



**BOTSWANA**  
Qualifications Authority

## **EVALUATION OF QUALIFICATIONS APPEALS POLICY**

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### REVISION HISTORY

Date	Summary of changes	Version

## 1. PREAMBLE

The Botswana Qualifications Authority (BQA) is mandated by Section 4 Sub-section 2h and 2i of the Botswana Qualifications Authority Act, 2013; to develop standards for the recognition of external qualifications and to evaluate local and external qualifications respectively. The mandate promotes one of the objectives of the National Credit and Qualifications Framework (NCQF); which focuses explicitly on access to, mobility and progression within, the education and training and world of work. It is a strategic imperative of the Authority to support and direct the national and international mobility of lifelong learners, including workers, by facilitating the recognition of their qualifications.

The evaluation of qualifications entails a process which is guided by criteria that are transparent, coherent, and reliable and are applied consistently which results in a decision whether or not to recognise a qualification. The Authority is therefore committed to providing a fair and transparent EQ processes. The appeals policy is intended for consideration of circumstances that materially affect an applicant's qualification recognition decision where all other available routes for enquiries have been exhausted (e.g. BQA complaints process).

The Evaluation of Qualifications Appeals Policy is embedded in the Authority's Appeals Policy;

## 2. INTERPRETATION OF TERMS

**"Appeal"** means the formal petitioning by an applicant, against the decision made by the Authority after the evaluation process, regarding the recognition of a qualification.

**"Appeal decision"** means the decision taken by the Appeals Committee, whether to dismiss or uphold an appeal.

**"Applicant"** means a person (holder of the qualification) who lodges a formal appeal or an organisation that would have submitted a qualification for evaluation on behalf of the qualification holder.

**“Evaluation”** means the process followed by the Authority to verify and compare qualifications with NCQF qualifications.

**“External qualification”** means a qualification awarded by an awarding body outside Botswana.

**“Local qualification”** means a qualification awarded in Botswana.

**“Recognition”** a formal acknowledgment by the Authority of the value of an external qualification with a view to accessing education and training or employment.

**“Review”** means the first stage of the appeal process undertaken by the Authority to examine a previously evaluated qualification, in order to validate the correctness of its recognition decision.

**“Recognition decision”** means the outcome of the evaluation process, which will be that the Authority either recognises, or does not recognise, a qualification.

### 3. PURPOSE

The purpose of the policy is to outline the process according to which the Authority handles evaluation of qualifications appeals. Applicants have the right to be informed of the rationale underlying decisions to recognise or not to recognise qualifications. In addition, the appeals policy confers on the applicants the right to appeal against decisions that impact them adversely.

### 4. SCOPE

The policy makes provision for appeals against recognition decisions reached by the Authority and the process that is followed to provide a resolution to the appeal.

### 5. RIGHT TO APPEAL

- 5.1** The Authority acknowledges the right of applicants for evaluation of qualifications to appeal against the recognition decisions taken by the Authority in respect of the qualifications.
- 5.2** The Authority will make information on the procedure for appeals accessible to all applicants.

### 6. THE APPEAL PROCESS

- 6.1** The appeal comprises three stages:
- a) Stage 1 is executed by the Evaluation of Qualifications (EQ) Review Panel.
    - i. The EQ Review Panel will consist of Manager Evaluation of Qualifications as the chairperson and two officers from Evaluation of Qualifications Division.
    - ii. Where the EQ Review Panel decides to uphold the original decision, the applicant will be notified in writing, of their right to challenge the review decision, which will then be considered by the Management Appeals Committee (MAC).
  - b) Stage 2 is executed by the Management Appeals Committee (MAC).
    - i. The MAC will not consider any evidence over and above what has already served at the EQ Review Panel.
    - ii. Where the MAC is inclined to dismiss the appeal, the applicant will be allowed to make representation, after which the MAC will make a decision.
  - c) Stage 3 is executed by the BQA Board of Directors.
- 6.2** The appeal will be registered on the Appeals Register maintained by the Authority.
- 6.3** The normal response time is fifteen (15) working days. This may take longer if there is need for further external consultation. Applicants will be informed in writing, of such delays.

### 7. PRINCIPAL GROUNDS FOR APPEAL AGAINST THE RECOGNITION DECISION

The grounds for appeal must be related to the Authority's EQ procedure or its application. The appeal process will consider whether the EQ procedure is consistent and has been fairly and properly applied.

#### 7.1 The recognition decision can be contested on one or more of the following grounds:

- a) The facts underlying the decision not to recognise a qualification are incorrect. The facts can pertain to one or more of the following:
  - i. Awarding body not recognised as part of the national system in the country of origin.
  - ii. Awarding body recognised but not authorised to award the qualification.
  - iii. Documents not authentic (inconsistencies identified).
  - iv. Award not made to individual (as confirmed by the awarding body).
- b) The evidence underlying the level at which a qualification is recognised is incomplete, incorrect or irrelevant; or the interpretation thereof is flawed;
- c) The process was unfair, due to deviation from the published principles, criteria and methodology;
- d) The evaluation outcomes appearing to be inconsistent (e.g. when similar qualifications do not have similar evaluation outcomes); and
- e) Others (to be considered).

#### 7.2 Circumstances not accepted as grounds for an appeal:

- a) Claims of being unaware of or not understanding the evaluation of qualifications criteria and requirements.
- b) An appeal against a decision made by the Authority's Appeals Committee.

### 8. LODGING AN APPEAL

8.1 An appeal must be lodged, by the applicant, within twenty-one (21) working days of the date of issue of the Evaluation of Qualifications Report.

8.2 An applicant must include the following documents as part of the appeal submission:

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- a) If the appeal is against the level of recognition, the original BQA Evaluation Report to which the appeal refers;
- b) A written account, addressed to the Chief Executive Officer, stating the grounds on which the recognition decision is challenged and the arguments in favour of a different decision;
- c) Relevant substantiating documentation in addition to what was submitted before, when applicable; and
- d) An appeal fee as determined by the Authority. If the outcome of the appeal is in favour of the applicant and leads to the amendment of the original recognition decision, then the appeal fee will be refunded.

### 9. REVIEW AND UPDATE OF THE POLICY

This Policy shall be reviewed periodically, every three (3) years, based on evolving trends and applicable regulations, to ensure its coverage, relevance and suitability for the purpose.

### 10. APPROVAL

This policy was approved by \_\_\_\_\_ and signed on behalf by:

Issue No:	Version	Name	Designation	Signature	Date