

Site Safety Plus

Appeals policy



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Scope

All courses delivered within the suite of Site Safety Plus delivered by approved CITB training providers, as detailed below.

- Site Manager Safety Training Scheme (SMSTS)
- Site Supervisor Safety Training Scheme (SSSTS)
- Site Manager Safety Training Scheme Refresher (SMSTSR)
- Site Supervisor Safety Training Scheme Refresher (SSSTSR)
- Health and Safety Awareness (HSA)
- Temporary Works Coordinator Training Course (TWCTC)
- Temporary Works Coordinator Training Course Refresher (TWCTCR)
- Temporary Works Supervisor Training Course (TWSTC)
- Tunnel Safety Training Scheme (TSTS)
- Directors Role for Health and Safety (DRHS)
- Site Environmental Awareness Training Scheme (SEATS)

Introduction

This policy sets out the process by which individuals or approved Site Safety Plus Training Providers may appeal decisions made by CITB relating to audit outcomes, investigation outcomes, and other relevant decisions. It ensures appeals are managed efficiently, fairly, consistently and transparently in determining appeals.

The policy will also detail when CITB will become involved in appeals against training providers decisions.

Delegates wishing to appeal:

- Training, testing, assessment and outcome decisions made by an approved Site Safety Plus training provider. (in cases when the delegate has exhausted the training providers appeals process)
- Decisions for the application of special conditions and/or reasonable adjustments. (in cases when the delegate has exhausted the training providers appeals process)
- Decisions made by CITB that may affect the delegate including, malpractice/maladministration and fraud cases where certificates, tests, and/or outcome have been rescinded.

Site Safety Plus Approved Providers wishing to appeal:

- CITB quality assurance/audit decisions
- Approval decisions
- Special conditions and reasonable adjustments where CITB make decisions
- Suspension or withdrawal of approval
- Outcomes of investigation decisions
- Trainer registrations and approvals.

Site Safety Plus Approved Trainers and Internal Quality Assurance Staff:

- Trainer registrations and approval decisions
- Internal Quality Assurance (IQA) staff approval decisions
- Outcomes of investigations against trainers or IQAs
- Suspension or terminations of training or IQA approval or registration.

Grounds and criteria for an appeal

Acceptable grounds for appeal include, but are not limited to:

- Any decision made by the quality team linked to approval, monitoring and actions provider management
- Perceived procedural irregularities
- Evidence of bias or unfair treatment
- Disagreement with the outcome of a malpractice/maladministration/fraud investigation
- Disagreement with the outcome of a special condition and/or reasonable adjustment request
- Disputes over training, testing and/or assessment outcomes.

Stages of Appeal

First appeal

- A first appeal should be submitted to CITB within 10 working days of the original decision being appealed and should include:
- Full details of the appellant (name, contact details)
- Full details of the decision being appealed
- Grounds for the appeal
- Any supporting evidence
- Desired outcome.

First appeals should be submitted to the Approval and Compliance Manager at quality.assurance@citb.co.uk and entitle your email "first appeal".

A first appeal shall be reviewed by a manager who is independent of the original decision. It will be considered within 10 working days of receipt of the written submissions and supporting documentation provided by the training provider or delegate. CITB shall have a further 5 working days to notify the training provider or delegate of the first appeal outcome.

If the first appeal is successful, the original decision will be reversed.

CITB's original decision will remain in place until the first appeal is concluded in full.

CITB can extend the time for considering the first appeal at its absolute discretion including, for example, for complex cases. Any such extension of time will be communicated by CITB to the training provider or delegate in writing.

CITB will ensure that first appeals are reviewed by CITB employees who was not involved with the original decision making to ensure impartiality and independence.

Second appeal

If unresolved, the appellant may submit a second appeal in writing within 10 working days of the outcome decision of the first appeal. The purpose of the second appeal is to review the evidence and decision from the first appeal hearing.

The second appeal must include:

- Full details of the appellant (name, contact details)
- Full details of the decision being appealed
- Grounds for the appeal
- Any supporting evidence
- Desired outcome
- Fee.

Appeals should be submitted to the Approval and Compliance Manager by email at Quality.assurance@citb.co.uk. You should entitle your email “Second appeal”

Second appeals will be reviewed by an independent senior manager and/or panel who are independent of the Quality Assurance Department and have not been involved with the original decision or first appeal decision.

A second appeal shall be considered within 10 working days of receipt of the written submissions and supporting documentation provided by the training provider or delegate. CITB shall have a further 5 working days to notify the training provider or delegate of the first appeal outcome.

CITB’s original decision will remain in place until the second appeal is concluded in full.

- CITB can extend the time for considering the second appeal at its absolute discretion including, for example, for complex cases. Any such extension of time will be communicated by CITB to the training provider or delegate in writing.

The independent senior manager or panel may:

- Ask the appellant to present their case in person
- Request further investigation.
- Speak to others involved in the case
- A written outcome will be provided within 10 working days of receipt of the formal appeal.

Final appeal

If the appellant remains dissatisfied, they may request an independent review within 10 working days of the second appeal outcome. This review will be conducted by a CITB senior manager and external counsel not previously involved in the first or second appeal or original decision.

A written outcome will be provided within 60 working days of receipt of the request for an independent review.

The final appeal must include:

- Full details of the appellant (name, contact details)
- Full details of the decision being appealed
- Why the appellant wishes to challenge the appeals process.
- Desired outcome
- Fee

Appeals should be submitted to the Approval and Compliance Manager by email at Quality.assurance@citb.co.uk. You should entitle your email "Final appeal"

CITB's original decision will remain in place until the final appeal is concluded in full.

CITB can extend the time for considering the final appeal at its absolute discretion including, for example, for complex cases. Any such extension of time will be communicated by CITB to the training provider or delegate in writing.

The decision at the end of this stage is final and concludes the CITB appeals process.

Fees

CITB will make a charge prior to hearing a second or third appeal, this will be refunded if the appeal is upheld. The purpose of this charge is to solely cover the cost of the administration, staffing and external costs of hearing the appeal.

First appeal will not be chargeable for either the training provider or the delegate.

Second appeal will be charged at £150, to the training provider or the delegate, this will be refunded if the appeal is upheld.

Final appeal will be charged a further £400, to the training provider or the delegate, this will be refunded if the appeal is upheld, along with the second appeal fee's previous paid