



‘Appeals Policy’

For those seeking

Validation of Physiotherapy Qualifications

Approved Council March 2009
Amendments October 2009 V7

IRISH SOCIETY OF CHARTERED PHYSIOTHERAPISTS POLICY & PROCEDURES DOCUMENT

Preamble

Consistent with the best practice for Competent Authorities recommended by the European Commission, the Irish Society of Chartered Physiotherapists (ISCP) provides unsuccessful applicants with an opportunity to appeal the decision of the International Qualifications Working Group (IQWG). This document outlines the policy and procedure for applicants who wish to appeal any decision of the IQWG.

1. Appeals Panel*

The Appeals Panel comprises no less than 6 members. The Chair is appointed by the Council of the ISCP. The President of the ISCP nominates one member who is not a member or eligible for membership of the ISCP – a lay member. The other members of the Appeals Panel shall be members of the ISCP and shall be nominated by the Chair of the ISCP and approved by the Council. One member will be working in the education of physiotherapists, one member will be a physiotherapy manager and one member will have an international i.e. non-Irish physiotherapy qualification. A quorum will be constituted by 4 of the 6 members. The Appeals Committee shall meet quarterly or more often if required.

Where possible, those serving on the ISCP Appeals Committee shall not be current members of the ISCP Board of the ISCP.

2. Appeals – process for applicants

2.1 Applicants will have 30 working days to notify the ISCP of their 'intention to appeal' an IQWG decision, with effect from the date of issue of the letter informing the applicant that their application has not been successful. This notification of 'intention to appeal' must be made in writing.

2.2 Once an application has been received by the ISCP, it will be reviewed by the Membership Administrator to ensure the application has been submitted in a timely manner.

2.3 Applicants will be notified of the date of the meeting at which applicant's appeal will be considered by the Appeals Panel.

2.4 Thereafter, the ISCP requires that appellant submit an 'appeal document' no later than six working weeks prior to the date of next meeting of the Appeals Panel. This 'appeal document' should take the form of a written submission and it must include the following:

- The appellant's name and address for correspondence and if different residential address.
- A statement that clearly explains that the appellant is making an appeal (for example, the letter should include a sentence like "I wish to appeal against the decision of the ISCP that I must complete a compensatory measure").
- A concise statement of the grounds of appeal that sets out the appellant's case; explaining why the appellant disagrees with the IQWG's decision. Any new documentation provided must be stamped by the relevant authority to verify its authenticity e.g. University or Higher Education Institution, Professional Body etc.
- Where the appellant has asked the ISCP to deal with a representative on matters related to the appeal, the name and address and relationship to the appellant should be provided
- Appeal administration fee of €100

2.5 If the appellant submits any correspondence indicating that he has sought legal advice, the ISCP Appeals Committee can copy this correspondence to their legal advisers. Any correspondence that the ISCP receive from the ISCP legal advisers will be copied to the appellant.

2.6 Once the appeal document is received, it is circulated to the members of the Appeals Panel with a timeline for the following actions.

2.7 The Appeals Panel may require clarification on material submitted by the appellant. If any member of the Appeals Panel requires additional information from either the IQWG or the appellant, he/she will notify the Chair of the Appeals Panel within 2 working weeks of receipt of documentation i.e. 4 working weeks prior to the meeting of the Appeals Panel. Any additional information sought will be collated by the Chair of the Appeals Panel and notified to the Membership Administrator who will be the responsible for seeking such information. Clarification will be requested from the appellant by e-mail and hard copy.

2.8 The appellant may request to present his case to the Appeals Panel in person. It may be arranged for the appellant to attend a meeting with the Appeal Panel, on the appointed day of the Appeals Panel meeting. Should this situation arise, the arrangement will be made no later than one working week prior to the Appeals Panel meeting. He/she may bring a personal representative with him.

Clarification on the capacity of the personal representative will be requested by the Membership Administrator. Should the representative take the form of a legal adviser, the Appeals Committee shall arrange to have their legal adviser present also.

2.9 Appellants will be notified of the decision of the Appeals Panel within 14 working days of the meeting of the Appeals Panel.

2.10 The decision of the Appeals Panel is final and appellants may only appeal once. A new application may be submitted to the IQWG at a future date for consideration in the event of additional competency being gained. All new applications will incur a new application fee.

2.11 All costs incurred by the appellant related to the entire appeals process will be borne by the appellant.

3. Appeals Procedure – decision-making

4.1 The appeal will be decided on the basis of the appellant's original documentation and any supplementary documentation and/or information that the appellant provides to support the appeal.

4.2 The appellant has no further recourse to appeal within the ISCP processes but may appeal the final decision to the High Court as outlined in SI 139/2008.

***Please note that the Appeals Panel mentioned throughout this document is also known as the Appeals Committee.**