

A provider that is refused accreditation after the first or subsequent inspection has the right to appeal against the decision. The appeals procedure should not be used concerning decisions other than withdrawal or withholding of accreditation. Complaints about other inspection results or the report will be considered by the Accreditation Scheme Advisory Committee (ASAC) as set out in Section 2.6 of the Accreditation UK Handbook.

The appeals process is time consuming and expensive. Providers should consider the findings of the inspection report very carefully before beginning the process.

**Please note** in this document, 'working day' means any calendar day except Saturdays, Sundays or public holidays; any notice, appeal or documents must be sent by Recorded Delivery.

A provider wishing to appeal must have sent Manager Accreditation UK written notice of this intention in writing within five working days of receiving the report that confirms refusal of accreditation. Its appeal in writing, together with all supporting documents and the prescribed appeal deposit, must have been received by Manager Accreditation UK within 25 working days of the provider receiving the report.

### Appeal deposit

The appeal deposit is determined by the length of the provider's most recent full inspection.

One day plus one evening or less	= £500
Two days	= £750
More than two days	= £1,000

An accredited provider submitting an appeal will continue to be accredited, and an unaccredited provider will continue to be unaccredited, until after the hearing and determination of its appeal.

On receipt of the written appeal, Manager Accreditation UK will invite comments in writing on the appeal from the inspectors who carried out the inspection(s).

The appeal will be heard by an Appeal Committee consisting of the following people, none of whom has attended the ASAC meeting which recommended the decision to withdraw or withhold accreditation.

- Two independent experts in the field of English language teaching
- A representative of either English UK or the accredited non-affiliated providers, as appropriate to the appellant

Manager Accreditation UK is secretary to the Appeal Committee.

Members of the Appeal Committee will be nominated by Manager Accreditation UK, and confirmed by the Accreditation UK Executive Board, or, if this is not possible, by the Joint Chairs of the Board. The appellant will be notified of the composition of the Appeal Committee. In the event of the appellant objecting to members of the Appeal Committee, their objections, stating full reasons, must be submitted in writing to the Joint Chairs of the Executive Board, at least 10 working days before the date set for the appeal. The decision to retain or replace nominated members of the Appeal Committee will rest with the Joint Chairs of the Board. This decision will be final.

The date of the appeal will be decided by Manager Accreditation UK, in consultation with the Joint Chairs of the Board and the appellant. If the appellant causes unreasonable delay in the hearing of the appeal, then the Joint Chairs of the Board may decide on the date of the appeal without the agreement of the appellant.

The Appeal Committee will consider the following documents:

- Any relevant spot check report
- Full inspection report
- Appeal documents submitted by the appellant
- Written comments by the inspectors responsible for the report
- Any other relevant documents (please note that the reports of other accrediting or funding bodies will not normally be considered to be relevant documents).

All documents to be considered will be sent to the appellant at least five working days before the hearing date of the appeal unless they originate from the appellant.

The principal, proprietor or nominated member of staff of the appellant organisation will appear alone to present the provider's appeal to the Appeal Committee and to answer questions from the Appeal Committee.

The role of the Appeal Committee is to assess all information relevant to the ASAC recommendation to withdraw or withhold accreditation and to decide whether to uphold or reject the appeal. It is not the role of the Appeal Committee to assess the validity of complaints made against the Scheme in general.

The Appeal Committee will focus on the appellant's provision at the time of the relevant inspection(s). Changes made to the appellant's provision since inspection will not be considered.

The responsibility lies with the appellant to demonstrate that the recommendation made by the ASAC, based on evidence presented in the inspection report(s), is unsound.

Within 30 working days of the appeal the Appeal Committee will make its decision known by written notice to the British Council, who will inform the appellant, through the Joint Chairs of the Executive Board, within a further five working days.

When an appeal is upheld the provider will continue to be accredited or be granted accreditation. The appeal deposit will be reimbursed.

When an appeal is rejected accreditation will be withheld. The provider will therefore be excluded from the list of accredited providers and must cease to claim accreditation. If it wishes to become accredited, it must go through all usual procedures for application for inspection. It will then be treated as a new applicant, i.e. it may be awarded accreditation or not following re-inspection but its accreditation may not be placed under review. Its appeal deposit will not be reimbursed.

Where a provider wishes to re-submit itself for inspection after accreditation has been withdrawn or withheld, that inspection will normally take place no sooner than 12 months after the original inspection (see Section 2.4 of the Accreditation UK Handbook).