**Debt Advice Peer Assessment (DAPA) Scheme**

**Representations and Appeals Process**

**Scope of Representations and Appeals Process**

The Debt Advice Peer Assessment (DAPA) Scheme provides an opportunity for organisations to make formal representation against the findings of the DAPA assessment. This process is available for those case files that achieve an assessment score of **74% or lower**.

**Conditions for Appeal**

An appeal may be made on the following grounds:

1. The organisation disputes a score awarded to one or more case files within the assessment sample, scoring 74% or lower; and
2. The appeal relates to the technical findings and/or an Area of Concern of the assessment
3. The appeal content may not exceed a maximum word limit of 150 words per criteria for each case to be challenged. **Note:** where it is necessary to quote legislation or other resources (e.g. Advisernet) to support the content of the appeal, this will not be counted within the 150 word limit.
4. Representations must be received by Recognising Excellence no later than 5pm on the submission deadline.

**Note: Any appeal received outside of these conditions will immediately be rejected.**

**Notification of Intention to Appeal**

In all circumstances, formal representations must be received within the parameters of the Service Level Agreement in place at the time of assessment. Deadlines for submission of appeals will vary accordingly to individual quality initiatives and Participants are directed to Scheme Administrator communications which will confirm the actual date that applies. In all instances, appeals should be submitted directly to peerreview@recognisingexcellence.co.uk. Representations must be received by Recognising Excellence no later than 5pm on the submission deadline.

Representations must be submitted using the Scheme’s Representations Documentation which can be downloaded from our website[**here.**](https://www.recognisingexcellence.co.uk/mas/debt-advice-peer-assessment-scheme-dapa/)

**Content of Appeal**

Representations made should clearly reference the Scheme criteria requirement, technical finding and/or Area of Concern being appealed. Where multiple criteria are challenged within the same case file, please include these within the same appeal. E.g. Representation One, Case File Five, Criteria challenged 2.1b, 3.2a, 5.1b etc. Please note the maximum word limited per criteria challenged stipulated above.

**DAPA Technical Expert**

All appeals will be considered by the DAPA Scheme Technical Expert who acts as an impartial advisory to the DAPA Scheme. The Technical Expert will be the only individual involved in the representations process. (A contingency arrangement is in place for those instances where the Technical Expert is not available to ensure that the appeal can still be considered within the timeframe determined by the Scheme SLA. In this instance, a DAPA Scheme Moderator will be appointed who has not been involved with the assessment and moderation activities during the formal assessment stage of the process).

**Supporting Documentation**

The Technical Expert will consider the original case file submitted for assessment only and **no additional documentation** can be accepted as part of the Representations process. The original case file in it’s entirety will be shared however consideration will only extend to the criteria that is the subject of the appeal.

**Appeals Process and Possible Outcomes**

The Technical Expert will independently consider the written appeal in conjunction with the original case file to determine if the assessment findings are to be upheld, or if, with consideration to the representations received, an adjustment to the assessment findings should be made.

There are two possible outcomes:

* The original score(s) is upheld
* The original score (s) is revised

**Representations Panel Report Addendum**

The Technical Expert will complete the DAPA Representation Submission and Scheme Response Report which will include a full response to the representations received. Upon conclusion of the representations process, the report addendum will be shared with the organisation, the Lead Organisation (where applicable) and with The Money and Pensions Service (MaPS).

The DAPA Scheme Response Report will act as an addendum to the DAPA Assessment Summary Report. In addition to the report addendum, and in the event that amendments are made to the assessment findings as a result of the findings of the appeals process, updated versions of the formal assessment and case summary report(s) will be issued.

**Service Level Agreement**

The DAPA Scheme service level agreement and all subsequent engagement indicators for organisations will be placed on hold during the representations process. Organisations will not be obligated to respond to any urgent remedial action identified on a case being appealed during this time. However, it is expected that urgent remedial action identified on any case that is not being appealed, is completed within the service level stipulated. In addition, there will be no requirement to sign and return acceptance of the Assessment Summary Report until the representations process has concluded.

Upon conclusion of the representations process, the service level agreement will recommence.

**Further Recourse**

The findings of the representations process will be considered final, and there will be no further recourse available to the organisation.

**Guidance for Scope of DAPA Appeals Process**

The DAPA Scheme Representations process allows participants to appeal against findings identified during the assessment process in strictly limited circumstances, including that the appeal relates to **technical findings and/or an Area of Concern** of the assessment.

