

NMC UK Wide Quality Assurance Framework

HLSP Appeals procedure

Introduction

This appeal procedure applies to the quality assurance framework for programmes leading to registration or recordable qualifications with the Nursing and Midwifery Council in England, Scotland and Northern Ireland. The procedure meets the requirements of the Nursing and Midwifery Order (SI 2002 No 253).

Guidance for use of the appeal procedure

An appeal can be made in relation to the failure of HLSP, or its approved review personnel, to adhere to the Nursing and Midwifery Council quality assurance framework in relation to:

- approval being withheld from a programme/module
- withdrawal of current approval of a programme/module
- withdrawal of programmes/modules from an institution

The **ONLY** ground of an appeal is alleged failure of due process.

Approvals and Re-approvals are undertaken conjointly between Education Providers and HLSP on behalf of the NMC. Therefore, any appeal relating to general issues should be made using the Education Providers appeals procedure. A representative of HLSP, acting on behalf of the NMC, will be a member of any Education Provider appeal panel, to ensure that decisions made do not adversely effect the requirements of the regulatory body.

In the event of an appeal regarding alleged failure of due process in respect of Programme Monitoring, the appeal should be made directly to HLSP.

Appeal Procedure

The HLSP/NMC appeal procedure is designed in three stages. The first stage of *Informal Appeal* will be conducted by HLSP. If this fails to resolve the issues, then stage 2 *Formal Appeal* is invoked which involves a panel convened by the Nursing and Midwifery Council. If this also fails to resolve the issues then stage 3 *Final Appeal* is available. A detailed guide to the process is presented as follows.

APPEAL PROCESS

STAGE 1: INFORMAL APPEAL

Should a Programme Provider wish to invoke the appeal process, this should be made to HLSP in the first instance.

- 1.1 Institutions will have a period of time, which shall not be more than **21 working days**, to make observations on the decisions and matters, raised beginning with the date on which the reasons are sent to the institution.
- 1.2 Where an **institution** is dissatisfied with the HLSP process of decision making it will inform the Director of Reviews at HLSP of its intention to appeal in a letter identifying issues and reasons for such dissatisfaction within the 21 day period defined in 1.1.
- 1.3 Two representatives of HLSP* will engage in a joint meeting with one representative of the Education Provider and one representative of a relevant service provider involved in the programme/qualification concerned. This meeting will explore the issues leading to dissatisfaction and attempt to achieve resolution. HLSP will communicate the outcome of the meeting to all involved within **5 working days**.

STAGE 2: FORMAL APPEAL

Where informal appeal fails to resolve the causes of dissatisfaction, and internal Education Provider appeals mechanisms are not appropriate or do not exist, institutions may invoke a formal appeal to the NMC.

- 2.1 A representative of the Education Provider will inform the NMC, by letter to the Chief Executive, within **10 working days** of the joint meeting or Education Provider appeal hearing, of the continued dissatisfaction and request a formal appeal hearing.
- 2.2 The NMC will convene an appeal panel within **21 days** of receiving such a request. The Panel will comprise the Director of Standards and Registration (or delegated representative), an NMC member who will act as chair, an educational representative from an Education Provider not involved in the programme and a professional representative from a service relevant to the nature of the qualification concerned.
- 2.3 The Education Provider will be required to convene a team of the Head of Department/Faculty (or delegated representative), Chair of the approval panel, a teacher responsible for the programme concerned and a professional representative from service involved with delivery of the programme.
- 2.4 The NMC Panel will hear the evidence and the final outcome of the appeal will be communicated to all by the Chair within **5 working days**.

STAGE 3: FINAL APPEAL

Where formal appeal fails to resolve dissatisfaction, a formal course of action is available through appeal to the NMC Conduct and Competence Committee.

- 3.1 The Chair of the formal appeals panel will inform the Chair of the Conduct and Competence Committee, who will not have been previously involved in the appeals procedure, by letter within **10 working days** of the NMC appeal hearing of the continued satisfaction.
- 3.2 The Chair of the NMC Conduct and Competence Committee will convene a meeting with:
 - the President or Vice President of the NMC
 - the Chair of the Approval Committee from the Education Provider
 - professional representative from service relevant to the programme

* Within **21 working days** of the letter, this group will review the evidence and communicate a final decision to all parties, within **5 working days** of the meeting.