

# The following is an extract from the Regulations for providing the ServeWise courses designed to meet the City & Guilds 7104 qualifications

Licensed Trainers and satellite centres to Alcohol Focus Scotland

Dated February 2009



promoting responsibility,  
reducing harm, changing culture

*Alcohol Focus Scotland is a charity  
and a Company Limited by  
Guarantee  
Registered in Scotland  
Company Registration No. 94096  
Scottish Charity Reference No. SCO  
09538*

## 4.0 Appeals Procedure for licensed ServeWise Trainers, Alcohol Focus Scotland satellite centres and candidates

### 4.1 A satellite centre can appeal against:

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

Appeals must be made in writing by the Authorised Signatory for the satellite.

A Trainer may appeal against:

- A decision regarding acceptance of any person onto the ServeWise Trainers' Qualification course
- 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

With the exception of a candidate's score, the sole ground for any appeal is that Alcohol Focus Scotland's 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. Appeals must be made in writing within 10 working days of receiving the results or decision.

4.2 Upon receipt of the appeal an Alcohol Focus Scotland 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 appellant, although the initial discussion of the outcome of the investigation may be by telephone or in a meeting.

4.3 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 in Section 5 of the Regulations Part 1.

4.4 For decisions relating to satellite centres or Trainers, further evidence may be submitted if this would alter the decision. Note that this would count as a new application or a second verification.

4.5 Alcohol Focus Scotland reserves the right to charge an administration fee for any appeals (see Appendix 4). In the event that a satellite centre's or Trainer's result improves following an appeal, Alcohol Focus Scotland will refund any fees paid by the appellant in respect of the appeal.

4.6 A satellite can ask Alcohol Focus Scotland to appeal to City & Guilds against a candidate's score. Any candidate who wishes to appeal against his or her score must do so in writing to:

Co-ordinated Assessment Services  
City & Guilds  
1 Giltspur Street  
London  
EC1A 9DD

The letter that is submitted should include:

- the name and number of the centre
- the name(s), enrolment number(s) and date(s) of birth of the candidate(s)
- the qualification name and number
- the complex number and component number of the qualification
- the processing period/year or exact date of the examination.

A fee will be charged for this service (see the City & Guilds Directory of Vocational Qualifications, General Regulations and Administrative Procedures for the current fee rate). A full refund of fees will be made where a candidate's appeal is upheld.

## 5.0 Feedback to Alcohol Focus Scotland, complaints procedure and malpractice and/or maladministration

- 5.1 Satellite 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.
- 5.2 Alcohol Focus Scotland will actively seek feedback on the ServeWise courses through an evaluation survey of a selection of candidates.
- 5.3 In the instance that a satellite 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). This is Stage 1 of the Alcohol Focus Scotland complaints procedure.
- 5.4 The Alcohol Focus Scotland Complaints Officer reserves the right to request that the complaint be presented in writing.
- 5.5 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.
- 5.6 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.
- 5.7 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.
- 5.8 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.
- 5.9 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.
- 5.10 If, having followed the Alcohol Focus Scotland complaints system, the appellant is not satisfied with the outcome, they have the right to appeal to City and Guilds.

### **Malpractice and maladministration**

- 5.11 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.
- 5.12 Any satellite centre, Trainer or candidate that knows or suspects of malpractice or maladministration in connection with any ServeWise course or City & Guilds 7104 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.

- 5.13 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 satellite 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 City & Guilds.
- 5.14 The person who investigates will be independent of normal working relationships with the satellite centre.
- 5.15 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.
- 5.16 Alcohol Focus Scotland will report allegations of maladministration or malpractice to City & Guilds and will follow any advice given by City & Guilds.
- 5.17 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.
- 5.18 Alcohol Focus Scotland reserves the right to suspend a Trainer or satellite centre during an investigation.
- 5.19 A final report into the outcome of any investigation into allegations of maladministration or malpractice will be sent to the satellite centre, Trainer and/or candidate as relevant and to City & Guilds.