



Appeals Policy for Qualifications

V3.3

March 2026

Policy reference sheet – Appeals Policy for Qualifications

Document Properties	
Version	3.3
Author/Owner	BHS Education Team
Date of issue	23 March 2026
Review date	March 2028
Circulation	Electronic (pdf) on BHS website
Classification	Public

Change control			
Version number	Page	Reason for changes made	Date
3.3	All	Title of policy updated	23/03/2026
	5	Section 6.3 updated with link to online appeals form	
	8	Updated record keeping section with retention period	

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1. Introduction

British Horse Society (BHS) is committed to making sure all its activities are conducted safely, fairly, transparently, objectively and free from bias.

This appeals policy should be used if you wish to appeal a previous decision made by the BHS Education Team or BHS Changing Lives Through Horses Team during the delivery of a qualification.

2. Scope and application

This policy is applicable to the service or activity during the delivery of a BHS qualification.

This policy is also for anyone who wishes to lodge an appeal relating to action taken following an investigation into malpractice or maladministration relating to the delivery of BHS qualifications.

This policy applies to:

- Qualifications delivered by the BHS Education Team. This includes qualifications awarded by BHS and BHSQ. Qualifications in scope are Stage 1, Stage 2, Stage 3, Stage 4, BHSI, Fellowship and Coaching4All.
- Personal Development Qualifications (PDQ) delivered by the BHS Changing Lives Through Horses Team (CLTH) and awarded by BHSQ.

This policy is for:

- Learners and Candidates
- BHS employees
- Assessors, Internal Quality Assurers and Assessor Mentors
- Approved assessment centres, and their workforce
- Others as relevant

This policy excludes any other customers of BHS who wish to appeal against a decision made by BHS, where the appeal is not in relation to the above. If your appeal does not relate to a qualification or malpractice or maladministration decision, BHS will advise accordingly how to proceed with your concern. For example, this may be to raise a complaint.

3. Purpose and objectives

The purpose of this policy is to give relevant guidance to assist an appeal submission, what the process entails, the timeframes involved and related fees.

This document will:

- Define what is meant by an appeal
- Provide examples where an appeal may arise
- Explain how an appeal can be made to BHS
- Establish a clear appeals procedure
- Outline further routes of appeal for regulated qualifications.

It's useful to refer to the following documents and policies when reading this:

- [Malpractice and Maladministration Policy](#)
- [Access to Fair Assessment, Reasonable Adjustments and Special Consideration Policy for BHS Assessments](#)

4. Terms and Definitions

An **appeal** can be defined as a formal request to challenge a previous decision.

The **appellant** is a person lodging the appeal representing themselves, an organisation or someone else.

Learner/candidate is anyone registered to take a qualification and to be assessed as part of that qualification.

An **assessor** is contracted to BHS to make assessment decisions at BHS assessments. For clarity, those who undertake the role of assessor for the Personal Development Qualifications will be referred to as the **PDQ assessor**. PDQ assessors are not contracted to BHS.

BHS assessments refer to those delivered for Stages 1-4, BHSI, Fellowship and Coaching4All qualifications only.

Approved assessment centre is any location where an assessment delivered by the BHS Education Team is taking place. For clarity, and for the purpose of this document, any location where Personal Development Qualifications are being delivered will be referred to as a **PDQ centre**.

British Horse Society Qualifications (BHSQ) is the awarding organisation for British Horse Society. They are recognised and regulated by the Office of the Qualifications and Examinations Regulator (Ofqual) in England, SQA Accreditation in Scotland, Qualifications Wales (QW) and the Council for the Curriculum, Examinations and Assessment (CCEA) in Northern Ireland.

5. BHS's approach to appeals relating to a qualification or assessment service, activity or investigation decision

An appeal may be lodged when an individual feels that BHS policies and procedures were not adhered to with regards to delivery of BHS, BHSQ or PDQ qualifications and assessment. An assessor's decision as to whether a candidate reached the required standard will not be overturned. However, BHS may decide to void a result if there is sufficient evidence to do so.

