the EAR closing date).

4.1.2 Multiple choice examinations EAR timescales

For multiple choice examinations, EARs may be made within **20 working days** of the confirmed date (*not the issue date*) of the unit to which the result relates. The 'confirmed date' is the date that the results (including unit result notifications (URNs)) are available to Learning Partners on the NEBOSH website for the relevant multiple choice examination. It is the responsibility of Learning Partners to inform learners of their results as soon as possible. Heads of Learning Partner or any nominated examinations officer(s) should make themselves available after the publication of results so that learners are able to discuss a submission of an EAR.

4.1.3 Re-sitting assessments

Learners should be aware that waiting for an EAR outcome before deciding to re-register for the assessment may result in the learner missing the registration closing date for the next assessment submission date.

Learners submitting an EAR but considering re-taking their assessment(s) are advised to register for the next available assessment submission date following the expected EAR outcome issue date in case their enquiry is not successful.

4.1.4 Late EAR submissions

In line with the UK Data Protection Act organisations are required to destroy data when they are no longer required to process any data. To comply with the above NEBOSH securely disposes of examination and assessment scripts once the Enquiry About Result closing date has passed. Therefore requests received after the EAR closing date will **not** be accepted. If there are extenuating circumstances for the late submission, the decision to accept the EAR application will be reviewed and a decision made on confirmation of access to the script and at the discretion of NEBOSH.

4.2 Types of Enquiries About Results

EARs in all cases are offered and charged separately for each unit making up a qualification.

4.2.1 Type 1 EAR: Clerical check

Please note: Outside of the EAR process, certificate level examination scripts within the mark range of 40-48 are subject to a clerical check as part of routine quality review activities. If NEBOSH receive a Type 1 EAR for a script within this mark range, the applicant will be informed that this check has already been done and any money sent will be returned.

Please note: for assessments where there are no marks to be counted, **and only a Pass/refer result is provided**, type 1 EAR clerical checks are not available.

Type 1 EAR clerical checks are carried out by NEBOSH staff.

A Type 1 clerical check confirms that all parts of a script have been marked, that the addition of the marks for each question or section is correct, that the correct mark for each answer or section has been transferred on to the script cover and that the correct overall mark has then been transferred into the NEBOSH

database. Where a discrepancy is found by a clerical check, NEBOSH will, as appropriate, arrange for any unmarked answer/s, or parts of answer/s, to be marked and/or for any addition errors to be rectified. This correction is included in the type 1 EAR fee.

If the mark (or grade) changes as a result of a Type 1 EAR, a revised Unit Results Notification letter (URN) will be issued to the learner. Marking to correct any marking discrepancies as part of a type 1 EAR is carried out by either NEBOSH appointed team leaders, principal examiners or NEBOSH standards officers.

A Type 1 EAR does not guarantee that a mark (or grade) will be adjusted upwards after the EAR. It is important to note that a mark (or grade) may also be adjusted downwards. Marks may also remain unchanged.

4.2.2 Type 2 EAR: Re-mark and clerical check

A Type 2 EAR includes a re-mark of the learner's script followed by a clerical check. The re-mark and clerical check are independent stages carried out by two different people.

Re-marking as part of a Type 2 EAR is carried out by either NEBOSH appointed Team Leaders, or Principal Examiners. The clerical check following re-mark is carried out by staff members approved by NEBOSH.

If the mark (or grade) changes following a Type 2 EAR, a revised Unit Results Notification letter (URN) will be issued to the learner.

A Type 2 EAR does not guarantee that a mark (or grade) will be adjusted upwards after the EAR. It is important to note that a mark (or grade) may also be adjusted downwards. Marks may also remain unchanged.

4.2.3 EARs for multiple choice examinations

NEBOSH multiple choice examinations (eg Unit HSW1 Workplace safety foundations) are marked using an automated scanning system. A multiple choice question paper (MCQP) EAR will involve the learner's answer sheet being manually re-marked by NEBOSH Awarding Officers.

A MCQP EAR does not guarantee that a mark (or grade) will be adjusted upwards after the EAR. It is important to note that a mark (or grade) may also be adjusted downwards. Marks may also remain unchanged.

