

## Appeals Policy

### This Appeals Policy:

- is for any service user or client of an individual registered on the Accredited Practitioner Register™ who wishes to appeal a decision or finding in respect of said Practitioner by the Professional Conduct Review Committee (“PCRC”);
- is for anyone who is dissatisfied about any aspects of our business, whether academic or non-academic in nature, and that may wish to make an appeal about Athena Herd Foundation’s activities or the activities of one of our individuals on our Athena Herd Accredited Practitioner Register™, Organisational Member, Training Centres and/or Recognised Training Centres;
- can be used by individuals on our Athena Herd Accredited Practitioner Register™, Organisational Member, Training Centres and/or Recognised Training Centres, Learners, Members of the public, Trainers, assessors or others;
- sets out the process to be followed when submitting appeals to the Athena Herd Foundation and how Athena Herd Foundation will review and respond to the same;
- is also for use by our members to ensure they deal with all appeals in a consistent manner.

For the avoidance of doubt, Appeals can be made by anyone who is dissatisfied about any aspect of our business including the handling or outcome of a complaint. Appeals can be for either academic or non-academic matters, specific enquiries for consideration of assessment outcomes or results should first be pursued through the Athena Enquiry on Results Policy and Procedure.

An individual on our Athena Herd Accredited Practitioner Register™, Organisational Member, Training Centre and/or Recognised Training Centre’s internal processes should be exhausted before any appeal, enquiry or complaint is raised directly with the Athena Herd Foundation. When a learner wishes to seek review of an assessment outcome the Athena Enquiry on Results Policy and Procedure needs to be followed before engaging the Appeals process.

Please note that an appeal made under this Appeals Policy can be defined as a formal request made by any of the above to undertake an investigation into decisions (including assessment, procedures, imposition of a sanction or action, malpractice or maladministration investigation, complaint) and arrive at an Appeal Outcome (see below) and, if applicable, Independent Review of an Appeal Outcome (see below). Please note that both academic and non-academic matters can be reviewed.

### Making an Appeal

Please note that if you are looking to submit an appeal to the Athena Herd Foundation:

- you are already in receipt of a decision or finding made by the Professional Conduct Review Committee (on behalf of the Accredited Practitioner Register™), as an individual Practitioner, or as a service or client of that Practitioner;
- ensure that you have first gone through and exhausted the individual on our Athena Herd Accredited Practitioner Register™, Organisational Member, Training Centre and/or Recognised Training Centre appeal process before bringing the matter to the Athena Herd Foundation. An appeal can only be made directly to us in very exceptional circumstances;



- and you are a learner, looking to submit an appeal on behalf of an individual, learner and/or an Organisational Member, a Training Centre and/or Recognised Training Centre this must be done on the Athena Herd Foundation Appeal Form which can be found at [athenaherd.org](http://athenaherd.org);
- this must be done **within one (1)** calendar month of the date of the event that the appeal relates to;
- we will look to acknowledge your appeal as soon as is reasonably possible and in any event **within five (5) working days from receipt of the same**;
- we will keep you informed at each stage of the appeal process;
- the duration of the appeal process is dependent on the nature and complexity of the appeal and the availability of associated documentation. Having said this, an appeal will normally be decided within three (3) calendar months from the date of receipt of the same;
- we do not charge any fees to cover the administrative and member costs involved in dealing with appeals.

Please note that our Data Protection Policy can be found at [athenaherd.org](http://athenaherd.org) and Awarding and Learning Privacy Notice outline how we use and protect this information.

#### **Stage 1 - Initial Assessment Details:**

On receipt of an Appeals Form including any supporting information and/or documentation, the Internal Quality Assurance function shall undertake an Initial Assessment of the Appeal to ensure that the Appeal Form is complete and ascertain if that raised can be resolved before it goes to Independent Quality Assurance Review. Please note that in the event further information/documentation is required, this will be requested at this stage along with contacting, where necessary, other parties including for example Trainers or Assessors.

Following the Initial Assessment, the Internal Quality Assurance function will write to you with details of its impartial 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 the rationale for this decision.

