

# Building Certifiers - Certificate of Accreditation

RICS Accreditation Standards Body - Queensland

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# Building Certifiers- Certificate of Accreditation

# APPEAL PROCESS GUIDANCE NOTES

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## Section One – What is an Appeal?

Applicants who are referred have the right to appeal.

Appeals are considered by an RICS appeal panel. The appeal panel comprises 3 professionals who have no connection with the candidate or their employer, and no previous knowledge of the applicant's assessment. Two of the appeals panel will be Licensed Building Surveyors and the third panel member will be an independent, lay member of the appeal panel.

**You cannot appeal simply because you disagree with the assessors' decision about your competence.** The appeal panel does not question the merits of the assessors' decision. It looks at the way the assessment was conducted, and will allow the appeal only if, on the balance of probabilities, there was fault in the process. It does not reach any conclusion about the applicant's competence to practise: it considers only administrative or procedural matters. Matters for appeal might include administrative errors, an incorrect assessment process (for example, failure to review documentation), or discrimination.

The appeal panel has no powers to grant an applicant a Certificate of Accreditation: if an appeal is upheld, the original assessment is disregarded. **The candidate's submission is then re-assessed by a new panel of assessors..**

## Section Two – How to Appeal

Appeals must be submitted in writing using the attached form (Appendix A).

The document should detail, in no more than 1000 words, the reasons for the appeal. No further supporting documentation is permitted and no representations may be submitted by another party (e.g. proposer, employer)

Only an appeal directly from the applicant will be considered and no third party may appeal on the candidate's behalf.

The appeal should be sent to RICS within 21 days of the date on which RICS notified the applicant of the assessment outcome.

If the appeal was posted after the deadline it will be returned.

## Section Three – The Appeal Process

The appeal is forwarded to all original assessment panel members for comment. The responses are then collated by the chairman and forwarded to RICS.

When this has been received, RICS will forward the following information to the three members of the appeal panel:

- The applicant's appeal
- The original assessment panel's response
- The original assessment panel's mark sheets
- The applicant's referral report

The appeal panel will initially consider the appeal individually. The appeal panel members will then discuss the appeal together.

The decision is made by majority. RICS staff will draw together the appeal panel members' responses and collate a response to the appellant. Before this is sent to the appellant it will be sent to a single nominated appeal panel member for checking and approval.

The response will set out the appeal panel's reasons, which must be concise and factual. It is not the role of the appeal panel to offer additional guidance, advice or personal comment.

## Section Four – The Outcome of the Appeal

There are two possible outcomes of an appeal:

### **Dismissed**

The panel decides to dismiss the appeal - RICS will write to the candidate setting out the reasons for the decision as agreed by the nominated appeal panel lead.

### **The appeal panel's decision is final. There is no further right of appeal.**

The original decision stands along with the panel's referral report and instructions on how to apply for re-assessment.

A copy of this communication will be sent to all the original assessment panel members. The appeal panel **may** also make recommendations to the assessment panel regarding future assessments.

### **Allowed**

If the panel decides to allow the appeal - RICS will write to the applicant advising that the appeal has been allowed and that the original assessment result and referral report are now void.

The applicant will be invited to apply for a new assessment with a new panel using the original submission documents.

The appeal fee will be refunded.

The original panel will be audited, usually within the following 12 months. It is important that panels are aware they will be audited. However, an allowed appeal is not considered a 'black mark' against the original panel in any way. The auditing is simply a way of ensuring consistency and transparency of the assessment process.

If the applicant has a complaint about the way in which the appeal was dealt with, such as discourtesy or failure to meet timescales, this may be dealt with through the RICS corporate complaints procedure.

This procedure will not involve an investigation of the merits of the appeal panel's decision, and will not change the outcome of the appeal in any way. For further information, please refer to the section 'how to complain about RICS services' on [www.rics.org](http://www.rics.org).

RICS will write to the original assessment panel members to let them know the result and the reasons for allowing the appeal. RICS will also pass on to them any **recommendations** the appeal panel make about how to improve future assessments. The appeal panel may also recommend that guidance notes should be provided to the original assessment panel members.

If you have any comments about the appeals process please contact [info@rics.org.au](mailto:info@rics.org.au)

## Appendix A – Appeal Form

Please complete all sections of this form.

Your completed form, along with a cheque for \$300 made payable to RICS, should be returned to: **RICS Oceania, Level 9, No. 1 Castlereagh Street, Sydney, NSW, 2000**

Name:	
Candidate number:	

Name of employer:
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Date of assessment result:
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### Applicant check list

Have you submitted:	Applicant check	Office check
Your reasons for the appeal (maximum 1000 words)		
Your referral report		
Appeal fee (\$300 cheque made payable to RICS) – payment can be by credit card by calling the RICS office.		

### For office use only

Date received:	Within deadline? YES / NO
	If no, date returned to candidate:
Grounds:	
Panel:	
Decision:	

