



## Appeals against SafePlus Accreditation Body decisions

This policy sets out the process and procedures for appeals against decisions made in connection with applications for SafePlus Assessor accreditation or renewal of accreditation (“accreditation”).

The purpose is to ensure that all applicants receive fair and consistent consideration at all stages of the accreditation process.

The appeal procedure should not be used concerning decisions other than the withholding of accreditation. Complaints about the conduct of accredited assessors should be made to the assessor’s professional body except to the extent that the complaint relates to the assessor’s accreditation, competency or suitability to hold accreditation in which case the complaint should be made in accordance with the SafePlus Accreditation Body’s Complaints policy.

### Stage One

If, within 20 working days of the date of notification of a decision to deny accreditation, an applicant believes that he or she has grounds to object the decision, the applicant should contact SafePlus Accreditation Body’s Executive Officer to discuss the matter.

If the matter is not resolved then the applicant has the option for formally appeal to the SafePlus Accreditation Body (SAB).

### Stage Two

#### Grounds for appeal

The role of the Appeal Committee is to assess all information relevant to the decision to deny accreditation and to decide whether to uphold or dismiss the appeal. It is not the role of the Appeal Committee to assess the validity of complaints made against accredited assessors or the accreditation scheme in general.

The grounds for appeal are:

- Evidence that the proper processes and procedures have not been followed;



- Extenuating circumstances including but not limited to personal circumstances or ill-health at the time of the applicant's competency interview which may have adversely affected his or her performance;

Disagreeing with the determination of the SafePlus Accreditation Body Board where due process has been followed and where there are no extenuating circumstances is not considered to be grounds for appeal. However, the applicant may request a review of the assessment of their competence if he or she is not satisfied with this aspect of the decision to deny accreditation. The SafePlus Accreditation Body will review the competence assessment report (and any relevant documentation which informed the assessment), discuss it with the applicant and determine if a second opinion on the decision is warranted.

### **Process of the Appeal**

The applicant will provide notice of his or her appeal in writing to the Chief Executive of Tracecare Ltd. The appeal must clearly:

- Outline the grounds for the appeal and the rationale for the outcome sought by the applicant
- Submit evidence for consideration
- Comply with time limits and any other requirements as set down in the processes and procedures for lodging and conducting an appeal.

All evidence to be considered by the Appeal Committee must be submitted at this stage including:

- A copy of the SafePlus Accreditation Body's notification of its decision denying accreditation or renewal of accreditation; and
- All information the applicant submitted to the SafePlus Accreditation Body in support of his or her application for accreditation

The SafePlus Accreditation Body will provide a copy of any other relevant information obtained during its assessment of the applicant's application to the Appeal Committee, and a copy will be provided to the applicant at least 5 working days before the hearing date.

While the Appeal Committee may request additional information from the applicant at its discretion, information supplied later by the applicant will otherwise not be considered.



The Chief Executive will constitute a three-person Appeal Committee to consider the appeal. The decision of the majority of the Appeal Committee shall be final.

### **Appeal Committee**

The Chief Executive will form a committee to consider the appeal.

This committee will normally be made up of:

- One member of the Executive
- A member with legal and/or mediation experience who has had no involvement in the decision being appealed
- One other independent member who shall be a SafePlus Accredited Assessor

At its discretion the Appeal Committee may:

- Request more information and when this has been obtained, reconsider the appeal
- Seek advice from any other person it deems necessary, to assist in reaching a decision.

There is no provision for the Appeal Committee to interview the applicant or for the applicant to make verbal submissions. All details are to be provided in writing at the time the appeal is lodged. The applicant will be invited to make submissions in writing before the committee convenes to deal with the appeal. The hearing will then be dealt with 'on the papers'.

After considering the appeal, the Appeal Committee may either uphold or dismiss the appeal. The decision of the Appeal Committee will be notified in writing, with reasons. The decision of the Appeal Committee is final. No further appeals may be considered.

### **If an appeal is upheld**

Where an appeal is upheld the applicant will be offered the opportunity to have their application for accreditation or renewal of accreditation reconsidered and to re-join the assessment process at the appropriate point. This may involve a further reference check and/or a further face-to-face competency assessment on the basis that applicants for accreditation must be able to persuade their competency assessors on the day that they are suitable to be accredited.



Where an appeal is dismissed accreditation will be withheld and in the case of an application for renewal of accreditation the applicant must cease to claim accreditation. If the applicant wishes to become accredited then he or she must go through all usual procedures for accreditation. The applicant will be treated as a new applicant.

The appeal fee will not be refunded.

### **Time Limits**

Appeals must be lodged within 10 working days from the date when the executive officer confirms with the applicant in writing that the concerns they have raised about the rejection of their application for accreditation have not been resolved.

The Appeal Committee must be formed within 10 working days of an Appeal being received or the Appeal Fee paid, whichever is the latter.

The applicant will be notified of the composition of the Appeal Committee. In the event the applicant objects to the members of the Appeal Committee then objections, stating full reasons, must be submitted in writing to the Chief Executive of the SafePlus Accreditation Body at least 10 working days before the date set for the appeal. The decision to retain or replace nominated members of the Appeal Committee will rest with the Chief Executive whose decision will be final.

The decision of the Appeal Committee must be made and communicated to the applicant within 20 working days from the date the Appeals Committee was formed.

### **Fees**

An Appeal Fee of \$1,200.00 excluding GST will be charged and payment is required when an appeal is lodged.