We will request that you confirm, within fifteen (15) days of receipt of the Initial Assessment decision, whether you now accept this decision or if you wish to proceed to our Independent Quality Assurance Review process which will be carried out by an independent reviewer.

#### **Stage 2 - Independent Review of the Appeal**

If you wish to proceed to the next stage of our appeal process and ask for an Independent Review, please send your request to the Internal Quality Assurance function. The Internal Quality Assurance function will arrange for an independent review to be carried out. The purpose of the review is not to revisit any decision but to investigate any failings in the complaints and appeals process. All previous stages of the complaints and appeals process must be concluded before an application for Independent Review is made.



The Internal Quality Assurance function will appoint someone who is not an Athena Herd Foundation member either working for or on behalf of the Athena Herd Foundation to conduct the independent review. The Independent Quality Assurance Reviewer will be someone with the relevant competence to make a decision in relation to the appeal and will not have any personal interest in the decision being appealed. The Independent Quality Assurance Reviewer will review all of the evidence from the above stages and determine if procedures have been applied fairly, appropriately and consistently and in line with our policy.

The Independent Quality Assurance Review process may involve a:

- discussion with the individual service-user, learner, trainer, assessor, Training Centre and/or Recognised Training Centre and the Athena Herd Foundation;
- request for further information from the individual service-user, learner, trainer, assessor, Organisational Member, Training Centre and/or Recognised Training Centre or the Athena Herd Foundation;
- Centre visit by the Independent Quality Assurance Reviewer.

Please note that the Independent Quality Assurance Reviewer's decision is final. The Internal Quality Assurance function will either write or send an email to inform you of the outcome of the review within thirty (30) working days of the request for an Independent Quality Assurance Review. Legal representation is not permitted.

In the unlikely event that the Independent Quality Assurance Reviewer is unable to reach a decision, the Appeal will be raised at the next Executive Committee meeting who meet at least quarterly.

#### **What if I am not happy with the reply?**

For regulated qualifications, if you are still unhappy with the outcome you are entitled to raise the matter with the relevant qualification regulator e.g. Ofqual in England.

If you are unhappy with the outcome in relation to those individual practitioners on the Athena Herd Foundation Accredited Practitioner Register™, this can be recorded with the Professional Standards Authority through their "Share your Experience" process.

#### **Successful complaints and/or issues brought to our attention by Ofqual or the Professional Standards Authority.**

In situations where your appeal has been successful, the Internal Quality Assurance will give due consideration to how we can improve our service in the future. This may include reviewing our procedures or arranging for extra staff training.

Similarly, in respect of registrants on the Accredited Practitioner Register™ and/or their service users, where an appeal has been successful appropriate actions or sanctions will be set in place, or those previously applied revisited appropriately. Any revisions will be reflected where appropriate in any information posted through our online Professional Conduct Notices.



We recognise that Practitioners on the Accredited Practitioner Register™ may also be members of other accredited registers. Where this is the case, we may become aware of issues being reported under those registers against those Practitioners, in such cases their position on the Register will be reviewed. Any such decision made may be contested under this policy.

Where an appeal has been successful, or where an investigation following notification from the regulators indicates a failure on the part of the Athena Herd Foundation's processes, or those of another awarding organisation, we will take appropriate action such as:

- identifying any other individual, learner and/or centre that has been affected by such failure;
- correcting or mitigating, as far as is reasonably possible, the effect of such failure;
- reviewing and amending processes where appropriate to reduce the likelihood that such failure will occur again.

Please note that all Athena Herd Foundation members will cooperate with any follow-up investigations required by the regulators and agree any remedial action with them.

### Contact us

If you have any queries about the content of this Appeals Policy, please contact our Internal Quality Assurance function or email [info@athenaherd.org](mailto:info@athenaherd.org).

### Appeals Policy Review Process

Athena Herd Foundation will review this Appeals Policy and any associated procedures annually as part of our ongoing self-assessment arrangements. We will revise this policy and any associated procedures as necessary in response to feedback from our Individuals, Learners, Organisational Members, Training Centres and/or Recognised Training Centres, Regulators and any other relevant party including the outcomes of any appeals.