

PRINCIPLES AND PROCEDURES FOR APPEALS AGAINST DECISIONS ON THE IMPLEMENTATION OF TURKISH QUALIFICATIONS FRAMEWORK

SECTION ONE

Objective, Scope, Basis and Definitions

Objective and scope

ARTICLE 1 - (1) The aim of these Principles and Procedures is followed in the appeals and complaints against the decisions regarding the implementation of Turkish Qualifications Framework.

(2) These principles and procedures herein includes acts and actions to be undertaken in relation to appeals and complaints against the implementation and revision of Turkish Qualifications Framework, incorporation of qualifications into the Framework, their removal from the Framework, the functioning of management structures of the Framework and the decisions taken by them.

Basis

ARTICLE 2 - (1) These Principles and Procedures have been prepared in regard to Article 255 of Presidential Decree No.4 and Article 16 of the Regulation on the Principles and Procedures for the Implementation of the Turkish Qualifications Framework came into force after being published in the Official Journal No. 29537 on 19/11/2015.

Definitions

ARTICLE 3 - (1) In the implementation of these Principles and Procedures, the terms states as;

- a) Department: Turkish Qualifications Framework Department
- b) Council: Turkish Qualifications Framework Council
- c) Authority: Vocational Qualifications Authority
- d) Responsible Body: The Ministry of National Education, Council of Higher Education and Vocational Qualifications Authority which issue legal instruments and undertake acts and coordination activities regarding the identification, definition and implementation of qualifications in the education and training system, as well as other bodies that are designated by the relevant legislation as being responsible for qualifications;
- e) Turkish Qualifications Framework: The national qualifications framework which has been designed in line with the European Qualifications Framework and indicates all qualification principles acquired through general, academic and vocational education and training programs including primary, secondary and higher education as well as other ways of learning,
- f) Management structures of the Turkish Qualifications Framework: the Turkish Qualifications Framework Coordination Council and Turkish Qualifications Framework Council.

SECTION TWO
Duties, Authorities and Responsibilities Concerning Appeals and Complaints

Duties, authorities and responsibilities

ARTICLE 4 (1) The Authority shall undertake acts and actions in relation to the appeals and complaints against incorporation of qualifications into the Turkish Qualifications Framework and their removal from the Framework; the implementation and revision of the Framework; the functioning of management structures of the Framework and the decisions taken by them.

(2) The Authority shall work with the Council and responsible bodies to resolve the appeals and complaints against any situation related to the Turkish Qualifications Framework.

(3) Responsible bodies shall take measures to resolve appeals and complaints against any situation related to the Turkish Qualifications Framework and ensure that such measures remain in effect.

SECTION THREE
Submission, Evaluation and Settlement of Appeals and Complaints

Submission of appeals and complaints

ARTICLE 5 (1) Natural persons or legal entities shall submit to the Authority their appeals and complaints against incorporation of qualifications into the Turkish Qualifications Framework and their removal from the Framework; the implementation and revision of the Framework; the functioning of management structures of the Framework and the decisions taken by them.

(2) Natural persons or legal entities may submit their appeals and complaints via the Presidential Communications Center (CIMER), put into effect by the Prime Ministry Circular no. 2006/3 published in the Official Gazette no. 26055 dated 20.01.2006, in accordance with the Regulation on Principles and Procedures for Enforcement of the Right to Information Act, published in the Official Gazette no. 25445 dated 27.04.2004, under the Right to Information Act no. 4982 dated 09.12.2003 and the Right to Petition Act no. 3071 dated 01.11.1984.

Evaluation and settlement of appeals and complaints

ARTICLE 6 - (1) The Authority shall forward the appeals and complaints to the Department.

(2) A preliminary review of the appeals and complaints shall be conducted by the Department and a report shall be produced.

(3) The appeal and complaint and the report shall be addressed in the first Council meeting following the completion of the preliminary review.

(4) Final decision on the appeal and complaint shall be made by the Council, or if deemed necessary, by the Coordination Council.

(5) The Department shall send a written notice to inform the applicant natural person or legal entity about the decision no later than five working days after the date of decision.

SECTION FOUR

Miscellaneous and Final Provisions

Enforcement

ARTICLE 7 - (1) These Principles and Procedures shall enter into force with the approval of the Coordination Council.

Execution

ARTICLE 8 - (1) The provisions in the Principles and Procedures shall be executed by the President of the Authority upon approval by the Coordination Council.