4.3 Enquiries About Results - individual requests

4.3.1 Individual EAR requests from learners

Learners wishing to make an Enquiry About Result (EAR) should complete and submit the online enquiry about result application form found on the NEBOSH website. Once the form is submitted NEBOSH will issue a WorldPay link via email for payment to be made by credit/debit card. Applications and payment must be received by NEBOSH by the EAR closing date (see page 1). If NEBOSH issues

the WorldPay link to you on or after the EAR closing date, you will have 5 working days to make payment.

Payment by BACS or cheque is no longer accepted.

In any extenuating circumstances in which learners who have already received unit certificates and/or a qualification parchment showing their pre-EAR result, **learners must destroy these, and NEBOSH will void them.**

If unit certificates/qualification parchments have not been issued, NEBOSH will retain these until after the EAR outcome is known. Following the issue of the EAR outcome, if the learner is still eligible to receive the unit certificate(s) and/or qualification parchment, this/these will be issued directly to the learner either with the EAR outcome or within 15 working days of the issue of the EAR outcome if they cannot be printed at the time that the EAR outcome is issued.

The original certificates will no longer be valid from the date that a revised result is issued.

4.3.2 Individual EAR requests from Learning Partners

A Learning Partner may submit an EAR on a learner's behalf by submitting the online enquiry about result application form found on the NEBOSH website. By completing this form Learning Partners are confirming that the EAR request has been made with the full knowledge and express permission of the learner.

Once the form is submitted NEBOSH will issue a WorldPay link via email for payment to be made by credit/debit card. An option is available on the form to choose to pay by invoice instead. Applications and full payment must reach NEBOSH by the EAR closing date (see page 1). If NEBOSH issues the WorldPay link to you on or after the EAR closing date, you will have 5 working days to make payment.

Payment by BACS or cheque is no longer accepted.

Important note – if an EAR application is submitted either by the learner or Learning Partner on successful unit/s (ie the unit/s has/have been passed) or the EAR application is on a unit where the learner has successfully completed all units for that qualification, NEBOSH will retain the unit certificate(s) and qualification parchment (if applicable) after printing.

If, in extenuating circumstances, the unit certificates/qualification parchments have been posted out to the Learning Partner or learner, **you must destroy these, and NEBOSH will void them.**

The original certificates will no longer be valid from the date that a revised result is issued.

Following the issue of the EAR outcome, if the learner is still eligible to receive the unit certificate(s) and/or qualification parchment, this/these will be issued directly to

the learner either with the EAR outcome or within 15 working days of the issue of the EAR outcome if they cannot be printed at the time that the EAR outcome is issued.

4.3.3 Cost of individual EARs

For the cost of individual EARs, please see the current NEBOSH Fees List available from the 'Policies and Procedures' section of our website: <https://www.nebosh.org.uk/policies-and-procedures/>. Cheques or postal orders should be made payable to 'NEBOSH'. NEBOSH also accepts credit/debit card and BACS payments.

4.3.4 Submission address

All EAR applications should be submitted via the online enquiry about result application form found on the NEBOSH website. Any EAR application received in email or hardcopy forms will be rejected and direction to the correct online form will be provided.

4.4 Enquiries About Results - batch requests by Learning Partners

Learning Partners may make a Type 2 EAR request for a batch of scripts. The Learning Partner making a batch EAR request cannot ask for specific learner scripts within a unit to be re-marked but must have **all scripts** from that unit (eg NGC1) cohort or sitting included.

Scripts and assignments from different cohorts/sittings, units or qualifications *cannot* be part of the same batch.

A batch EAR includes a Type 2 re-mark of the learner's script and a clerical check following the re-mark (as Type 1).

For batch requests, a short report on the overall performance of the script batch, by question/section will be provided.

4.4.1 Multiple choice examinations

Type 2 EARs are *not* available for NEBOSH multiple choice examinations. For this reason, batch EARs are *not* available for these unit examinations.

4.4.2 Submitting batch EAR requests

If a Learning Partner wants to submit a batch EAR request, they must do so [via the Contact us form](#) on the NEBOSH website, confirming the examination details and confirming that the EAR request has been made with the full knowledge and express permission of all learners.

Once the request is submitted NEBOSH will issue a WorldPay link via email for payment to be made by credit/debit card. If you would prefer to pay via invoice, please state this in the application email. Applications and full payment must reach NEBOSH by the EAR closing date (see page 1). If NEBOSH issues the WorldPay

link to you on or after the EAR closing date, you will have 5 working days to make payment.

Payment by BACS or cheque is no longer accepted.

