

## **Appendix 4 to R09**

### **TIMINGS TO BE OBSERVED IN THE MANAGEMENT OF REVIEWS AND APPEALS UNDER THE CODE OF PRACTICE**

**Note:** The time starts on the date the complaint is received. All days are working days.

#### **Section 7 Reviews**

##### **Informal Process**

- Candidate may avail of the informal process within 2 days of a decision relating to an interim stage and within 5 days of a concluding decision.
- Informal review must be carried out without delay and within a period of time that enables the candidate to avail of the formal review procedures within the specified timelines should he/she so wish.
- Any subsequent request for formal review must be made within 2 days of notification of the outcome of the informal review

##### **Formal Review**

- A request must be made within 10 days of the notification of the initial decision or within 4 days where it relates to an interim stage of a selection process.
- HSE must acknowledge receipt of complaint within 3 days
- The outcome must generally be notified to the candidate within 20 working days of receipt of the complaint or request for review
- Where the investigation does not allow a decision within this timeframe, the initial reviewer must keep the candidate informed of the status of the review and the reasons for the delay.

##### **Decision Arbitrator Review**

- A request made to the Decision Arbitrator must be received within 7 working days of the notification of the outcome of the initial review
- Health Service Executive must acknowledge receipt of request within 3 days
- The outcome of the investigation must be notified to the candidate in the form of a written report within 10 working days.

#### **Section 8 Appeals**

##### **Informal Process**

- Candidate may avail of the informal process without delay
- Informal review must be carried out without delay

- Subsequent request for a formal review must be made within 2 days of notification of the outcome of the informal review

### **Formal Review**

- A complaint in relation to a breach of the Code of Practice must be made in writing to the office holder without delay
- HSE must acknowledge receipt of complaint within 3 days
- The outcome must generally be notified to the candidate within 20 working days of receipt of the complaint or request for review
- Where the investigation does not allow a decision within this timeframe, the initial reviewer must keep the candidate informed of the status of the review and the reasons for the delay.

### **Review by the CPSA**

- A complainant may seek a further review by the CPSA 10 within working days of the receipt of the findings by the Health Service Executive.