



Revisions to the QAA Consolidated Appeals Procedure

July 2015

The QAA Board has agreed revisions to the Consolidated Appeals Procedure at its meeting on 10 June 2015. The changes to the updated procedure (version 3), effective for all eligible reviews where judgements have been confirmed on or after 1 August 2015, are outlined and explained below.

The revisions are not substantive but are intended to achieve the following objectives:

- making the process of appeal less onerous for providers
- streamlining the procedure for efficiency and effectiveness
- improving the consistency, and therefore the fairness, of appeal decisions.

1 Introduction of an Appeal Submission Form (paragraph 5)

1.1 To facilitate the submission of clear and procedurally compliant appeals, QAA has introduced a standard Appeal Submission Form, for use by all appealing providers. It is intended that this will reduce the burden on appellants of interpreting and translating the requirements of the Consolidated Appeals Procedure into a strong, coherent and acceptable submission.

2 Role and function of the Independent Reviewer (paragraph 18)

2.1 Screening by an Independent Reviewer is considered to be an important part of the Consolidated Appeals Procedure, and will be retained in version 3.

2.2 To promote and ensure consistent decision-making, the pool of specially-trained Independent Reviewers will be reduced to a small, highly-specialised group of experienced Reviewers who will only undertake this element of the procedure.

2.3 Independent Reviewers will also be given the power to refer only certain parts of an appeal for consideration by an Appeal Panel. This ensures that extraneous matters that do not fall properly under the Consolidated Appeals Procedure are not put to the Panel, avoiding the potential for valid elements of an appeal to be obscured by non-appealable matters.

3 Creation of the QAA Expert Adviser role (paragraph 22)

3.1 This role has been created to support Appeal Panels on the technical elements of appealed reviews. The Expert Adviser will be an experienced QAA Review Manager with no prior involvement in the particular review under appeal. The Expert Adviser will be available to the Appeal Panel to provide guidance on the application of the relevant QAA review method only and NOT the substance of the appeal. This role has been introduced to account

for the fact that the QAA staff supporting Appeal Panels have no operational involvement in the review (as required by the procedure).

4 Refinement of possible appeal outcomes (paragraphs 33-36)

4.1 While it is acknowledged that the element of flexibility of outcomes introduced by version 2 of the Consolidated Appeals Procedure reduces the burden on successful appellants of having to automatically undergo a full re-review, it was felt that the previous amendments were not sufficiently clear or explicit about what appellants could expect following a successful appeal.

4.2 The range of options available to an Appeal Panel on the upholding of an appeal has been refined, and the operational aspects of a Panel's direction will now be determined by the Director of Quality Assurance, in order to ensure that they are both appropriate and proportionate to the affected judgement.

4.3 Version 3 of the Consolidated Appeals Procedure differentiates between the setting aside of a review in its entirety, and the setting aside of one or more affected judgements. A review will now only be set aside in its entirety where the Appeal Panel decides that the reason for upholding the appeal is so serious as to call the validity of the entire review into question. This will now be the only outcome that results in a full re-review. Under version 3, it is therefore theoretically possible to set aside all of the judgements reached without resulting in a full re-review. In all other cases, the Director of Quality Assurance will be guided by the principles set out in paragraph 35 of the procedure, and remedial action will be determined according to the specific nature and outcome of each case.

4.4 These amendments are intended to reduce the burden of additional work required of successful appellants, and ensure that any work that is required further to appeal is specifically targeted and relevant to the outcomes of the appeal.

4.5 For certain providers re-review is not an option as a result of Home Office Tier 4 licensing requirements.

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