In any extenuating circumstances where any unit certificate(s) or qualification parchments(s) have already been used, Learning Partners submitting an EAR on behalf of a batch of learners must ensure that the relevant certificate(s) or parchments(s) are **destroyed**. NEBOSH will void these.

If a batch EAR is submitted before the issue of certification, NEBOSH will retain unit certificate(s) and/or qualification parchments until after the EAR outcome is known. Following the issue of the EAR outcome, if the learner/s is/are still eligible to receive the unit certificate(s) and/or qualification parchments, this/these will be issued directly to the Learning Partner either with the EAR outcome or within 15 working days of the issue of the EAR outcome if they cannot be printed at the time that the EAR outcome is issued.

The original certificates will no longer be valid from the date that a revised result is issued.

4.4.3 Cost of batch EARs

For the cost of Type 2 batch EARs, please see the current NEBOSH Fees List available from the NEBOSH website: www.nebosh.org.uk. Cheques or postal orders should be made payable to 'NEBOSH'. NEBOSH also accepts credit/debit card and BACS payments.

4.4.4 Submission address

All applications should be made via [the Contact us form](#) on the NEBOSH website. Please include 'batch EAR' in the subject header.

5. Processing Enquiries About Results

5.1 Timescales

5.1.1 Type 1 EAR

- Learners will receive written acknowledgement of their type 1 EAR on receipt of full payment.
- NEBOSH will provide written notification of their type 1 EAR outcome within **10 working days** of receipt of full payment.

5.1.2 Type 2 EAR

- Learners will receive written acknowledgement of their Type 2 EAR within 10 days of receipt of full payment.

- NEBOSH will provide written notification of the Type 2 EAR outcome(s) within **40 working days of the closing date for receipt of enquiries (see section 4.1.1 EAR Timescales for details on EAR closing dates)** .

5.1.3 MCQP EARs

- Learners will receive written acknowledgement of their MCQP EAR on receipt of full payment.
- NEBOSH will provide written notification of their MCQP EAR outcome within **10 working days** of receipt of full payment.

5.2 Outcomes

There are three possible outcomes following a Type 1, Type 2 or MCQP EAR:

- the EAR outcome results **in the mark being revised upwards** and this will replace the original mark;
- the EAR outcome results **in the mark remaining unchanged**;
- the EAR outcome results **in the mark being revised downwards** and this will replace the original mark.

Outcomes will be issued in writing to learners (and Learning Partners where appropriate) by means of email, where a valid email address has been supplied. However, if a Learning Partner submits and pays for the EAR on behalf of the learner then the outcome will be sent to the Learning Partner (one copy of the paperwork for the learner and one copy for the Learning Partner files). A Learning Partner will also be notified of the EAR outcome if any of the following applies:

- any part of the EAR is successful, ie if any unit has gone from Refer to Pass;
- if the learner's grade has improved, eg from Credit to Distinction;
- if the learner's grade has been reduced, eg from Pass to Refer.

In cases where there has been no change in grade the Learning Partner will not be notified.

Please note that due to the personal and confidential nature of learner results, NEBOSH regrets that EAR outcomes cannot be provided by telephone under any circumstances.

5.2.1 Individual EAR

In the event that an EAR for a qualification results in the unit mark **remaining unchanged**, a revised URN will be issued but the EAR fee will **not** be refunded.

In the event that an EAR for a qualification results in an **upward adjustment of the unit mark** without affecting the unit or overall qualification grade, a revised URN will be issued but the EAR fee will **not** be refunded.

In the event that an EAR results in a **downward adjustment of the unit mark** without affecting the unit or overall qualification grade, a revised URN will be issued but the EAR fee will **not** be refunded.

In the event that an EAR results in an **upward re-grading of a unit** (eg from Refer to Pass) following a Type 1, Type 2 or MCQP enquiry, a revised URN will be issued and the enquiry fee, and any relevant re-registration fee (see notes below), will be reimbursed. If the outcome requires the issue of a unit certificate, this will be done free of charge.

In the event that an EAR results in a **downward re-grading of a unit** (eg from Pass to Refer) following a Type 1, Type 2 or MCQP enquiry, a revised URN will be issued. The enquiry fee, and any relevant re-registration fee, *will not* be refunded. The original certification that was either returned to NEBOSH or held by NEBOSH pending the EAR outcome will no longer be valid from the date that the revised result is issued. In this case the learner will no longer qualify for unit certificate(s) and/or qualification parchment.

