



Appeals Procedure



Arboricultural Association

Procedure for Appealing against Assessment Decisions for the AA Registered Consultant Scheme and the ARB / Utility Approved Contractor Schemes

Introduction

The Arboricultural Association (AA) Professional Committee (PC) is responsible for setting the standards of the Registered Consultant (AARC) and ARB / Utility Approved Contractor (ArbAC / UAC) schemes, and for hearing any appeals against assessment decisions.

AARC assessment decision – The AA will notify applicants of the result of their application to become a member of the AARC scheme in writing. Where the application has been unsuccessful, this will be accompanied by copies of the assessment forms that identify the areas in which the applicant was found to be deficient and will include suggestions for improvement.

ArbAC / UAC assessment decision – The AA will initially notify contractors of the result of their assessment to become a member of the ArbAC / UAC schemes, or to retain membership, both verbally on the assessment day and confirmed in writing after validation by the Scheme Manager. Where the assessment has been unsuccessful, the report will identify the areas in which the contractor was found not to meet the required standard together with guidance on what is required to meet the standard.

Appeals

Where an assessment under either the AARC or ArbAC / UAC schemes is unsuccessful, there may be grounds for an appeal.

The AA will not be responsible for any costs incurred by the appellant regardless of the outcome of the appeal.

A fee of £250 plus VAT is payable to the AA to administer the appeal, which will be refunded if the appeal is upheld. The appeal fee must be forwarded with the appeal documents as the appeal cannot be validated without the required fee.

All appeals will be considered in an objective, fair and timely way. The appeal process only considers the grounds of appeal and does not include a re-assessment.

All timescales for the AA which are provided in this document are a guide. The AA will do all it can to ensure a thorough and timely review of appeals.

Grounds of Appeal

Disagreement with the decision of the AA does not constitute grounds for an appeal.

An appeal can only be made on one or more of the following grounds:

1. *The assessment criteria for the relevant scheme were misinterpreted or incorrectly applied by the assessor(s).*
2. *An administrative or procedural error was made, which materially affected the ability of the assessor(s) to make a reasoned decision.*



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3. *Extenuating circumstances occurred, during the assessment or interview, which the assessor(s) were not aware of, and which materially affected the outcome of the assessment.*

Appeal Process

Anyone making an appeal must do so within 4 weeks of the date of the written confirmation of the result of their assessment. All appeals must be made in writing to the Chief Executive of the AA at its offices (see below for address), enclosing the appeal fee. An appeal must detail on what ground(s) it is being made, in accordance with the list above. Appellants may submit supplementary information in support of their appeal, but must ensure that this is clearly referenced to the ground(s) of appeal, and submitted at the same time as the appeal is made. Updated versions of documents submitted with the original application will not be accepted under any circumstances.

Within two weeks of receipt of an appeal, the AA will:

- acknowledge receipt of the appeal and advise the Chair of PC and either the AARC Lead Assessor or ArbAC / UAC Scheme Manager as appropriate;
- validate the appeal, ensuring that it has been submitted on time, details the specific ground(s) for the appeal, and includes the required fee.

Invalid Appeals

Appeals will be invalid and rejected if they are not submitted within 4 weeks of the date of the written confirmation of the result of the AARC or ArbAC / UAC assessment; at least one of the stated grounds is not specified; or the required fee is not included. In such circumstances:

- The appellant will be advised as to the reason it has been rejected
- The Chair of PC will be advised, and will inform the Committee at the next meeting
- The AARC Lead Assessor or ArbAC / UAC Scheme Manager will be advised as appropriate

There is no further right of appeal after the 4 week period has expired.

Valid Appeals

Following the validation of an appeal:

- Within 2 weeks, the Chair of PC will set up an Appeal Panel of 3 people (the Panel) to review the case; the Panel can include the Chair of PC and will include another current scheme assessor for continuity of assessment standards. The Panel will elect a chair
- The AA will advise the appellant of the composition of the Panel in writing, allowing the appellant 1 week from the date of the letter to raise any concerns they have regarding conflict of interest
- The Panel will consider the case (with the appellant's name redacted to ensure confidentiality as far as is reasonably possible) and determine an outcome. Where possible this will be within 6 weeks from the date the constitution of the Panel was agreed
- The Chair of the Panel will advise AA HQ of the progress of the appeal, who will in turn inform the appellant if any delays are expected that may affect the given timescales



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Appeal Decision

Following the conclusion of the Panel's assessment of the appeal:

- The Chair of the Panel will advise AA HQ & the Chair of PC of the outcome of their assessment and provide a report for the AA outlining the reasons for their decision
- The AA will advise the appellant of the outcome of the appeal in writing, within 2 weeks of the decision, providing the reasons for the Panel's decision
- The AARC Lead Assessor or ArbAC Scheme Manager as appropriate will be advised of the outcome of the appeal so that any material factors can be taken into account to inform and improve future assessments
- The Chair of PC will inform the Professional Committee of the outcome of the appeal at its next meeting

The decision of the Panel is final and there is no further right of appeal.

