

# APPEALS POLICY

Date Created	01/01/2019
Status	Final
Version	5.0
Review Date	01/01/2020
Owner	Data Protection Officer
Approved By	Chief Executive



## 1. SCOPE

This policy outlines how SAFETY ADVISORY CONSULTANTS deals with appeals. An appeal is defined as an application for a decision taken by SAFETY ADVISORY CONSULTANTS in relation to a learner or service user to be overturned.

SAFETY ADVISORY CONSULTANTS is committed to providing a fair and transparent appeals service.

## 2. RESPONSIBILITIES

The policy applies to learners and SAFETY ADVISORY CONSULTANTS service users. SAFETY ADVISORY CONSULTANTS Director has the overall responsibility for ensuring that this policy is implemented.

## 3. POLICY PRINCIPLES

Appeals from learners and/or service users in relation to a decision where we did not apply procedures consistently or that procedures were not followed properly and fairly may include:

- A decision concerning an application to offer SAFETY ADVISORY CONSULTANTS provision
- A decision concerning the contents of a monitoring report
- A decision to decline a request to make reasonable adjustments or give special considerations
- The outcome of assessment, including external verification and certification
- Any action taken by SAFETY ADVISORY CONSULTANTS following investigations into incidents of malpractice or maladministration

## 4. APPEALS PROCESS

When submitting an appeal supporting information such as the following is required where applicable:

- Learner or service user name(s) and contact details
- Date(s) learner or service user received notification of SAFETY ADVISORY CONSULTANTS decision
- Title and certificate number of the SAFETY ADVISORY CONSULTANTS training or qualification affected, or nature of service affected (if appropriate)
- Full nature of the appeal
- Contents and outcome of any investigation carried out relating to the issue

Appeals should be made as early as possible and must be made in writing within 4 weeks of the date of the event that the appeal refers to. As much detail as possible should be submitted along with any supporting evidence available. An initial response to appeals will normally be made within 5 working days, and a Director of SAFETY ADVISORY CONSULTANTS will appoint a representative of SAFETY ADVISORY CONSULTANTS to conduct the investigation. The representative will not have had any involvement in the training and assessment process relating to the learner or service user and will be qualified to make a final decision.

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The appellant will be informed in writing of the outcome of the appeal, including any relevant correspondence within 20 days from the date that the appeal was submitted with details of SAFETY ADVISORY CONSULTANTS decision to either:

- Amend our original decision in light of the new rationale/evidence being put forward and which has now been reviewed; or
- Confirm we stand by our original decision and in doing so the rationale for this decision and where the appellant is not content with the decision made they may appeal to the relevant regulatory body (SQA Accreditation, Ofqual, Qualifications Wales, CCEA).

Complaints procedure and contact details for a regulator or a regulated Awarding Organisation can be obtained from the following regulators website.

- SQA Accreditation <http://accreditation.sqa.org.uk/accreditation/home>
- Ofqual <https://www.gov.uk/government/organisations/ofqual>
- Qualification Wales <http://qualificationswales.org/splash?orig=/>
- CCEA <http://www.ccea.org.uk>

Where a referral is made to the regulators SAFETY ADVISORY CONSULTANTS will take appropriate, preventative and/or corrective action to prevent re-occurrence as appropriate such as:

- Identify any other learners who have been affected and correct and mitigate as far as possible the effect of the failure (e.g. and amend the results for the learner(s) affected following an appropriate investigation)
- Review our associated processes and policies to ensure that the 'failure' does not occur again or mitigate the situation as far as possible if the failure that occurred cannot be corrected
- Cooperate with any follow-up investigations required by the regulators and, if appropriate, agree any remedial action with them.

Where the appeal relates to the outcome of assessment, SAFETY ADVISORY CONSULTANTS will ensure independent review any assessment evidence concerned.

Where an appeal against assessment brings the outcome of other results into serious question this would be considered a potential 'adverse effect' as other learners may be affected.

In such cases SAFETY ADVISORY CONSULTANTS will ensure that:

- Any other learner who has been affected is identified
- Effects are corrected or mitigated as far as possible. This may involve adjusting the outcome of assessments (pass/fail) and re-issuing results, or revoking certificates
- Appropriate action is taken to avoid a re-occurrence. This may involve for example taking action against service users, assessors, instructors or internal verifiers

SAFETY ADVISORY CONSULTANTS ensures that any actions are monitored through its internal reporting process.

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