In the event that an EAR results in an **upward re-grading of the overall qualification** (eg from Pass to Credit), following a Type 1 or Type 2 EAR, then a revised URN will be issued and the enquiry fee, and any relevant re-registration fee, will be reimbursed. The original certification that was either returned to NEBOSH or held by NEBOSH pending the EAR outcome will no longer be valid from the date that the revised result is issued. NEBOSH will issue unit certificate(s) and qualification parchment reflecting the new grade; this will be done free of charge.

In the event that an EAR results in a **downward re-grading of the overall qualification** (eg from Credit to Pass), following a Type 1 or Type 2 EAR or for a MCQP EAR (Pass to Refer), then a revised URN will be issued. The enquiry fee, and any relevant re-registration fee, *will not* be refunded.

The original certification that was either returned to NEBOSH or held by NEBOSH pending the EAR outcome will no longer be valid from the date that the revised result is issued. If applicable, NEBOSH will issue unit certificate(s) and/or a qualification parchment reflecting the new grade; this will be done free of charge.

If a learner has registered to re-take a unit that is undergoing an EAR and re-sits the unit assessment before the issue of the EAR outcome, the examination registration fee will not be refunded in this case, even if the EAR outcome for the unit is successful.

All results issued following an EAR will have a new issue or (for Multiple Choice examinations) confirmed date. Enquiries may be made once only per unit result.

If a learner or Learning Partner remains dissatisfied with the EAR outcome(s), they may request an appeal (see **Section 6**).

5.2.2 Batch EARs

Refunds for a batch EAR will be issued per successful individual EAR only; for example, if a batch of ten EARs is submitted and three result in the unit or overall qualification *grade* being revised upwards, only the fees for the three successful EARs will be refunded.

6. Translations

6.1 Practical assessments

If a learner has completed a practical assessment (eg Unit GC3 or HSW2) in a language other than English and the Learning Partner has marked it in that language, it is the Learning Partner's responsibility to provide a translated copy of the assessment for the EAR to be completed.

6.2 Written examinations

If a learner has completed a written examination in a language other than English, then the EAR will be carried out on the translated script (ie as translated by the Learning Partner).

6.3 Translation complaints

If a learner has concerns about the translation made by the Learning Partner, then this should be discussed with the Learning Partner in the first instance. If the concern is not resolved, NEBOSH can be contacted for details and costs of an independent translation check.

6.4 Applying for a retrospective special consideration

Learners need to refer to NEBOSH's '*Policy and procedures for access arrangements, reasonable adjustments and special considerations*' and apply using the appropriate form.

7. Appeals against EAR decisions

Appeals to be heard under this policy:

- Learner appeals against EAR decisions (Type 1, Type 2, or MCQP; individual or batch);
- Learning Partner appeals against EAR decisions.

7.1 Grounds for an appeal

If a learner or Learning Partner remains dissatisfied with the EAR outcome(s), they may request an appeal. When making an appeal, the learner or Learning Partner must establish the grounds for the appeal. These may include:

- a reasonable belief that the case was not dealt with in accordance with the policy and procedures;
- further evidence coming to light that changes the basis of the decision;
- a reasonable belief that the outcome is not in line with the guidelines or procedure.

It should be noted that an appeal may be rejected if the appellant is unable to provide supporting evidence for their grounds for appeal.

7.2 Application for an appeal

A stage 1 appeal must be made within 14 days of the outcome date stated on the notification letter confirming the outcome of the EAR (letter date).

A stage 2 appeal must be made within 14 days of the stage 1 appeal outcome letter. A stage 1 appeal must be applied for and completed prior to a stage 2 appeal.

To submit an Appeal, please complete the [Contact us form](#) on the NEBOSH website, and include in the subject 'Stage 1 Appeal' or 'Stage 2 Appeal'.

The following must be included:

- person making the appeal;
- NEBOSH learner number;
- Learning Partner name;
- assessment name and date (found on the [learner assessment registration confirmation email, where applicable](#));
- grounds for the appeal (see above) and any supporting evidence where applicable.

NEBOSH will acknowledge the request within 5 working days of receipt by email, and confirm within 10 working days if the appeal will be accepted. Please note that the appeal will not commence until payment is received. Should the appellant fail to provide sufficient grounds for the appeal including supporting evidence, the fee request will not be processed, and the appeal will not be heard. An appeal may also be rejected based on the timescale of the application. If an appeal is not accepted the reason(s) for this will be given.

