



The following is an extract from the Regulations for Alcohol Focus Scotland Registered Centres that provide the ServeWise courses.



## Appeals Procedure for Alcohol Focus Scotland Centres Trainers and candidates

A Centre can appeal against:

- A decision regarding Provisional Centre Approval or Centre Approval
- Any conditions attached to Centre Approval
- A decision regarding acceptance of any person onto the ServeWise Trainers' course
- The assessment of a Trainer's post-course work
- The outcome of a verification visit
- A warning issued to a Centre or Trainer
- Any candidate's score

A Trainer may appeal against:

- The assessment of their post-course work
- The outcome of a verification visit
- A warning issued to them

A candidate may appeal against:

- Their own score in a ServeWise assessment

The sole ground for any appeal is that Alcohol Focus Scotland decision, based on all the evidence available to Alcohol Focus Scotland at the time, was wrong. In order to prove that the decision was wrong, the appellant must prove either that the decision was unreasonable or that there was a breach of procedural requirements or maladministration by Alcohol Focus Scotland. The appeal must be made in writing by the Authorised Signatory for the Centre within 10 working days of receiving the results or decision.

Upon receipt of the appeal an Alcohol Focus Scotland Training Section Officer, not involved in the original decision, will investigate the matter. (S)he will then contact the appellant within 5 working days of the appeal being received to discuss the outcome of the investigation. A written report will be sent to the Centre, although the initial discussion of the outcome of the investigation may be by telephone or in a meeting.

If the appellant is not satisfied with the response they receive at this stage then they should contact the Alcohol Focus Scotland Head of Training. This is the equivalent of Stage 2 of the Complaints procedure as detailed below.

If further evidence would alter the decision the Centre or Trainer may submit this. Note that this would count as a new application or a second verification.

Any candidate who wishes to appeal against his or her mark must do so in writing to the ServeWise Training Manager at the Alcohol Focus Scotland Office, within 10 working days of the postmark on their letter. Alcohol Focus Scotland will acknowledge receipt of an appeal, in writing, within 1 working day. In the event of a candidate being unhappy with the score he or she was given, they have the right to ask for the paper to be re-marked. The paper will be re-marked by a second assessor in the Alcohol Focus Scotland Office and the candidate will be informed in writing of the result within 10 working days of receipt of the candidate's letter.

In the event of there being a further dispute, the candidate may, on appointment with the Alcohol Focus Scotland Office, attend the Alcohol Focus Scotland Office and have his or her paper marked in front of them, with all answers clearly explained. Alcohol Focus Scotland reserves the right to charge an administration fee for this. A written report will be sent to the candidate within 10 working days of the meeting.

Alcohol Focus Scotland reserves the right to charge an administration fee for any appeals (see Appendix 5).

In the event that a Centre's, Trainer's or candidate's result improves following an appeal, Alcohol Focus Scotland will refund any fees paid by the appellant in respect of the appeal.

If, having followed the Alcohol Focus Scotland appeals system, the appellant is not satisfied with the outcome, they have the right to appeal to Scottish Qualifications Authority Accrediting Body.

## Feedback to Alcohol Focus Scotland National Office, Complaints procedure and malpractice and/or maladministration

Centres, Trainers and candidates are always encouraged to contact Alcohol Focus Scotland with any queries or with feedback on the materials or service provided or any issues they may discover. This can be done informally by telephone or email, or formally in writing. Alcohol Focus Scotland will acknowledge all feedback given.

In the instance that a Centre, Trainer or candidate wishes to make a complaint, they should contact the Alcohol Focus Scotland Complaints Officer. The nature of the complaint should be stated, along with as much information as possible (for example, relevant dates, person spoken to, copies of order forms or letters).

The Alcohol Focus Scotland Complaints Officer reserves the right to request that the complaint be presented in writing.

Upon receipt of the complaint the Alcohol Focus Scotland Complaints Officer will investigate the matter. (S)he will then contact the complainant within 5 working days of the complaint being received to discuss the outcome of the investigation. A written report will be sent to the complainant, although the initial discussion of the outcome of the investigation may be by telephone or in a meeting.

If the complainant is not satisfied with the response they receive at this stage then they should contact the Alcohol Focus Scotland Head of Training to take the complaint to Stage 2.

Stage 2 of the Alcohol Focus Scotland's complaints procedure states that; "The investigation of complaints from any source not satisfactorily resolved, or complaints that cannot be resolved by the Manager and Complaints Officer, should be co-ordinated and passed to the next Line Manager/ Chief Executive." The complainant will be notified of the outcome of the investigation within 10 working days from when the Complaints Officer received the complaint. If the complainant is not satisfied with the response they receive at this stage they should ask for the complaint to be taken to Stage 3.

Stage 3: Where the investigation of a complaint at Stage 2 does not lead to a satisfactory resolution, and there is no next Line Manager, the Stage 2 process involving the Chief Executive, and outlined above, will be followed.

Stage 4: Where the investigation of a complaint at stage 2/3 does not lead to a satisfactory resolution the complaint will be referred to identified members of the Executive Committee for further investigation and review. This stage will be completed, if possible, within 10 working days from when the complaint is received from the Chief Executive. The decision of the Executive Committee is final for Alcohol Focus Scotland and will be confirmed in writing within 1 week of the meeting.

If, having followed the Alcohol Focus Scotland complaints system, the appellant is not satisfied with the outcome, they have the right to appeal to Scottish Qualifications Authority Accrediting Body.

### **Malpractice and maladministration**

Definition: Malpractice is defined as any deliberate activity, neglect, default or other practice that compromises the integrity of the assessment process, and/or the validity of certificates. Malpractice may include a range of issues from the failure to maintain appropriate records or systems to the deliberate falsification of records in order to claim certificates. Failure by a centre to deal with identified issues may in itself constitute malpractice. Maladministration is any activity, neglect, default or other practice that results in the centre or candidate not

complying with the specified requirements for delivery of the qualifications and as set out in the relevant codes of practice where applicable.

Any Centre, Trainer or candidate that knows or suspects of malpractice or maladministration in connection with any ServeWise qualification should report it immediately to Alcohol Focus Scotland. Reports should be made to the ServeWise Training Manager and can be by telephone, fax, email or letter.

Alcohol Focus Scotland will follow a similar procedure to that for dealing with complaints, namely: acknowledge receipt, pass it to the appropriate person to investigate, report back in writing to complainant and take action against any person or Centre as appropriate, however please note that the timescales differ. Receipt of the report of maladministration or malpractice will be acknowledged (where details of the person making the report are known) within 5 working days. The matter will be investigated, and a report made within one calendar month. Where it is not possible to conclude the investigation within this timescale, progress reports on the investigation will be made every month. Reports will be given to the person who initially reported the maladministration or malpractice and to SQA Accrediting Body.

The person who investigates will be independent of normal working relationships with the Centre.

All allegations of maladministration or malpractice will be recorded, even in circumstances where due to a lack of evidence or information no investigation can be conducted.

Alcohol Focus Scotland will report allegations of maladministration or malpractice to SQA Accrediting Body and will follow any advice given by SQA Accrediting Body.

Alcohol Focus Scotland appreciates that in some circumstances the person reporting knowledge or suspicions of malpractice or maladministration may prefer to remain anonymous. Alcohol Focus Scotland will still make every effort to gather as much information from the complainant as possible without requiring them to reveal their name.

Alcohol Focus Scotland reserves the right to suspend a Trainer or Centre during an investigation.

A final report into the outcome of any investigation into allegations of maladministration or malpractice will be sent to the Centre, Trainer and/or candidate as relevant and to SQA Accrediting Body.