

Validation Appeals Process Under Sections 17 and 27 of Qualifications (Education & Training) Act 1999

The Authority has established the following as a validation appeals process under sections 17 and 27

- A provider will appeal in writing to the Authority and the provider will also inform the appropriate Council of its appeal
- the grounds for the appeal shall be one or more of the following:
 - Information basis for decisions of the awards council
 - Consistency of awards council's decisions
 - conduct of meetings/hearings/visits by the awards council
 - Integrity/conflict of interest
 - Other deficiencies in the implementation of the policies criteria, processes and procedures of the awards council
- Specific information must be supplied by the appellant provider detailing and explaining how the appellant provider considers that one or more of the grounds for appeal arise
- The Authority will provide a copy of the specific information to the chief executive of the Council and seek the views of the Council on the appeal
- The Authority will put in place a committee of no fewer than four people comprising the Chairperson or a member of the Authority as its nominee (other than the chairperson of either of the Councils), the Chief Executive and such others (either members, employees or others) as may be appointed by the Authority – in exceptional circumstances if it is not possible to convene a meeting of the Authority, the Chairperson will appoint the committee.
- the Authority will ensure that there is no conflict of interest in the membership of the committee
- the committee will review the appeal and the response of the Council and may seek further information or views from the provider or the Council
- the committee will make a recommendation to the Authority
- the Authority will consider the recommendation of the committee and make a decision
- A member of the Authority shall be precluded from considering the recommendation of the committee or from making a decision on and voting on the appeal if that member of the Authority is or has been a member of the committee
- the provider and the relevant Council will be informed of the decision.