An appeal may relate to:

- You believed you were discriminated against on the grounds of your age/race/gender/gender reassignment/disability/pregnancy/religion or beliefs/sexual orientation/marriage or civil partnership.
- The manner in which your assessment was conducted put you at an unfair disadvantage in comparison to other candidates.
- Your result was inconsistent with the requirements set out in the relevant assessment criteria, for example, you believe you were asked to complete tasks or answer questions not relating to the criteria.

- Decisions regarding access arrangements, for example, your reasonable adjustment application was not managed appropriately.
- Action taken, or sanctions applied, following an investigation into malpractice or maladministration.

This list is not exhaustive and is for example only; each appeal is different and will be considered on a case-by-case basis. All appeals are logged, monitored and investigated internally. We will handle any appeal confidentially and sensitively.

Please be assured if you require any assistance with raising your appeal, please contact us and we will do our best to help.

6. Submitting an appeal

6.1 Who can submit an appeal?

An appeal can be submitted by any person or organisation or by someone on their behalf (a third party) who has been directly affected by a decision made by BHS, where the appeal is in relation to an assessment service, activity or decision, or in relation to a malpractice or maladministration decision.

If the individual is under 18 years of age (or under 16 years of age if residing in Scotland), an appeal can be lodged by the individual's parent or carer.

Appeals submitted by a third party must have the written support and permission of the person they are representing.

6.2 Timeframe to submit an appeal

An appeal must be submitted within 30 days of the assessment date, or within 14 days of the reasonable adjustment outcome or malpractice or maladministration decision.

6.3 How to submit an appeal

An appeal is submitted to BHS by completion of the online [Appeals Form](#) plus payment of the £100 appeals fee. The appeals fee must be received within the timeframe noted in 6.2. Under exceptional circumstances, BHS may elect to waive the fee, whereby an appellant is able to demonstrate that the potential cost of the appeal is prohibitive to its submission. A cover letter explaining the reasons must be added to the 'Supporting documents' when completing the Appeals Form.

BHS is unable to accept appeals regarding any of the following:

- Appeals that exceed the stated timeframes.
- Appeals that are outside the scope of this document.
- Anything that took place before the learner was booked onto a BHS Assessment or registered for a qualification.
- Anything that should be dealt with under an employer's disciplinary or grievance procedure.

If your appeal is upheld the £100 fee will be refunded.

6.3 What to expect after submitting an appeal

BHS will aim to acknowledge receipt of your appeal within seven working days of the Appeals Form and fee being received. The process consists of two stages.

Phase One: Initial review of the appeal conducted by a member of the BHS Senior Management Team, for example Head of Education Operations or Head of Changing Lives Through Horses.

The BHS hopes that the appeal can be resolved at this stage. However, if this is not possible the appellant or BHS can progress the appeal to Phase Two

Phase Two: Appointment of an independent Review Panel to investigate the appeal.

Further lines of appeal: If the appellant remains dissatisfied with the outcome, and their appeal is in relation to a regulated qualification, they may refer their appeal to our awarding organisation, British Horse Society Qualifications (BHSQ).

Information regarding appeals, reviews and investigations may need to be provided to BHSQ and other organisations. BHS will respect a person's anonymity, however depending on the nature of the appeal this may not be possible. The appellant will be consulted in this instance.

Depending on the nature of the appeal, BHS may require the appellant to submit a Subject Access Request (SAR). The appellant will be advised in this instance.

7. The appeal process

7.1 Phase One

BHS will investigate the appeal, where all evidence and documentation will be scrutinised and evaluated. To conduct a comprehensive investigation, information may need to be disclosed to third parties. Where additional evidence or documentation is required, BHS will discuss this with the appellant.

BHS will provide a written response to the appellant when a decision regarding the outcome of the appeal has been made.

The response will describe:

- The actions taken to investigate the appeal.
- Conclusions from the investigation.
- Outcome of the appeal.
- Where appropriate, action taken as a result to change or improve processes and procedures.

BHS aims for an outcome to be reached within 20 working days of the appeal being received, however, depending on the nature of the appeal, this may take longer to ensure a fair and thoroughly considered outcome. Where this is the case, the appellant will be provided with anticipated timescales.

