

Building Safety Competence Foundation

Appeals Policy for BSCF (Scheme) Candidates & Certificated Persons

1. Introduction

This document outlines the appeals procedure available to all candidates and certificated persons of the BSCF (hereinafter referred to as "the Scheme"). The purpose of this procedure is to ensure fairness and transparency in dealing with appeals relating to assessments, certification status, or sanctions.

2. Definition of an Appeal

An appeal is a formal request by a candidate challenging a decision made by the Scheme regarding the non-issue, suspension, or withdrawal of certification. Appeals must be based on claims that the decision was made improperly or unfairly or that it involves an error in the application of the Scheme's standards.

3. What Constitutes an Appealable Decision

- ▮ Non-issue of Certification despite meeting all criteria, certification is not granted.
- ▮ Suspension of Certification based on allegedly flawed or insufficient evidence.
- ▮ Withdrawal of Certification the candidate believes the withdrawal is unjust or erroneous.

Examples of Appealable Decisions (Non-Exhaustive)

- ▮ **Procedural Errors**
A candidate receives a suspension of certification after an alleged procedural error during the review process.
- ▮ **Incorrect Grounds**
Certification is not granted on grounds that are factually incorrect or misapplied.

4. Non-Appealable Decisions

Decisions that cannot be appealed include:

- ▮ **Adherence to Scheme Criteria**
Decisions based on the proper application of scheme criteria, where no error is evident.
- ▮ **Administrative Actions**
Processes not directly affecting certification status, such as processing delays or fee disputes.
- ▮ **Disappointment with Outcome**
Simply being unhappy or dissatisfied with the decision, without substantial grounds.
- ▮ **Disagreement with Established Criteria**
Objections to the standards or criteria set forth by the certification scheme.
- ▮ **Customer Service Complaints**
Issues related to customer service or treatment by staff unless they directly impact the certification outcome.
- ▮ **Timing of Process**
Complaints about the time taken to process the certification unless it directly impacted the fairness of the assessment.

Examples of Non-Appealable Decisions (Non-Exhaustive)

- ▮ **Disagreement with Criteria**
A candidate believes the certification standards are too stringent or unfair but does not identify any error in the application of those standards. For example, arguing that the passing criteria should be lower or that certain skills should not be required, or disputing the assessment method, such as the structure of the assessment or the time allowed to complete it.
- ▮ **Customer Service**
A candidate feels that the staff were unhelpful or rude during the certification process, but this did not influence the outcome of their assessment. For instance, dissatisfaction with the way information was provided or with the attitude of administrative personnel.
- ▮ **General Dissatisfaction**
A candidate is unhappy with the overall result of their certification assessment but cannot point to any specific error or unfair practice. An example would be feeling disappointed for not passing without any concrete evidence that the assessment was incorrect or unfair.
- ▮ **Administrative Delays**
A candidate complains about delays in processing their application or receiving their certification, as long as these delays did not affect the fairness of the assessment or the final decision. For example, experiencing a wait time longer than expected but still receiving the same level of assessment rigor and fairness.
- ▮ **Fee Disputes**
A candidate disputes the fees charged for the certification process, but these fees are outlined clearly in the scheme's policies and were applied correctly. For instance, arguing that the certification should cost less or that certain administrative fees are unnecessary.

5. Grounds for Appeal

This section (further) outlines the valid grounds on which appeals can be made against assessment decisions within our Scheme. An appeal can only be initiated once the relevant decision has been confirmed by the Internal Verifier, ensuring that all assessment processes have been formally concluded.

Irregularities in Assessment Conduct

Inaccurate Marking: Appeals may be made where there is a credible indication that the marking process was not conducted according to the established standards or criteria.

Discrimination or Unfairness: Any instances of perceived discrimination or unfair treatment during the assessment process can be grounds for an appeal. This includes, but is not limited to, bias based on characteristics that are protected by the Equality Act 2010. Protected characteristics are age, disability, gender reassignment, marriage, or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

External Circumstances Impacting Performance

Appeals may also be considered if there were significant external circumstances that adversely affected the candidate's performance, which should have been reasonably acknowledged and mitigated by the assessors or tutors responsible for the assessment. Examples include:

- ▮ Serious illness or family emergencies at the time of assessment.
- ▮ Unforeseen and unavoidable circumstances that directly impacted the candidate's ability to perform during assessments, such as natural disasters or critical incidents.

6. Initiating and Appeal

Only the candidate or certificated person that is the subject of the disputed assessment decision may initiate an appeal. This ensures a direct and personal interest in the outcome of the process.

Appeals must be submitted in writing no later than 30 days following the decision that is the subject of the appeal and directed to the Scheme Manager as specified in our appeals process. A formal appeal cannot commence until the assessment decision in question has been confirmed by the Internal Verifier, verifying the integrity and completeness of the assessment process.

NOTE

Candidates are not permitted to book a re-sit of the assessment until the appeals process has been concluded. This ensures that all appeals are resolved before any further assessments are undertaken.

7. Documentation Requirements

Candidates must provide sufficient documentation and evidence to support the grounds for their appeal. This may include medical certificates, personal statements, or other relevant information that substantiates the circumstances or claims made.

8. Appeals Process

Stage 1: Initial Investigation

Upon receiving a written appeal addressed to the Scheme Manager:

- ▮ Acknowledge receipt and outline the appeals process.
- ▮ Log the appeal for record-keeping.

Form a Stage 1 Appeal Panel, including the Scheme Manager &/or Head of Standards or other qualified staff not involved in the initial decision.

- ▮ Assess the validity of the appeal.
- ▮ Collect any necessary further information from relevant parties.
- ▮ Review the original certification decision.
- ▮ Aim to conclude this stage in 10 working days.

9. Further Stages and Final Decision Making

- ▮ See Procedure for Appeals

10. Conclusion

The appeals panel will review all submissions and make a determination based on the evidence presented. Decisions made by the panel will be communicated to the candidate in writing, detailing the reasons for the decision and, where applicable, the steps for further appeal or redress. This structured approach ensures that all parties are aware of what constitutes a legitimate basis for an appeal and the process for submitting one, thereby maintaining the fairness and transparency of the certification process.

This policy ensures that all candidates and certificated persons are treated with fairness and can trust in the integrity of the certification process. Appeals are a vital part of upholding our standards and commitments to our candidates and certificated persons. This framework should help ensure clarity and transparency, providing a clear understanding of the rights and the procedures involved in the appeals process.