

# APPEALS POLICY

## Introduction

This Policy and procedure is established to detail the process that FAA will follow when dealing with an appeal. It is a principle of the policy that all appeals are dealt with quickly, fairly and thoroughly.

An appeal can be raised by a learner, regarding a decision that has been made whilst undertaking an FAA regulated qualification, or by an FAA Approved Centre, regarding a decision or sanction applied by FAA.

### EXAMPLE LEARNER APPEALS

Learners may appeal:

- Assessment results
- Decisions regarding reasonable adjustments and special considerations
- The outcome of a learner malpractice investigation

*Please note that this is not exhaustive and learners may wish to appeal other decisions that may arise during the completion of an FAA qualification.*

### EXAMPLE CENTRE APPEALS

Centres may appeal:

- The outcome of an investigation into a report of malpractice or maladministration
- Decisions concerning Centre or qualification approval
- Decisions/sanctions made following a quality assurance procedure

*Please note that this is not exhaustive and Centres may wish to appeal other decisions that may arise during the administration, delivery and award of FAA qualifications.*

## FAA Centre requirements

In the interest of learners, all Centres must have their own documented appeals process. Learners must be made aware of this at the start of every course and be informed that they are able to escalate their appeal to FAA and the relevant Regulatory Body if required. All Centre personnel must be made aware of the appeals process.

Where a Centre discovers a failure in the assessment process or a weakness is discovered, FAA must be informed immediately.

All appeals must be documented and all paperwork/evidence retained for 3 years.

## Learner appeals

Learners wishing to make an appeal must, in the first instance, raise the appeal with the approved FAA training Centre they are undertaking the qualification with. Centres will process learner appeals in line with their own documented appeals procedure and this should be exhausted before the learner raises an appeal directly with FAA.

If the learner has exhausted the FAA Centre process and is unhappy with the outcome, they can appeal to FAA.

## Appeals procedure

FAA will apply the following procedure for all appeals received from learners and approved Centres.

Appeals must be submitted to FAA in writing and should contain as much information as needed to allow FAA to properly consider the appeal.

On receipt of an appeal FAA will:

- Acknowledge receipt of the appeal within 5 working days
- Arrange for competent FAA personnel to examine the appeal
- Aim to investigate the appeal and respond within 20 working days. In some cases the process may take longer if, for example a centre visit is required. FAA will contact all parties concerned to inform them of the likely revised timescale
- Pursue the matter through the FAA Maladministration and Malpractice Policy if, as a result of investigation, FAA finds evidence of possible maladministration or malpractice
- Inform the appellant of the outcome within 5 working days of the decision being made

In examining an appeal, FAA will carefully review all information and statements supplied by the appellant, along with any additional information and history of the appeal that FAA may have on record. In the case of FAA examining a learners appeal, additional information or statements may be requested from the FAA Centre involved.

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After examination of the appeal FAA will conclude one of the following outcomes:

**Appeal Upheld** – If the appellant is successful and the appeal is upheld, FAA will amend the decision being appealed.

**Appeal Not Upheld** – Should the appeal not be upheld, the appellant will be informed of the option to proceed to an independent Appeal Review.

All records and evidence of the appeal will be kept for a minimum of three years.

### Independent appeal review

Should the appeal not be upheld by FAA, the appellant will be informed that they are able to escalate their appeal to be reviewed by an independent person.

Centres wishing to proceed to an independent appeal review will be informed of the fee payable, as stated in the current FAA Pricing Policy. The fee will be refunded should the independent appeal review uphold the Centre's appeal.

A request for an independent appeal review must be received, together with payment, within 10 working days of the appellant receiving the initial FAA appeal decision.

FAA will treat every appeal fairly but will not engage with frivolous, meritless or vexatious appeals. FAA will not engage with persistent and repeated contacts from appellants where no new evidence or information is brought to the investigation.

If the appellant has requested an independent appeal review FAA will:

- Acknowledge receipt of the review request within 5 working days
- Arrange for an independent person to examine the appeal. The independent person will have no personal interest in the decision being appealed and will have appropriate competence to be able to review the appeal. The independent member will not be a FAA employee and will have had no involvement in any aspect of the appeal until this time.
- Aim to review the appeal and respond within 20 working days. In some cases the process may take longer if, for example, a Centre visit is required. In such instances FAA will contact all parties concerned to inform them of the likely revised timescale
- Inform the appellant of the outcome within 5 working days of making the decision
- Pursue the matter through the FAA Maladministration and Malpractice Policy if, as a result of investigation, FAA finds evidence of possible maladministration or malpractice
- Convey the results of the review in writing and indicate that the decision of the appeal review will be final as far as FAA is concerned

After examination of the appeal the independent appeal review will conclude one of the following outcomes:

**Appeal Upheld** – If the appellant is successful and the appeal is upheld, FAA will amend the decision being appealed. In the case of a Centre's appeal being upheld the independent appeal review fee will be refunded.

**Appeal Not Upheld** – Should the appeal not be upheld, the appellant will be informed that the decision is final as far as FAA is concerned.

All records and evidence of the appeal will be kept for a minimum of three years by FAA.

### Seeking a regulatory body review

If an appellant is unhappy with the decision of FAA at any stage they may refer, or ask FAA to refer, the matter to the appropriate qualification regulator. The Regulatory Bodies will examine processes but will not change assessment decisions.

The Regulatory Bodies are as follows:

- Ofqual – England, Wales and Northern Ireland
- SQA Accreditation – Scotland
- Qualifications Wales – Wales
- CCEA – Northern Ireland

### Appeals monitoring

Where an appeal discovers a failure in the assessment process or a weakness is discovered, FAA will take all reasonable steps to:

- Identify any other learners who have been affected
- Correct or, where it cannot be corrected, mitigate as far as possible the effects of any failure
- Ensure that the failure does not recur in the future
- Rectify any weakness discovered
- Inform the Regulatory Bodies as required

FAA will review the outcome of each appeal and where applicable update procedures and systems to continually improve the way that FAA and approved Centres operate.



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## Fees

In the instance of an appellant wishing to escalate their appeal to an independent review FAA will charge a fee to cover the cost of employing a suitably competent person to examine the appeal. The fee is payable upon requesting an independent review and will be refunded should the appeal be upheld.

FAA will charge Centres the external quality assurance fee where a Centre visit is required as part of an appeal investigation.

Please see FAA Pricing Policy for current fees.

## Records

It is important that FAA and Centres retain all paperwork relating to appeals for three years.

## Policy review

FAA will review this policy on a regular basis to ensure its effectiveness and taking into account any feedback.

Should you have any feedback regarding this policy then please contact FAA as below.

## Contact Details

First Aid Awards Ltd, Awards House, 10 Central Treviscoe, St Austell, Cornwall PL26 7QW

**TEL** 03458 333999

**EMAIL** [enquiries@firstaidawards.com](mailto:enquiries@firstaidawards.com)

## Useful Links

[FAA Pricing Policy](#)

[FAA Maladministration and Malpractice Policy](#)