

Appeals procedure

Appeals may be made against:

- review by panel
- certification decisions made by BILD ACT Director
- decisions made as the result of a complaint
- decisions made to suspend or terminate certification or any part of certificated services, including approval for individual programmes, authorisation for individual trainers or for individual affiliated organisations delivering training services

Appeals against decisions

Appeals against a decision should be made in writing to the certification scheme coordinator within 14 working days following the feedback of the decision. They will acknowledge receipt of the appeal within five working days. The appeal should be in the format advised in this guidance and the certification scheme coordinator will provide an additional copy of this guidance to the training provider if requested.

An appeals panel will be convened on receipt of an appeal. The appeals panel will be drawn from a new impartial panel who have not previously heard the application and will be chaired by the impartial chairperson or chair of trustees. The certification scheme coordinator will provide the details of the appeals panel and the requirements for the panel in writing to the training provider, together with information about the decision making process.

An appeal may relate to a complaint or a decision to suspend or terminate certification (or any part, including approval for individual programmes, authorisation for individual trainers or for individual affiliated organisations delivering training services). On receipt of the appeal the BILD Association of Certified Training complaints manager – that is, the operational director at BILD Association of Certified Training or their representative – will acknowledge receipt of the appeal within five working days and provide the person or organisation who wishes to appeal with a copy of the appeals procedure. Any person who is charged with reviewing the decision the appeal is made against will be independent of the certification process and will be asked to declare any potential conflicts of interest before proceeding to review the appeal.

The appeal must detail the reason for the appeal (wherever possible in no more than 500 words) and must be based on the facts that:

- the original decision made by the certification panel did not follow the criteria set out in the Restraint Reduction Network Training Standards Certification Scheme Handbook
- evidence was presented to the panel which was not representative of evidence submitted by the training provider due to an act or omission by the certification scheme or its agent(s)
- evidence that was made available within the submission was not given due consideration

Appeals must make specific reference to the detail for which the training provider believes they have a right to appeal, and on what specific grounds. Where training providers base their appeal on evidence which was not presented as part of the original submission, this will not be accepted where it is an act or omission by the training provider.

The appeals panel will be provided with all the relevant information including the feedback offered to the unsuccessful applicant training provider appealing the decision. The appeals panel will be conducted as follows:

- the date for the appeals panel will be set at the most convenient time available and all interested parties notified. The date for this will be determined by the scheme coordinator
- up to two people can attend from the applicant training provider, one of whom must be the training manager or a suitable representative at the original panel presentation. Attendance will be limited to 40 minutes
- the training provider can provide a written report to the appeals panel about the certification panel decision and make verbal representation to the appeals panel, setting out clearly the grounds on which they are appealing
- the appeals panel will make a decision based on all the evidence made available to them. The appeals panel will only review and consider information related to areas of Restraint Reduction Network Training Standards 2019 which have been identified
- the applicant training provider will typically be notified of the outcome within 14 working days
- the outcome of the appeal panel is **final**; the applicant training provider may only lodge an appeal **once**

- applicant training providers who are unsuccessful in their application appeal for certification for their training programmes can complete a re-application within six months of the appeal panel decision. This will represent a new application and therefore the process will start again.
- If appeal was successful, the training organisation will be certified as a Certificated Training Service meeting the Restraint Reduction Network Training Standards and the three-year cycle of assessment will commence from the date of the appeal panel.