

B Procedure for Appeals against Endorsement Decisions in Wales

1 Grounds for Appeal

Higher Education Institutions (HEIs) or centres with validated provision in Wales may appeal against endorsement decisions, or against conditions imposed by an Endorsement Panel. A written statement of appeal must be received by the Chief Officer, Standards Verification UK within 20 working days of receipt of the letter or report confirming the decision.

Normally appeals submitted outside this timescale will be ruled invalid.

An appeal may be made on one of the following grounds:

Procedural irregularity: endorsement and or review procedures were not followed in accordance with Standards Verification UK guidelines

Perversity of judgement: the decision reached clearly breaches natural justice

Administrative irregularity: incorrect advice being given by a responsible staff member which materially affects the application

These are the only grounds for appeal.

2 Process on receipt of an appeal

The following procedure has been established:

- on receipt of the appeal, the Chief Officer, Standards Verification UK conducts an investigation and reports findings and any resolution within 20 working days
- if the HEI or validated delivery centre is dissatisfied with the resolution sent by the Chief Officer, the HEI or validated delivery centre may make a direct submission to the Standards Verification UK Board within 20 days of receipt of the letter of resolution

The SVUK Board will then establish an Appeals Panel, which will normally be convened within 30 working days of the submission being made.

The appeal may be withdrawn at any stage by submission in writing to the secretary to the Appeals Panel.

3 The Appeal Panel

Standards Verification UK's Board will appoint an Appeals Panel composed of the following people, none of whom has been part of the original application and endorsement/approvals review processes:

- Chair – normally a member of the SVUK Board or a person nominated by the SVUK Board
- two stakeholder representatives of ITT-FE
- no more than four other people nominated by the SVUK Board considered essential to the fair conduct of the appeal

Author:	J Clark	Distribution:	Board Members		
Document Type:	Report	Status:	Final	Document Ref:	20/10
File Name:	Appeals policy (renewal)	Version:	1	Created	04 Jun 10

The quorum necessary for the transaction of business shall be four. A duly convened meeting of the Panel at which a quorum is present shall be competent to exercise all or any of the authorities, powers and discretions vested in or exercisable by the Panel. All decisions of the Appeals Panel shall be by majority vote of the Panel members.

A member of the Panel who is in communication by voice or video telecommunication link for the purposes of a meeting of shall be counted as part of the quorum for such meeting, provided that the voice or video telecommunication link enables each member of the Panel to hear, and be heard by, all Panel participants.

A member of SVUK staff not previously involved in the application will act as secretariat to the Appeals Panel.

The Appeals Panel is not empowered to consider an appeal on grounds other than those in the original submission.

Decisions of the Appeal Panel will be notified to the party lodging the appeal within 5 working days of the hearing of the appeal.

4 Conduct of the Appeals Panel Meeting

The Appeals Panel shall receive the representation of both parties, together or separately. **Representation will be through documentation** providing evidence for or against the appeal. The panel can request further documents for evidence if required.

The Appeals Panel may hold a private meeting of the Panel at any time and will consider its decision in private. It can agree to re-convene at a later date if further evidence is required.

The Appeals Panel may:

- confirm the endorsement decision
- rescind the decision and make recommendations for action towards further progress
- refer the decision back for the endorsement panel to re-consider
- make any other arrangements as it deems appropriate

No appeal will be allowed against the decision of the Appeals Panel.

5 Confidentiality

It is a requirement for all those involved in the appeals process that information be treated as confidential. Once an appeals submission has been referred to the Appeals Panel, there should be no discussion of any sort between interested parties and members of the Appeals Panel, or any other similar communication regarding the appeal.

Review

This procedure will be reviewed in: **March 2011**

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