



Institute
and Faculty
of Actuaries



Quality Assurance Scheme: Appeals Process

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1. Scope

1.1 An Appeal may be made under this Appeals Process by an Organisation in relation to the following determinations of the QAS Sub Committee:

1.1.1 A determination under paragraph 14.2 of the QAS Handbook to: (i) refuse accreditation; or (ii) grant accreditation conditional on the fulfilment of certain specified steps necessary to achieve the standard required for accreditation, within a defined time period.

OR

1.1.2 A determination under paragraph 18.6 of the QAS Handbook to: (i) remove the Organisation's QAS status; (ii) require the Organisation to complete certain actions within a specified timescale; or (iii) remove an Organisation's accreditation following the failure to complete certain actions within a specified timescale.

1.2 Appeals may be made on the following grounds:

1.2.1 The QAS Sub Committee erred, either in law or in relation to material facts, in concluding that the Organisation did not meet (or, in the case of removal or the requirement to complete certain actions, were no longer meeting) the requirements under APS QA1;

1.2.2 The QAS Sub Committee exercised its powers in a way that was manifestly unreasonable; and/or

1.2.3 There were material errors in the procedure followed by the QAS Sub Committee that made the determination.

2. Procedure

2.1 An appeal must be made in writing to the IFoA's Head of Adjudication within 28 days of receipt of notice of the determination in question. That document will be known as 'the Appeal Notice'.

2.2 The Appeal Notice must state the grounds for the appeal and include any supporting evidence that the Appellant wishes the Appeals Panel to consider.

2.3 Subject to Rule 2.4 of this Appeals Process, the Appeals Panel shall meet in private and shall make their determination from the papers.

2.4 The Chair of the Appeals Panel shall have discretion as to the procedure to be followed and may, on application, exercise his or her discretion to permit the Appellant and any other person to appear before the Appeals Panel at a hearing.

2.5 The Appellant shall be given at least 21 days notice of any meeting of the Appeals Panel or hearing date.

2.6 An application to appear before the Appeals Panel at a hearing under rule 2.4 must be submitted no less than 14 days before a scheduled meeting of the Appeals Panel.

- 2.7 The Chair of the QAS Sub Committee shall furnish the Appeals Panel and the Appellant with a written account of the reasons for the determination in question at least 21 days before the meeting of the Appeals Panel or hearing date.
- 2.8 The Appellant shall have the right to make a further written submission to the Appeals Panel up to seven days prior to the date of a meeting of the Appeals Panel or hearing date. The Appellant shall, at the same time, also provide a copy of that further written submission to the IFoA's Head of Adjudication.
- 2.9 The Chair of the Appeals Panel shall have discretion to vary the timescales provided for in this Appeal Process.

3. Appeals Panel Determinations

- 3.1 The Appeals Panel shall decide by simple majority whether:
- 3.1.1 the appeal should be upheld and QAS Status should be awarded, with or without conditions;
 - 3.1.2 the appeal should be upheld and the matter remitted to the QAS Sub Committee for reconsideration; or
 - 3.1.3 the appeal should be refused and the original decision of the QAS Sub Committee affirmed.
- 3.2 The determination of the Appeals Panel shall be final.
- 3.3 A determination made under Rule 3.1 of this Appeals Process will be communicated to the Appellant and the IFoA's Head of Adjudication as soon as practicable after the hearing.

4. Composition of the Appeals Panel

- 4.1 The Appeals Panel shall comprise members selected from the Disciplinary Pool appointed by the Disciplinary Appointments Committee under Rules 2.8 – 2.12 of the Institute and Faculty of Actuaries Disciplinary Scheme.
- 4.2 The Appeals Panel shall consist of three members, two of whom will be Fellows and one of whom will be a Lay member. The Lay member is appointed as the Chair of the Appeals Panel.
- 4.3 No person who has been previously involved in the issue or in any related matter or case shall be eligible to sit on an Appeals Panel.
- 4.4 Members of the Appeals Panel shall complete a conflict of interest check prior to any meeting or hearing.
- 4.5 The Appeals Panel may obtain such independent legal advice as it requires, and/or may call for further information to be provided to it by any party where it considers it necessary to determine the appeal.

5. Notices

- 5.1 Notices served for the purposes of this Appeals Process will be sent by first class registered post and shall be deemed to be complete two days after the notice has been posted.
- 5.2 For the purposes of notices served on the Appellant, it is sufficient to demonstrate that the notice was sent to the Appellant's preferred address, as registered with the IFoA, or to their last known address, where no preferred address is held.

6. Costs

- 6.1 The Appeals Notice must be accompanied by the Appeal Fee and the Appeal shall not be progressed further until that Appeal Fee has been paid to the IFoA.
- 6.2 If the Appellant is successful in their Appeal, the Appeal Fee shall be refunded within 28 days of the determination being communicated in terms of Rule 3.3 of this Appeals Process.
- 6.3 The Appeals Panel shall have no power to award costs to any party.

7. Definitions

- 7.1 The following definitions are used in this Appeals Process:

"Appellant"	An Organisation that has submitted an appeal in terms of the Appeals Process.
"Appeal"	An appeal against a determination in relation to an application for QAS Status or a determination in relation to an Organisation's QAS Status.
"Appeal Fee"	The fee that may be set from time to time by the IFoA (and published on its website) and payable by an Appellant to cover the potential operational costs the Appeal and reimbursed if the Appeal is successful.
"Appeals Process"	The process for appeals set out in this document.
"Appeals Panel"	The properly constituted panel under rule 4 of this Appeals Process.
"APS QA1"	The IFoA's Actuarial Profession Standard known as APS QA1: Quality Assurance Scheme for Organisations.

“Fellow”	A Member holding the class of membership of Fellow.
“IFoA”	The Institute and Faculty of Actuaries
“Member”	A member of the IFoA of any class other than an Honorary Fellow.
“Organisation”	A legal entity, including: (a) a corporate body; (b) a Limited Liability Partnership; (c) a partnership; (d) a sole practitioner; or (e) a public body, which consists of or employs one or more Members.
“QAS”	The Quality Assurance Scheme
“QAS Accredited Organisation”	An Organisation, or identifiable part of an Organisation, that is currently accredited by the IFoA in terms of its QAS.
“QAS Handbook”	The handbook published by the IFoA in relation to the QAS.
“QAS Status”	The status of an Organisation having been accredited under the QAS.
“QAS Sub Committee”	The IFoA sub-committee that has been given authority to oversee operation of the QAS and to make decisions as to accreditation.
“Quality Assurance Scheme”	The Quality Assurance Scheme operated by the IFoA.
“Regulation Board”	The IFoA Board that has been given authority in relation to the regulatory strategy and function of the IFoA and which has responsibility for oversight of the QAS and the work of the QAS Sub-Committee.