

Mountain Training Board Ireland Candidate Appeals Process

What is an appeal?

An appeal is where a candidate feels they have not been given fair opportunity to demonstrate competence at assessment and therefore dispute the result given. If a candidate disputes the result given at training the Candidates Complaints Process is used.

What constitutes an appeal?

A candidate disagrees with an assessment result, for example defer or fail, as they feel and can evidence, the assessment process was unfair or unjust.

Potential appellants must understand Mountain Training Board Ireland is not normally able to overturn assessment results due to not being present during delivery. In the case of an appeal being upheld alternative options will be considered, which may include nullification of the assessment.

Appeal Procedure

Stage One

Appeals must be received by Mountain Training Board Ireland within 3 months of course completion.

Once an appeal is received it is normally initially considered at 'Stage 1'

The main objective of Stage 1 is to assist the candidate to reach a clear understanding as to why decisions were made resulting in an assessment course result. Candidates should therefore, in the first instance, contact the course provider and seek to explain

the reasons for the result directly with them.

A Technical Staff member contacts both parties by phone and/or email to offer support. The individual concerned impartially supports dialogue between both parties to find resolution.

Direct entry to 'Stage 2' is possible at the discretion of the Technical Staff member where significant prior communication has been evidenced or the issue concerned prevents effective 'Stage 1' communication.

Stage 2 – Formal Investigation

Stage 2 occurs where;

- Communication has broken down between the two parties or
- The proposed resolution is not acceptable to either party at Stage 1.

Resolution is possible at any point during Stage 2 if acceptable to both parties.

Once the complaint is acknowledged to be at Stage 2 the process follows a number of steps;

Statement

The appellant submits a statement to Mountain Training Board Ireland outlining the following;

- Appellant name and MI/MT ID where applicable
- Provider and course staff concerned
- Course and dates concerned
- Summary of issues raised
- Evidence for each issue raised
- A suggestion on acceptable outcome/s

The statement forms the basis of the subsequent investigation.

The Technical Staff member acknowledges receipt of the statement and in doing so declares the Investigation Lead. Both parties are informed in writing and when doing so the statement is shared with the provider and course staff concerned.

The Investigation Lead is required to complete a declaration of interest on accepting the role. This is shared with both parties. Either party can object to the Investigation Lead chosen if within 5 working days of declaration.

The Investigation Lead's role is to independently oversee the appeal investigation. In doing so the Investigation Lead establishes the facts by gathering evidence and receives written and verbal submissions by all parties.

Mountain Training Board Ireland recognise some individuals may have difficulty submitting a statement in writing. As a result the appellant is offered the opportunity to communicate their views in person or by video conferencing to Mountain Training

Board Ireland to support their statement submission. This is not mandatory. The appellant may choose to have a supporting individual present. Minutes are taken by the Investigation Lead (on another party) and agreed by those present before being shared with both parties.

Investigation

The Investigation Lead establishes the facts of the case. This may involve;

- Further questioning of each party via email, phone or video conferencing
- Supplementary evidence submission on the Investigation Lead's request
- The Investigation Lead contacting witnesses

The Investigation Lead ascertains and compiles a summary of facts from the statement with supporting evidence. Only established, evidenced facts which relate to the case are stated.

Outcome

On the basis of these established facts the Investigation Lead forms a decision to uphold or not uphold the appeal and outlines an appropriate course of action. The Investigation Lead communicates the outcome and any further course of action to both parties.

Final Appeal

Both parties have the right to final appeal if they have concerns regarding the legitimacy of the investigation or the appropriateness of further action taken. It is not possible to appeal against the outcome and in doing so request reconsideration of the case. Appellants must have legitimate cause for concern and present their case to the Investigation Lead or Executive Officer within 4 weeks of the complaint outcome being given. The Executive Officer will decide whether there is a case to answer. If a final appeal is granted this will be considered by an independent panel drawn from the national Mountain Training organisations who have not been involved with the case. Appellants will be informed of the membership of the Appeals Panel and may lodge an objection within five days of declaration if they feel that any member is not sufficiently independent. The outcome of the Appeals Panel is final.

This procedure has been agreed and is applied across the Mountain Training network.