



United Kingdom Association for Transactional Analysis
Unit 4, Spring Gardens
Park Lane
Crowborough
East Sussex, TN6 2QN

Tel: 01892 664615
admin@uktransactionalanalysis.co.uk
www.uktransactionalanalysis.co.uk

Policy and Procedures for Appeal following Registered Training Establishment (RTE) Monitoring Process

Whilst the RTE monitoring process is intended to be supportive, encouraging and collegial it is recognized that there may be occasions when the RTE wishes to appeal against the conditions or requirements. In the event of the RTE wishing to appeal on the grounds of ethical and/or professional practice issues then the EPPC procedures need to be followed. The EATA Procedures for Handling Ethical and Professional Practices Complaints have been used in the devising of these procedures.

General Structure

Confidentiality must be observed at all times and by all parties with regard to the content and process of the appeal.

There is a staged system for managing the appeal process the first of which is an informal dialogical process. If this is not deemed to be satisfactory then the RTE representative has the right to move to the formal appeal process. Both stages are outlined below.

Who can appeal?

The RTE representative makes the appeal on behalf of the RTE.

How should appeals be made?

Appeals are to be made in writing to the chair of TASC email: tasc@uktransactionalanalysis.co.uk

On what grounds might an appeal be made?

Appeals may be made on the following grounds:

- ❖ The assessors have not fully accounted for evidence provided either in the initial submission, or verbally during the site visit;
- ❖ If the written report contains a condition which was not fully discussed with the appropriate individual during the site visit;
- ❖ The criteria are ambiguous and/or has been interpreted in different ways by the RTE and the assessors;
- ❖ If the time constraints imposed are unreasonable;
- ❖ A key RTE personnel, whose input might have been significant was unavailable on the day of the assessment due to unforeseen circumstances.
- ❖ The assessors were working outside of their remit e.g. made inappropriate comments unconnected with the monitoring of the RTE or outside of the monitoring procedures/standards.

Grounds upon which an appeal may not be made to TASC

- ❖ If the RTE considers that one or both assessors have behaved in a manner that was unethical and/or unprofessional, in this instance the appeal needs to go to EPPC.

When an appeal might be rejected.

An appeal will be rejected if:

- ❖ Without good reason, it is submitted more than seven days from receipt of the report;
- ❖ The rationale provided suggests that this is a matter for EPPC;
- ❖ If no clear rationale is provided for an appeal.

Stage 1 Alternative Dispute Resolution

The RTE representative will contact the Chair of TASC within seven days of receiving the report to indicate his/her wish to appeal against the process or the decisions of the monitoring. The Chair of TASC will discuss with all parties concerned whether the appeal will go to mediation or arbitration. Mediation is a process whereby all parties seek to resolve the difficulties with the facilitated help of a mediator. Arbitration is a process whereby the Arbitrator evaluated the complained about behaviours. The Arbitrator may or may not recommend a course of action. Any party may withdraw from either mediation or arbitration at any point.

1. Mediation

The Chair of TASC will appoint a Mediator who will arrange a meeting between the RTE representative and the assessors this will be facilitated by the mediator. All parties must agree to the appointment of a particular mediator. The intention of this meeting is to gain clarification and to resolve the difficulties that have resulted in the complaint being made and to reach a win - win agreement. This will take place as soon as practicable and within twenty-eight days of receipt of the appeal against the decision. The mediation process will be deemed completed once all parties have signed a Conclusion Agreement. The Mediator will report the outcome to the Chair of TASC.

2. Arbitration

The Chair of TASC will appoint an Arbitrator who will investigate the complaint in an informal manner decided by all parties involved.

The Arbitrator has the power to recommend the following behaviours related to the arbitrated issues:

- ❖ A change to any of the requirements imposed by the assessors;
- ❖ Written apologies
- ❖ Removal from the TASC
- ❖ A written report from a party or parties involved outlining the learning arrived at through the process.

With the agreement of all parties the Arbitrator will set a reasonable time to conduct the arbitration.

The arbitration process will be deemed completed once all parties have signed a Conclusion Agreement and a report has been submitted by the Arbitrator to the Chair of TASC. This can be signed prior to any sanctions being completed. If any sanctions are required it is the responsibility of the person undertaking the sanctions to provide a report to the Chair of TASC of their completion. In the event of a failure to undertake the agreed sanctions then the Chair of TASC may suspend the Conclusion Agreement and refer the complaint to the Ethical and Professional Practice Committee.

Stage 2

If all parties do not agree to mediation or arbitration the appeal will be sent directly to the Chair of the Ethics and Professional Practice Committee.

If any mediation or arbitration process is not concluded within a reasonable time, then the case may be referred to the Chair of the Ethics and Professional Practice Committee.

If any agreed sanctions are not fulfilled as set out in the Conclusion Agreement the case may be referred to the Chair of the Ethics and Professional Practice Committee.

Ratified By Council December 2019

Review Date 2022