The purpose of this guidance is to assist participants to identify situations where a criteria has **not** been assessed as an Area of Concern but either as an Area for Improvement or Area for Development or Not Applicable which can be the subject of representations because that criteria is treated as relating to a ‘technical finding’. It is not relevant that the criteria in question is classified by the Scheme as ‘Essential’. Nor is it relevant that the criteria in question would contribute to the overall percentage score if assessed as Met and would not contribute to the overall percentage score if assessed as Not Met in the same way as an Area of Concern would be scored (although, of course, the first criteria assessed as an Area of Concern leads to a 20% reduction in the file score and a further finding of Actual or Potential Detriment leads to the overall file score being reduced to 0).

In general terms, a finding will be treated as ‘technical’ where either debt advice has been provided or the Assessor has found that debt advice should have been provided in relation to the particular activity covered by the criteria. Conversely, if the activity in question is essentially Administrative or Organisational, it will not be treated as ‘technical’.

More specifically:

In addition to **any** criteria assessed as an Area of Concern being treated as technical, any criteria that the Assessor would usually assess as an Area of Concern but because of the particular circumstances of the case assesses as an Area for Improvement as explained in the findings, will be treated as technical.

Generally, the Good Practice criteria identified as Areas for Development will **not** be treated as technical, but there are some exceptions which are noted below where they apply.

Section 1 of the Assessment Report form (Case Record Preliminaries) is organisational and has no impact on the scoring so will not be treated as technical.

Exploration is the foundation of debt advice and is so closely allied to the provision of debt advice that it seems appropriate to treat it as ‘relating to a technical finding’. Section 2 (Casework (‘CW’)) and section 2 (Advice Only (‘AO’)) criteria 2.1(a) – 2.3 and criteria 3.1 will, therefore, be treated as technical.

Section 3 (Deal with urgent issues) (CW) usually involves the provision of debt advice and so will be treated as technical and the same applies to section 4 (Check liability) (CW), including the Good Practice criteria 4.2 as by definition use of 2nd tier support ‘relates to a technical finding’. The corresponding AO criteria – 2.4, 2.5, 2.6 and 2.7 – will also be treated as technical.

Although Income Maximisation (3.2(a) (AO)/5.1(a) (CW) is an essential part of the debt advice process, it is not necessarily technical in the sense of involving the provision of debt advice. This criteria will not usually be treated as technical unless there is evidence that income maximisation advice has been provided to the client or the Assessor has found that it should have been provided in relation to a particular debt or liability, for example, claiming a DHP to clear rent or CT arrears, claiming CT exemption to reduce arrears.

Income verification (3.2(b) (AO)/5.1(b) (CW)) is an administrative activity and will not be treated as technical.

Benefit/Tax Credit check (3.2(c) (AO)/5.1(c) (CW)) is another essential part of the debt advice process but it does not even have to be carried out by the debt adviser as the client can be sign-posted. If it is carried out by the debt adviser, the technical knowledge required relates to benefits and tax credits rather than debt advice. This criteria will not be treated as technical in the sense defined above. Whether or not a copy of any benefit check is on the file is an administrative not a technical issue. For the avoidance of doubt, the Good Practice criteria 3.12, 3.13, 3.15 (AO)/5.2, 5.3, 5.4 (CW) will not be treated as technical.

Section 6 (Financial Statement) (CW)/criteria 3.4(a) – 3.5 (AO) will all be treated as technical except for criteria 3.5 (AO)/6.3 (CW) which is organisational in connection with use of the SFS and administrative in relation to a copy being on the case file. The final part of criteria 3.4(c) (AO)/6.2 (CW) – ‘particularly high or low expenditure areas and the absence of any obvious items of essential expenditure investigated’ – will be treated as technical. For the avoidance of doubt, the Good Practice criteria 3.17 (AO)/6.4 (CW) (Gross income/expenditure) will not be treated as technical.

Section 7 (Explore options) (CW)/3.3, 3.7 – 3.11 (AO) will all be treated as technical including Good Practice criteria 3.14 (AO)/7.8 (CW) (Appropriate research).

Sections 8 (Priority creditors) (CW) and 9 (Other creditors) (CW) will all be treated as technical including Good Practice criteria 9.3 (CW) (Repayment plans) as will criteria 3.6 (AO) and Good Practice criteria 3.16 (AO).

Section 4 (AO)/Section 10 (CW) (Implement action plan) will be treated as technical with the exception of criteria 4.4 and 4.5 (AO)/10.7, 10.8 and 10.9 (CW) as these are organisational. For the avoidance of doubt, the Good Practice criteria will not be treated as technical.

Section 5 (AO)/Section 11 (CW) will not be treated as technical as these activities are essentially administrative/organisational with the exception of criteria 11.3 (CW) (the corresponding AO criteria is 4.6).

**Note:** If any of the individual criteria discussed above are assessed as an Area of Concern, they are automatically eligible to be the subject of an appeal and the participant’s representations will be considered and a response given subject to the file score being 74% or lower and the maximum word count not being exceeded.