Notification of the outcome of the appeal will be provided by NEBOSH within 15 working days of receipt of payment and supporting evidence, provided that all supporting evidence has also been received by the time of payment.

7.2.1 Cost

The appeal fee covers the administrative costs of the investigation.

For the cost of submitting either a Stage 1 or Stage 2 Appeal, please see the current NEBOSH Fees List available from the 'Policies and Procedures' section of our website: <https://www.nebosh.org.uk/policies-and-procedures>. For details of how to make a payment please contact NEBOSH on +44 (0)116 263 4700.

7.2.2 Stage 1 Appeal procedure

A Stage 1 Appeal consists of an investigation of the case by a senior NEBOSH Officer who has not had any previous involvement with the matter, nominated by the NEBOSH Head of Assessment. The investigation will take into account the written submission of the appellant and focus on whether:

- **NEBOSH applied the EAR policy and procedures properly and fairly in arriving at judgements.**

The investigation is only concerned with ensuring that NEBOSH procedures have been correctly followed during the EAR process and in line with this policy, it **does not include further re-marking of learner scripts.**

7.2.3 Outcomes

The appeal will either be rejected or upheld. If the appeal is upheld and it is adjudged that NEBOSH procedures have not been followed, NEBOSH will ensure that corrective action takes place. For example, a review of scripts or fees being refunded.

The appellant will receive written confirmation of the outcome within 15 working days of the Stage 1 Appeal payment being received.

If an appellant remains dissatisfied after a Stage 1 Appeal, they may proceed to Stage 2.

7.2.4 Stage 2 Appeal procedure

A Stage 2 Appeal can be addressed to the NEBOSH Company Secretary (EAR Appeals) (executive@nebosh.org.uk). The Stage 2 Appeals process is designed to ensure that the appellant has a formal opportunity to have their case heard by an impartial person. The Stage 2 Appeals will be heard by an Independent Reviewer who has not been involved with NEBOSH for the past five years.

Whether the learner or individual has the opportunity to provide additional or oral evidence is at the discretion of the Independent Reviewer.

Before the Stage 2 Appeal is heard

The appellant will be informed of the date that the Appeal will be heard, which will be at the earliest opportunity, subject to availability of the Independent Reviewer.

The appellant will receive written confirmation of the outcome within 10 working days of the Stage 2 Appeal hearing. The report compiled as a result of the Stage 2 Appeal will be made available within a further 10 working days. The Stage 2 Appeals Process is given at Appendix 1.

NEBOSH will acknowledge the request within 5 working days of receipt. Please note that the appeal will not commence until payment is received.

Should the appellant fail to provide sufficient grounds for the appeal including supporting evidence, the fee request will not be processed, and the appeal will not be heard. The appellant will be notified within 10 working days of receipt of payment whether or not the appeal will proceed.

7.2.5 Outcomes

The appeal will either be rejected or upheld. If the appeal is upheld and it is adjudged that NEBOSH procedures have not been followed, NEBOSH will ensure that corrective action takes place. For example, a review of scripts or fees being refunded.

However, the learner will be required to return any unit certificate(s) and/or qualification parchment already issued, and NEBOSH will not issue replacement/s until the original/s has/have been received. The parchment issued for the original result will become invalid from the date that the revised result is issued.

Please note that (as with EARs) units or qualifications may be downgraded as the result of an appeal, or remain the same. If a unit or qualification is downgraded, no refund will be issued but unit certificates and/or qualification parchment will be re-issued (where necessary) free of charge.

7.3 Unresolved appeals

If following the outcome of a Stage 2 appeal, the appellant remains dissatisfied, and where the relevant NEBOSH qualification is accredited by SQA Accreditation *and* was assessed within the UK, they may complain to SQA Accreditation: <http://accreditation.sqa.org.uk/accreditation/home>. It should be noted that SQA Accreditation will check that NEBOSH followed its own procedure. SQA Accreditation will not overturn the original assessment decision.

A list of NEBOSH qualifications accredited by SQA Accreditation can be found here: http://accreditation.sqa.org.uk/accreditation/Qualifications/Accreditation_Qualification_Search

NB: Complaints relating to qualifications not accredited by SQA Accreditation or cases where an SQA-accredited qualification has been assessed outside the UK, may not be submitted for SQA Accreditation regulatory review.

