

SILC Appeal Procedure June 2009

- 1.0 The SiLC Professional and Technical Panel (SiLC PTP) is responsible for setting and enforcing the SiLC criteria and requirements for entry to registration.
- 2.0 The SiLC PTP is responsible for appeal decisions. In this procedure, "Panel" refers to the Appeal Panel formed of two Assessors chosen by the SiLC PTP who have not assessed the Applicant to date, and a person representing the secretariat. "Assessors" refers to the individuals that undertake the assessment for registration as a SiLC and "Applicant" refers to the person making an application for SiLC Registration.
- 3.0 The Applicant has a right to appeal against the refusal to award registration providing they have lodged an intention to appeal with the IEMA. An administration fee (by cheque) should be enclosed with the written request for appeal and will be returned if the appeal is successful. For the correct appeal fee please contact the IEMA.
- 4.0 For an appeal to be considered the Applicant must have notified the IEMA of their intention to appeal within 10 working days of their interview taking place. The intention to appeal must identify one or more of the grounds detailed in item 6.0 below. The IEMA must be made aware of the Applicant's intention to appeal in writing, electronic mail is acceptable.
- 5.0 An appeal will then be considered should the Applicant, upon receipt of their result and having already notified their intention to appeal, wish to pursue an appeal on one or more of the grounds listed in item 6.0. Disagreement with the result does not constitute grounds for appeal. The Applicant must confirm to IEMA, in writing, their decision to continue to pursue the appeal within 10 working days of receipt of the result. Electronic mail is acceptable.
- 6.0 An appeal against a decision to refuse registration may only be made on one or more of the following grounds:
 - 6.1 There has been a procedural or administrative error during the course of the application or assessment process which has affected the ability of the Assessors to make a reasoned judgement;
 - 6.2 There has been an infringement of the candidates equality of opportunity rights;
 - 6.3 The Assessors have misapplied the SiLC assessment criteria; or
 - 6.4 There were extenuating circumstances that occurred during the assessment that the Panel was not aware of.
- 7.0 SiLC PTP members that were an Assessor of the application for registration shall not be permitted to participate in the appeal process.
- 8.0 The SiLC PTP must form an Appeal Panel of a least three members.
- 9.0 The Panel must either uphold or reject the appeal.
- 10.0 Where an appeal is rejected, the Applicant will be notified of the decision of the Panel in writing within 25 working days.
- 11.0 If the appeal is upheld the Panel can either:
 1. Accept the Applicant on to the SiLC register; or
 2. Request the Applicant attends an interview; and / or
 3. Submits additional information.
- 12.0 **(1.)** Where the applicant is accepted on to the SiLC register, the IEMA will notify the SiLC PTP within 7 working days.
 - 12.1 The applicant will be notified of the decision of the Panel within 25 working days.

- 13.0 **(2.)** Where an appeal is upheld and the Applicant is required to attend an interview, the application will be treated as a new assessment.
- 13.1 Two Assessors will be sent a copy of the Applicant's papers but will not be sent the original assessment sheets.
- 13.2 Appeal papers will be assessed within 25 working days of receipt of the Applicant's confirmation to pursue the appeal and an interview will follow within 3 months. The Applicant must accept an interview offered within 6 months of the appeal confirmation. After this time a full assessment with full fee will apply.
- 13.3 The Panel will make a decision regarding the Applicant on the day of the interview and notify the IEMA in writing within seven working days. The results will be sent by post to the Applicant within seven working days of receipt.
- 13.4 The IEMA will notify the original Assessors and the SiLC PTP of the decision of the Panel in relation to the interview process.
- 14.0 **(3)** Where an appeal is upheld and the Applicant is required to provide supplementary information, this will be reviewed by the Panel and a final decision on the Application will be made by the Panel.
- 14.1 The Applicant will receive the result of their appeal within 25 working days of the supplementary information being received by the IEMA.
- 15.0 The result of an appeal is final.
- 16.0 The IEMA will not be responsible for any costs incurred by the Applicant in the appeal process.
- 17.0 Any Applicant requesting an appeal does so under the provisions set out in this procedure.

All correspondence should be sent to:

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