



South African Nursing Council
(Under the provisions of the Nursing Act, 2005)

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Circular No. 10/2013

14 August 2013

ACCREDITATION APPEAL PROCESS POLICY

1. PURPOSE

- 1.1** Policy prescribes the procedure to be followed by Nursing Education Institutions (NEI's) when lodging an appeal against decisions of the Accreditation Committee or the Council itself in the case of withdrawal of accreditation.
- 1.2** Policy applies to appeals after the accreditation decision of the Accreditation Committee or Council as appropriate in the particular case has been conveyed to the Nursing Education Institution.
- 1.3** Policy does not provide for appeals before the Accreditation Committee has considered the report and recommendation of the accreditation team.

2. DEFINITIONS

For the purpose of this Policy—

“Act” means the Nursing Act, (Act No. 33 of 2005);

“Accreditation Committee” means a committee with delegated powers of the Council to make decisions on nursing education and training programmes in order to grant accreditation, with or without conditions, and to withhold or withdraw accreditation;

“Appeal committee” means a committee constituted in terms of Section 57(1) of the Act;

“Appellant” means the Nursing Education Institution who is the applicant in the appeal process;

“Council” means the South African Nursing Council as contemplated in Section 2 of the Act; and

“Registrar” means a person appointed in terms of Section 18 of the Act.

3. APPEAL PROCEDURE

The Accreditation Committee must, in the normal course of events and in terms of its procedure:

- 3.1** consider the findings and recommendations of the accreditation team, together with any representations made by the Nursing Education Institution (NEI);
- 3.2** make an appropriate decision;
- 3.3** advise the NEI and Council of its decision accordingly within 14 days of the decision being reached; and
- 3.4** if the NEI is aggrieved by the decision of the Accreditation Committee, the following procedure must be followed:
 - 3.4.1** The NEI concerned may appeal to the Council by lodging an appeal, in writing, with the Registrar within thirty (30) days from the date on which the NEI has been notified by the Registrar of the decision of the Accreditation Committee.
 - 3.4.2** Such appeal must fully set out the grounds on which the NEI seeks to base its appeal and provide such information as is necessary to support these grounds.
 - 3.4.3** The Registrar may, in his/her sole discretion, grant extension of the time required for the lodging of an appeal when this is applied for by the NEI.

- 3.4.4** The Registrar must, within fourteen (14) days after receipt of the appeal, submit the appeal (together with documentation lodged with appeal) to the Accreditation Committee that made the decision or recommendation to refuse accreditation and request such committee to examine the grounds for the appeal and furnish its comments to the Registrar within twenty-one (21) days after receipt of the request from the Registrar.
- 3.4.5** The Minister must appoint an Appeal Committee, comprising two (2) members, consisting of a retired judge, magistrate or an advocate or attorney of the High Court of South Africa who has practised as such for a period of at least five (5) years, and who must be the chairperson of such committee, and a nurse, from a panel of persons approved by the Minister. These persons must be appropriately qualified to hear the particular case under appeal, and no member of the Appeal Committee so appointed may be a member of the committee from which the original decision emanated or of the team that visited the NEI.
- 3.4.6** After receipt of the comments referred to in clause 3.4.4, the Registrar must, without delay, submit the appeal in question, together with all supporting documentation as well as comments, to the Appeal Committee for consideration, and at the same time determine, in consultation with the members of the Appeal Committee, a date and venue for considering the appeal.
- 3.4.7** The Appeal Committee must consider all evidence so presented and come to a decision.