



**The British  
Psychological Society**  
Membership Standards Board

# Appeals against a decision of the Society's Qualifications Boards

*September 2010*

## **Appeals Process**

In February of 2004 the Membership and Professional Training Board (MPTB), now replaced by the Membership Standards Board (MSB), approved a process for administering appeals made against decisions of the Society's Boards of Examiners or Board of Assessors, now known as Qualifications Boards.

The appeals process is designed to be equitable and transparent and has been developed to enable the processing of appeals against decisions of the Society's Qualifications Boards.

This booklet sets out the grounds on which an appeal can be made and how it is processed once it has been lodged with the Society. We aim that you will have a decision regarding your appeal no more than 40 working days from its receipt.

## **Appeals Procedure**

### **Lodging an appeal**

If you wish to appeal against the decision of the Qualifications Board your appeal must be made in writing and received at the Society's Office within two calendar months of the date of the letter from the Registrar communicating the decision in respect of your examination

e.g. If the date of the letter is 16 June, your appeal must be received by 15 August.

### **Grounds for appeal:**

Your appeal can only be lodged on one of the following three grounds:

1. That the Regulations governing the qualification were improperly applied in an individual case.
2. That due process in the examination or assessment of a candidate was not followed.
3. That further information that may have a bearing on the result of the examination or assessment has become available subsequent to a decision being made.

The onus is firmly on you as the Appellant to demonstrate why you believe that one of the above grounds for appeal applies. Disagreeing with the decision of the Qualifications Board is not sufficient grounds for an appeal.

## **Processing an appeal**

When your appeal is received it will be acknowledged and screened by the Appeals Manager. Screening will involve assessing your appeal to determine whether you have made out the required grounds for appeal and will be undertaken with reference to the relevant Regulations and Handbook and the criteria developed for what constitutes an appeal.

## **No grounds for appeal**

Where it is judged by the Appeals Manager that grounds for appealing against a decision have not been demonstrated, all of the documentation concerning the case will be forwarded to the Chair of the MSB, or their representative, for review. If the Chair, or their representative, is in agreement with the Appeals Manager you will be advised in writing of the reasons why your appeal is not allowable and the reasons for this will be clearly stated.

## **Grounds for appeal**

Where the Appeals Manager judges that grounds for an appeal have been made out, case papers will be prepared. These case papers will consist of:

- A cover sheet detailing your grounds for appeal;
- An outline of your examination/assessment history including a chronology of your examinations/assessments and their outcomes;
- Copies of relevant correspondence and file notes relating to contact with yourself.

The case papers will be forwarded to the Chair of the MSB, or their representative, for review. If the Chair, or their representative, is not in agreement with the Appeals Manager that there are grounds for appeal your case will automatically be referred to an Appeals Panel for it to decide whether you have made out grounds for an appeal.

NB: In all cases where the Appeals Manager and the Chair of the MSB, or their representative, do not agree on whether you have made out grounds for appeal, your case will automatically be referred to an Appeals Panel for it to decide whether you have made out grounds for appeal.

## **How an Appeal Progresses**

If it is judged that grounds for an appeal have been made out, the case papers will be forwarded to the Chair of the relevant Qualifications Board by the Appeals Manager with a request that a full report be prepared and submitted on the decision making process in your case. The report will detail:

- How and why the Board reached its decision
- What were the key factors that influenced its decision
- How the relevant rules or criteria were applied in reaching the decision.

In the interests of transparency and equity copies of the case papers and the report from the Chair of the Qualifications Board will be sent to both yourself and the Chair of the MSB, or their representative.

## **Arbitration**

After you have received the report of the Chair of the Qualifications Board the Appeals Manager, with your agreement, will attempt to resolve your appeal informally through arbitration.

Such arbitration may be undertaken through telephone calls, e-mail or by letter and may resolve cases where the appeal appears to have originated from a misunderstanding that is easy to resolve without convening an Appeals Panel hearing.

In some cases it may be appropriate to arrange a meeting with yourself and a representative from the Qualifications Board to have an informal discussion about the decision with an appropriate member of staff in attendance.

If a satisfactory outcome is not achieved then you will have recourse to the next stage of the appeals process, which is to convene a formal Appeals Panel to hear the appeal.

If you do not want to have your appeal dealt with via the arbitration process it will progress directly to an Appeals Panel.

## **Appeals Panel**

The Appeals Panel consists of three members of the MSB, or their representatives, who have been trained in the appeals procedure. No-one who has been involved in teaching, assessing or examining you will be included in the Appeals Panel. Members of the Panel will be required to declare any potential conflict of interest when they become aware of your identity.

The Appeals Panel will be constituted as follows:

- Chair – A Chartered Psychologist who is a member of the MSB
- Two Chartered Psychologists from the MSB, or their representatives.

A copy of the case papers previously received by you and the Chair of the MSB, or their representative, and the report from the Chair of the Qualifications Board will be forwarded to each member of the Appeals Panel. Should the Panel require any additional information it will be gathered via the Appeals Manager in advance of the hearing and be made available to both parties. This additional information may include:

- Additional information or clarification from yourself and/or the Qualifications Board
- Information from other sources if deemed necessary may be sought with your full knowledge.

Usually the Appeals Panel will meet to consider an appeal via teleconference. You and a representative of the Qualifications Board who has knowledge of the case will be invited to be part of the discussions, however, both of you will be asked to leave the proceedings at the point the Panel deliberates its decision. If the Chair deems it appropriate, a face to face hearing may also be convened. You are not able to choose how your appeal is heard.

The appeal will be considered in the light of the information collected and the Regulations that were applicable at the time of the examination or assessment.

The Appeals Panel, when reaching a decision, must not consider issues which fall outside of its remit and must restrict its deliberations to those matters which are relevant to the consideration of decisions of the Qualifications Board with due reference to the relevant regulations, rules and criteria that will have been determined at the outset of the appeal.

### **Decisions of the Appeals Committee**

The recommendations that can be reached by the Appeals Panel are limited to:

- That the appeal be upheld and the original decision overturned
- The rejection of an appeal
- The rejection of an appeal but with a recommendation that the relevant Qualifications Board review some aspects of its rules, criteria or procedures.

You will be informed of the Appeals Panel's decision and if you are aggrieved by it then they have recourse to the MSB who will consider an appeal against the decision only on the grounds of due process not having been followed. In such cases the decision of MSB will be final and irrevocable.

### **More information**

For more information on how to appeal and the appeals procedure please contact the Appeals Manager, Kajal Panchal, at the Society's Leicester office on 0116 252 9919 (direct line) or e-mail [kajal.panchal@bps.org.uk](mailto:kajal.panchal@bps.org.uk).

**PLEASE NOTE THAT AS FROM 1 JANUARY 2009 A FEE OF £125 WILL BE CHARGED FOR THE ASSESSMENT OF APPEALS AGAINST A DECISION OF THE SOCIETY'S BOARD OF ASSESSORS. IN THE EVENT THAT THE APPEAL IS UPHELD THE SOCIETY WILL REFUND THE TOTAL AMOUNT OF £125.**