7.2 Phase Two

To appeal a Phase One outcome, the appellant must submit their appeal via email within 10 working days to BHS, following receipt of the Phase One outcome.

BHS may escalate the appeal to Phase Two of the process if they are unable to reach a fair and equitable outcome at Phase One.

For the Phase Two process, BHS will appoint an Independent Review Panel (IRP) to investigate further. The panel will be made up of a minimum of three persons with at least

one person independent of the BHS team involved in Phase One. The panel will be selected with an appropriate set of skills pertinent to the nature of the appeal. This may include individuals with a technical, educational or legal expertise.

The IRP will be convened, and a meeting held with BHS to provide an overview and produce terms of reference for the panel. The terms of reference will be shared with the appellant.

The IRP will be provided with all documentation from Phase One of the appeal. The IRP may request additional information from the appellant, BHS or other parties to support their investigation. Where information is confidential it will only be viewed by BHS and the IRP and will be marked as such. The IRP may also conduct interviews with all relevant parties to seek clarification.

The IRP will conduct an investigation of the appeal, this will include:

- Review all documentation and evidence relating to the appeal.
- Ensure processes and procedures have been fairly and consistently applied.
- Ensure fair and equitable decisions have been reached.

The IRP will meet with BHS and provide a draft report of their findings to ensure all aspects are correct.

The draft report will be shared with the appellant and other relevant parties for comment. Meetings with the IRP can be arranged by the appellant and other relevant parties if clarification is required on any points contained within the draft report. Following this stage, the final report will be submitted to BHS by the IRP. BHS will send the outcome of the appeal to the appellant and any relevant parties. Any recommendations will be reviewed and actioned.

BHS aims for an outcome to be reached within 30 days of the IRP being appointed. However, this may take longer in order to ensure a fair and thoroughly considered outcome. Where this is the case, the appellant will be provided with anticipated timescales.

The appellant will be informed by BHS of the outcome within three working days of the final decision being made.

Once an appeal has been investigated and an outcome has been reached, the appeal will be closed by BHS.

The decision of the IRP is final. However, if the appellant remains dissatisfied, and the qualification the appeal is related to is regulated, then referral to our awarding organisation, British Horse Society Qualifications may be appropriate.

8. Further lines of appeal

Where the appeal relates to a regulated qualification and the appellant remains dissatisfied with the outcome and the concern is still not resolved, the matter may be escalated to British Horse Society Qualifications. The awarding organisation will not overturn assessment decisions but will examine processes and procedures.

Please refer to the [BHSQ website](#) for further information.

9. Outcomes from investigations

Where the investigation has highlighted flaws, errors or failures within BHS procedures and/or guidance, all reasonable steps and appropriate action will be taken to prevent a reoccurrence.

This may involve, but is not limited to:

- Contacting other candidates who have been affected.
- Recall incorrect certificates.
- Mitigate as far as possible where failures cannot be corrected.
- Apply sanctions as appropriate.
- Update policy and procedure guidance to provide clarity.
- Increase internal quality assurance activity.
- Inform our awarding organisation BHSQ.

10. Record keeping

BHS must maintain secure records of all appeals for audit and monitoring purposes. This includes:

- Name, address and contact details of the appellant.
- Description of the appeal including
 - the specific nature of the appeal
 - when it happened
 - the sequence of events
 - any persons/organisations involved
 - witnesses who are able to support the appeal.
- Copies of all documentation and evidence to support the appeal.
- Members of the IRP panel, if applicable.
- Outcome of the investigation.
- Follow up actions.

Records will be maintained securely. Data will be processed for the purpose of investigating an appeal. The information provided will not be used for any other purpose.

Personal data held as part of an appeal record will be held for 12 months, in order to ensure transparency in decision making and to identify trends.

Information regarding appeals and investigations concerning regulated qualifications will need to be provided to BHSQ as part of an annual return.

Please see the BHS Privacy notice (bhs.org.uk/privacy) for further information about how we use personal data.