

Revisions to the Consolidated Appeals Procedure

The QAA Board has agreed revisions to the Consolidated Appeals Procedure at its meeting on 13 December 2013. The changes to the updated procedure, effective for all reviews where judgements have been confirmed on or after 1 January 2014, are outlined and explained below.

1 Appeals Panels be granted the authority to refer matters to be considered under the complaints procedure (paragraph 4):

- Complaints and appeals received by QAA are often confused, and appeals sometimes contain matters which would be more appropriately considered under our complaints procedure. This recommendation gives Appeals Panels (and Independent Reviewers) the authority to refer matters for investigation, which will save providers in these circumstances from having to submit a separate complaint following the outcome of the appeal.

2 The removal of 'perversity' as a ground for appeal (paragraph 8):

- In order to make appeals less complicated for providers, we have rationalised the grounds on which an appeal can be made. All appeals previously coming under the category of perversity will now be considered on the grounds of procedure.

3 Clarification that objections to Appeals Panel members should be based on the perception that a conflict of interest exists (paragraph 11):

- There have been occasions where institutions have objected to Appeals Panel members because they were not from similar institutions. This change makes it clear that it is only acceptable to raise objections to the selection of a panel member based on an existing perceived conflict of interest.

4 Clarification that the response of the review team to the appeal will be coordinated by the QAA officer who supported the review (paragraph 21):

- This amendment clarifies the role of the QAA officer in coordinating a response from reviewers. The response will be comprehensive, and will include comments on any suggestion of procedural deficiency in the conduct of the review and on any other matters raised in the appeal.

5 Appeals Panels be given the authority to make differentiated judgements about the scope of any re-review following an appeal (paragraph 30):

- Previously, an Appeals Panel could only decide to set aside a whole review. In some cases this seemed disproportionate, so this amendment permits a more proportionate re-review to be recommended where appropriate.

Appeals against judgements which were confirmed prior to 1 January 2014 will be considered under the previous iteration of the Consolidated Appeals Procedure.

Publication of Appeals Decisions

To date, QAA has published both the grounds on which an appeal was made, and whether or not the appeal was successful. This has the risk of being misleading if, for example, only one of a number of grounds of appeal was successful, and could potentially lead to prejudice if it is made publicly known that an institution has been required to appeal a decision before securing an effective review.

For these reasons we have decided that from 1 January 2014, no details or information about individual appeals will be published. The publication will be of the review report either in its original or revised form.