



# Education and Training Appeal Regulations

Effective from 1 July 2025

## DEFINITIONS

In these regulations, defined terms are indicated ***in bold and italics***. Unless the context otherwise requires, defined terms shall have the following meanings:

***bye-laws*** means all the bye-laws of *ICAEW* in force at the relevant time.

***Committee*** means the Education & Training Board (or such other Committee as the *ICAEW* Council may from time-to-time designate) or any Committee, Sub-Committee, person or persons acting under its direction.

***credit for prior learning (CPL)*** means recognition against *ICAEW* CFAB or *ACA* requirements based on prior academic or professional achievement.

***Fellowship*** means the class of *membership* to which a person is admitted who has satisfied the requirements for Fellowship prescribed in regulations.

***ICAEW*** means the Institute of Chartered Accountants in England and Wales.

***practising certificate*** means a certificate issued to a member by *ICAEW* authorising them to engage in public practice.

***provisional member*** means a person who has not been admitted to full *membership* of *ICAEW* and:

- a) is registered with *ICAEW* as an *ACA* student; or
- b) is registered with *ICAEW* under a training agreement with an *Authorised Training Employer* or an *Authorised Training Principal*; or
- c) has attempted an *ACA* examination and no more than three years have elapsed since the date of the last attempt at an *ACA* examination; or
- d) was registered with *ICAEW* under a *training agreement* with an *Authorised Training Employer* or an *Authorised Training Principal* and no more than three years have elapsed since the training agreement was completed or cancelled; or
- e) has applied for *ICAEW membership* outside the period allowed under the regulations and the application has not been finally determined.

***Supplemental Charter*** means the Supplemental Royal Charter dated 21st December 1948.

## APPOINTMENT OF MONITORS

1. The ***Committee*** shall appoint annually a number of Monitors to make decisions on its behalf on non-standard applications for ***membership***, ***fellowship***, ***practising certificates***, the Audit Qualification, and any other matters sanctioned by the ***Committee***.

## NOTICE OF DECISIONS

2. Notice of a decision by the **Committee** or a Monitor shall be communicated in writing to the person who is subject to that decision.

## RIGHT TO APPEAL

3. The person subject to the decision under regulation 1 (“the appellant”) may appeal the decision, subject to regulation 4 and regulation 5. The appeal must be submitted in writing to the **Committee** and received within 15 working days from the date of notice of the decision in regulation 2.
4. A notice of appeal under regulation 3 shall only be accepted if the appellant provides grounds for claiming that one of the following circumstances apply:
  - (a) the **Committee** misconstrued, or acted in breach of, any relevant regulations, the **bye-laws**, or the provisions of the **Supplemental Charter**, or any guidelines and instructions issued under such regulations, bye-laws or provisions;
  - (b) the decision of the **Committee** was one which, in all the circumstances, no tribunal properly directing itself and acting reasonably would have made;
  - (c) the decision of the **Committee** constituted a substantive procedural irregularity;
  - (d) the decision of the **Committee** was based on unfair discrimination, bias or prejudice;
  - (e) the decision of the **Committee** was made without the decision maker being privy to all the evidence that was relevant at the time but not previously available.
5. The right to appeal shall not apply to any decision concerning:
  - (a) the appellant's educational or professional qualifications or experience under regulations 1 and 2 of the ACA Student Regulations;
  - (b) award(s) to the appellant of **credit for prior learning** under the Assessment Regulations or the **ICAEW** Certificate in Finance, Accounting, and Business (ICAEW CFAB) Regulations;
  - (c) academic judgement in determining the result of an **ICAEW** examination or aptitude test;
  - (d) the award of the **ICAEW** Certificate in Finance, Accounting and Business (**ICAEW** CFAB).

## APPEAL PANEL

6. An appeal shall be heard by a panel of three members appointed by the Education and Training Department (“the Appeal Panel”). At least one member of the Appeal Panel shall be a member of the Education and Training Board.
7. The Appeal Panel shall consider:
  - (a) the information considered by the **Committee** or Monitor referred to in regulation 2 and their reasons for reaching the decision;
  - (b) any further written submission made to the Appeal Panel by the appellant and the **Committee**;
  - (c) any relevant regulations, **bye-laws**, provisions of the **Supplemental Charter**, and any guidance or instructions issued in support of these as the Appeal Panel may decide are relevant.
8. The Appeal Panel shall uphold, waive or vary the decision under regulation 2 and their decision must be given in writing to the appellant.

## FURTHER APPEAL

9. A further appeal against the Appeal Panel's decision may be made in accordance with Byelaw 58, providing the decision has been subject to an appeal under these regulations and the Appeal Panel has upheld or varied the decision under regulation 2.

## POWERS OF VARIATION

10. Subject where relevant to compliance with the Companies Act 2006 and appropriate consultation with the Financial Reporting Council, the **Committee** shall have the power to vary or waive the above regulations.