Details of the application process may be found at the SQA Accreditation website. At the time of writing: <http://accreditation.sqa.org.uk/accreditation/home>.

Costs, procedures and outcomes will be communicated by SQA Accreditation following receipt of the application for regulatory review.

8. Data Protection

NEBOSH is registered under and complies with the UK Data Protection Act 2018, the General Data Protection Regulation (EU) 2016/679 (GDPR) (and in the UK, the implementation of GDPR into UK law (UK GDPR)), as such it is required to collect data and process for the purposes covered in this policy. Consent must be given to process data of this type so a signed request form must be in place before processing.

Please click [here](#) to review more information on how we process your data, or visit www.nebosh.org.uk to read our privacy statement.

9. Document control

Document reference	Q019
Business Unit	Deliver and Improve
Area(s)	Reliability, Quality
Version	17
Effective from:	June 2021
Review date:	June 2022
Contact	Head of Quality
Owner	Head of Reliability/Chief Operating Officer

Appendix 1: Stage 2 Appeals Process

The Stage 2 Appeal will be undertaken by an Independent Reviewer.

An outcome letter will be sent within 10 working days of the Independent Review. The letter will include the decision and the justification for the decision.

Information to be provided for the Stage 2 Appeal

A copy of all materials (correspondence/documents/reports, etc) relating to the appeal will be forwarded to the Independent Reviewer and the Independent Reviewer will be required to complete the review within 15 working days of receipt.

Where any material is considered by NEBOSH to be of a confidential nature, NEBOSH may make such materials available to the appeal hearing under such conditions as are necessary to protect the confidentiality of the material. NEBOSH will ensure compliance with any relevant provision of the General Data Protection Regulation.

This material will include:

- Relevant NEBOSH procedures, guidance, documents, forms:
 - *Enquiries About Results (EARs) policy and procedures;*
 - Evidence from the appellant;
 - The report and supporting evidence on which the decision was based;
 - Other, as relevant.
 - Report produced on conclusion of Stage 1 Appeal.
 - Guidance for undertaking appeal.

The Review

The Independent Reviewer will review:

- the information presented by the Appellant for the Stage 2 Appeal;
- the findings of the Stage 1 Appeal and the evidence on which the decision was based.

The Independent Reviewer may also:

- ask for more information or clarity from either NEBOSH or the Appellant;
- receive additional verbal or written information from NEBOSH or the Appellant at their discretion.

The Independent Reviewer will consider whether there was sufficient evidence to support the Stage 1 finding and how appropriate the original decision was in light of NEBOSH precedents and any additional information provided by the appellant or NEBOSH.

The Independent Reviewer will have 15 working days to review all of the evidence and to produce a report detailing their decision. Upon receipt of the report NEBOSH will inform the learner and / or Head of Learning Partner of the outcome within 10 working days.

During the Stage 2 Appeal the Independent Reviewer will have the opportunity to contact the appellant via video conferencing or teleconferencing. The Appellant will also have the opportunity to make representation to the Independent Reviewer via video or teleconferencing; however, it is noted that the conversation should be recorded and retained by NEBOSH.

The Independent Reviewer will also have the opportunity to contact representatives from NEBOSH during the Stage 2 Appeal.

In reaching a decision, the Independent Reviewer will consider whether NEBOSH's procedures were consistent with the regulator's requirements and were properly and fairly applied. The Independent Reviewer will also consider whether in the event of a failure of procedures having been identified at an earlier stage, any remedial action then taken by NEBOSH was sufficient to rectify the matter.

The Independent Reviewer may decide to allow the appeal or to reject it. If the appeal is allowed, the Independent Reviewer may:

- refer the matter back to NEBOSH for further consideration on such basis the Independent Reviewer may direct;
- direct NEBOSH to carry out further work.

The Independent Reviewer's decisions, justifications and recommendations should be provided to NEBOSH in writing.

After the Stage 2 Appeal is heard

Irrespective of whether or not the appeal is upheld, the Independent Reviewer may make recommendations to NEBOSH on issues or concerns that emerged during the hearing.

Any further work carried out will be in full compliance with NEBOSH procedures.

The decision of the Independent Reviewer will be sent to the appellant no later than 10 working days from the date that NEBOSH receive the Independent Reviewer's report.

A report of the hearing, subject to redaction, will be provided to the appellant upon request.

The Stage 2 Appeal will complete NEBOSH's internal appeals procedures. No further appeal within NEBOSH will be accepted.