

The Appeals Process

The Appeal Process in relation to the recruitment of Full Time Education Support Centre Directors.

The following system shall be used in circumstances where a candidate appeals the recruitment process for the Director of an Education Support Centre.

1. General Principles

The following general principles will apply:

- 1.1 The appeal process will respect the principles of fair procedure, due process, and natural justice in the procedural operation of the appointment process.
- 1.2 All appeals under this procedure will be considered by an independent third party, hereinafter referred to as the "Appeals Committee". The Appeals Committee determination will be issued by the Chairperson of the Appeals Committee to the Chairperson of the Education Support Centre Management Committee and to the appellant.
- 1.3 An appeal may only be lodged on one or more of the stated grounds of appeal in section 2 below.
- 1.4 The appeal will not be a re-run of the interview or any part of the interview.
- 1.5 Any failure to co-operate or frustrate the process by any party concerned will not prevent a determination being reached by the Appeals Committee.
- 1.6 All matters relating to the discharge of this procedure are strictly confidential to all parties involved in the appeal.
- 1.7 The appointment of the recommended candidate will be postponed pending the outcome of an appeal.
- 1.8 Access to personal information pertinent to the appointment process held by the Education Support Centre in relation to the appellant will be provided to the Chairperson of the Appeals Committee in accordance with the principles set out in the Education Support Centre's Data Protection Policy and in accordance with the legislative requirements set down in Data Protection legislation.
- 1.9 Submission of appeals and the management responses plus supporting documentation shall only be made by electronic means (including via email) using the appeal form (Appendix A) and management response form (Appendix B) available on the relevant Education Support Centre website.
- 1.10 Education Support Centres will not accept any responsibility for expenses incurred by the appellant.
- 1.11 Late appeals or appeals which do not comply with this process will not be considered.

2. Grounds for Appeal

An appeal may only be lodged on one or more of the following grounds in relation to an alleged breach of the procedure:

- For applicants who applied:
 - (i) Non-placement of the advertisement on the ESC website and the Education posts website as is normal practice for the advertising of the role of Director of an Education Support Centre.

- For candidates interviewed:
 - (ii) Composition of the Interview Board was not as defined in job description. This ground includes non-disclosure of a conflict of interest by a member of the interview board.

 - (iii) A computational error in the Interview Panel's summary marking sheet of the appellant and this error makes a material difference to the outcome.

 - (iv) A departure from the selection criteria as specified in the job description. The following are the criteria/competencies sought in the application form:
 1. Leadership
 2. Management/Planning/Work Organisation
 3. System Knowledge and Public Sector Governance
 4. Design of Teacher Professional Learning Courses and Information and Communications Technology (ICT) Skills
 5. Relevant Experience and Qualifications

 - (v) A departure from the marking scheme as specified in the job description.

3. Appeals Committee

3.1 The Appeal Committee will consist of one Management Committee member, one retired Director and one TPLS representative. The Appeal Committee will be independent of the ESC that is recruiting a Director and all member of the Interview Panel.

4. Operation of the Appeal System

4.1 The final date and time for notification of appeals to the Chairperson of the Interview Board will become known as the Appeal Date and will be 4.00pm on the seventh calendar day, with day one commencing on the day after the outcome of the appointment process is issued.

4.2 The appeal shall comprise a statement of the grounds under which the appeal is sought (see Section 2 above) and a rationale for each of the ground/s stated. In circumstances where an appeal is lodged without a statement of the ground/s and supporting rationale under which the appeal is sought, the Appeal Committee will not consider the appeal further. The Chairperson of the Appeal Committee shall inform the appellant and the ESC if this is the case.

4.3 The appeal should not exceed 1,000 words and should reference items in the supporting documentation, if any. Extraneous material not related to the ground/s of appeal (per Section 2 above) will be inadmissible.

4.4 Appeal forms will be acknowledged upon receipt by the Chairperson of the Interview Panel (CLP). Appeal forms received after the Appeal Date shall be deemed invalid and the appellant will be informed of this.

4.5 The Chairperson of the Appeals Board will inform the appellant of the names of the Appeal Committee as soon as they are available.

4.6 The Chairperson of the Appeals Committee will call a meeting of the Appeals Committee to review the case. They will consider the appeal, Chairperson of the Interview Panel response and the supporting documentation supplied.

5. Outcome of Appeal Procedure

5.1 The Appeal Committee shall deliver their determination in writing, within seven calendar days of receipt of the appeal documentation using the template decision form provided for such purposes (Appendix C). This will be emailed to the Chairperson of the Interview Panel (CLP) and the appellant.