Next Steps

Where the Panel upholds the appeal on any one or more of the grounds identified above, the appeal fee will be refunded in full. In addition, the appellant will be offered a re-assessment and /or re-interview. If the appellant wishes to take advantage of this offer they must accept it in writing within 4 weeks of the offer being made by the AA.

Any AARC re-assessment/re-interview will be undertaken within 8 weeks of acceptance of the offer, will be based on the original portfolio, and will be undertaken by assessors who did not participate in the original assessment process. Applicants will be notified of the outcome of the re-assessment/re-interview in writing, within 2 weeks of the date it takes place.

An ArbAC / UAC desktop re-assessment will be undertaken within 8 weeks of acceptance of the offer and will be based on the original information provided on or before the assessment day of the original application (updated documents will not be accepted under any circumstances). These assessments will be undertaken by a Lead Assessor not involved in the original assessment or by the Scheme Manager.

ArbAC / UAC reassessments involving site visits will normally be undertaken within 12 weeks of acceptance of the offer and will be undertaken by a Lead Assessor not involved in the original assessment or by the Scheme Manager. Applicants will be notified of the outcome of a desktop re-assessment within 2 weeks of the re-assessment and for a site based re-assessment verbally on the day, followed by written confirmation within 2 weeks.

Arboricultural Association

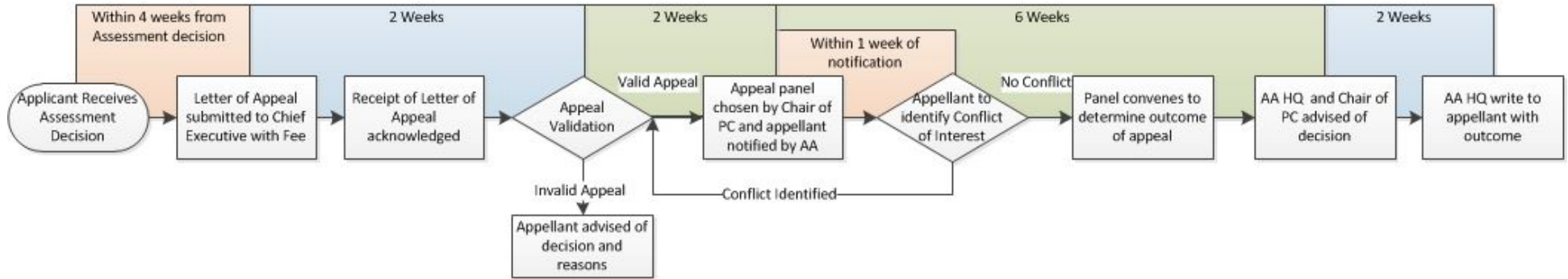
The Malthouse
Stroud Green
Standish
Stonehouse
Gloucestershire
GL10 3DL

Telephone: **01242 522512**

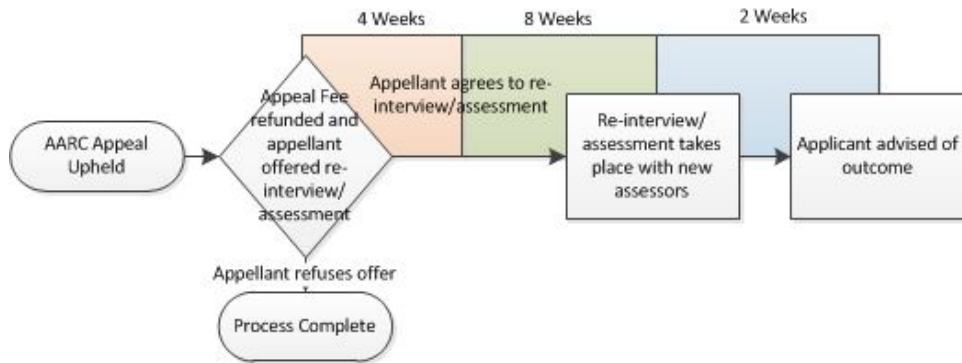
Email: admin@trees.org.uk

Website: www.trees.org.uk

Appeal Process and Target Timescales (for guidance only)



AARC Re-Interview/assessment timescale following successful appeal



ArbAC Re-assessment timescales following successful appeal