5.2 Where an appeal is upheld, other than in the case as described in 5.3, the Appeals Committee will decide what course of action to take.

5.3 In circumstances where the Appeal Committee determine that an error was made in the computation of marks awarded that materially changes the outcome, the Appeals Committee will specify the fact and advise the Chairperson of the Interview Panel that the highest ranked candidate by reference to the correct application of the marking scheme should be recommended for appointment in such circumstances.

APPENDIX A

Appeal Form for Appeals in relation to the recruitment of Full Time Education Support Centre Directors

SECTION A – Personal Details

Name: _____

Home Address: _____

Contact Telephone Number: _____

Email Address: _____

SECTION B – Education Support Centre Details

Education Support Centre: _____

Chairperson of the Management Committee: _____

SECTION C – Notice of Appeal

I hereby give notice of an appeal against the decision regarding the permanent appointment to the post of _____

Note: A separate appeal form should be used in the event of more than one competition.

SECTION D – Grounds for Appeal

Tick the relevant ground(s) for appeal and enter information to be considered in the text box below. The total number of words allowed across the entire appeal is 1,000.

An appeal may only be lodged on one or more of the following grounds in relation to an alleged breach of the procedure:

(i) Non-placement of the advertisement on the ESC website and the Education posts website as is normal practice for the advertising of the role of Director of an Education Support Centre.

(ii) Composition of the Interview Board was not as defined in job description

(iv) A computational error in the Interview Panel's summary marking sheet of the appellant and this error makes a material difference to the outcome

(v) A departure from the selection criteria as specified in the job description

(vi) A departure from the marking scheme as specified in the job description

Information to be considered (max 1,000 words):

Supporting documentation must be forwarded in a separate email to the Education Support Centre. All supporting documentation must be sent to the relevant Education Support Centre email address prior to the closing date.

List the supporting documentation you are sending:-

1. _____
2. _____
3. _____

SECTION G - Confirmation of Receipt of Appeal

You will receive a confirmation email when your Appeal Form has been received by the Education Support Centre.

APPENDIX B

Management Response Form Appeals in relation to the recruitment of Full Time Education Support Centre Directors

SECTION A – Personal Details of Appellant

Name: _____

Home Address: _____

Contact Telephone Number: _____

Email Address: _____

SECTION B – Education Support Centre Details

Education Support Centre: _____

Chairperson of the Interview Board: _____

Education Support Centre Email Address: _____

SECTION C – Grounds for Appeal

Tick the ground(s) for appeal the appellant has selected:

(i) Non-placement of the advertisement on the ESC website and the Education posts website as is normal practice for the advertising of the role of Director of an Education Support Centre.

(ii) Composition of the Interview Board was not as defined in job description

(iv) A computational error in the Interview Panel's summary marking sheet of the appellant and this error makes a material difference to the outcome

(v) A departure from the selection criteria as specified in the job description

(vi) A departure from the marking scheme as specified in the job description

SECTION D – Management Response to Appeal

Enter the management response to the appeal lodged in the text box below. Note: The total number of words allowed is 1,000.

SECTION E – Supporting Documentation

List the supporting documentation you are sending:-

1. _____
2. _____
3. _____

Please note: Supporting documentation received from the appellant and from the Education Support Centre as part of the management response must be forwarded by the Education Support Centre to the Adjudicator.

APPENDIX C

Template Appeal Committee Report Form in relation to the recruitment of Full Time Education Support Centre Directors

SECTION A – Personal Details of Appellant

Name: _____

Home Address: _____

Contact Telephone Number: _____

Email Address: _____

SECTION B – Education Support Centre Details

Education Support Centre: _____

Chairperson of the Management Committee: _____

Education Support Centre Email Address: _____

SECTION C – Grounds for Appeal

Tick the ground(s) for appeal the appellant has selected:

(i) Non-placement of the advertisement on the ESC website and the Education posts website as is normal practice for the advertising of the role of Director of an Education Support Centre.

(ii) Composition of the Interview Board was not as defined in job description

(iv) A computational error in the Interview Panel's summary marking sheet of the appellant and this error makes a material difference to the outcome

(v) A departure from the selection criteria as specified in the job description

(vi) A departure from the marking scheme as specified in the job description

SECTION D – Appeal Committee Decision on Appeal

Summary of findings

Decision

Based on the finding noted above the decision of the Appeal Committee is to **Uphold / Overturn** the decision of the Interview Panel. **(Strike through as required)**

Signed

Appeal Committee Member Signature

1. _____ 2. _____ 3. _____

Appeal Committee Member Block Capitals

1. _____ 2. _____ 3. _____