

# RJC Waiver Policy

Date published: December 2015

## 1. Policy Scope

This policy sets out:

- a) Which RJC requirements may be the subject of an application for a waiver.
- b) The possible circumstances in which the RJC will consider an application for a waiver from its requirements.
- c) The circumstances in which a waiver application will not be considered.
- d) The RJC waiver application process.

## 2. Which RJC requirements can be waived?

An applicant may make an application to the RJC for a waiver from the requirements in the following areas:

- a) Restorative Service Quality Mark, Training Approval Scheme & Accreditation assessments.
- b) Admissions to the practitioner, trainer and service provider registers.
- c) Practitioner, service provider and trainer renewal requirements.
- d) RJC complaints process.
- e) RJC appeals process.

## 3. In what circumstances may waivers be granted?

Any person wishing to obtain a waiver from an RJC requirement will need to demonstrate that exceptional and/or extenuating circumstances apply. This means that the applicant can demonstrate circumstances which:

- a) substantially affect the applicant's ability to meet the RJC requirement/s and/or;
- b) are unforeseen or outside of the applicant's control and/or;
- c) are sufficiently serious

This policy does not provide an exhaustive list of situations which could justify an application for a waiver from an RJC requirement. Some examples of circumstances which could justify an application for a waiver are set out below:

- a) Unintended serious unjustifiable negative impact on the applicant arising from the operation of the requirement.
- b) A public benefit to be gained by a departure from the requirement.
- c) Some other exceptional case justifying the grant of a waiver.

## 4. In what circumstances will an application for a waiver not be considered?

The RJC will not consider applications for a waiver where the granting of such a waiver would:

- a) undermine the public interest
- b) undermine the integrity of an RJC requirement
- c) be contrary to RJC policy, vision or principles

Every application for a waiver will be considered on its individual circumstances and on a case by case basis.

## 5. How to make a waiver application

An individual wishing to make an application for a waiver from an RJC requirement must apply in writing to the RJC Standards Department at Beacon House, 113 Kingsway London WC2B 6PP. Applications may also be emailed to: [standards@restorativejustice.org.uk](mailto:standards@restorativejustice.org.uk)

The application must contain:

- a) The applicant's name and contact address.
- b) The requirement in relation to which the waiver is sought.
- c) The reasons for the waiver request (ie the circumstances giving rise to the application for a waiver).
- d) Any evidence supporting the existence of the circumstances giving rise to the waiver application.

Waiver applications which do not contain all of the above information set out at 5 a) – c) (and information set out at 5d) where this is available) will not be considered by the RJC.

## 6. RJC waiver application process

The RJC will acknowledge receipt of the application within five working days.

The chief executive officer will consider the application and supporting evidence. Where necessary advice will be sought from the RJC Expert Advisory Group.

A decision either granting or refusing the waiver will be communicated to the applicant within one month of the receipt of the application.

If the application is granted, the decision letter will set out:

- a) The reasons for the grant of the waiver and;
- b) the effect of the waiver grant (eg an extension of X months of time etc)

If the application is refused, the refusal letter will set out:

- a) the reasons for refusal of the waiver and;
- b) the fact that the decision is final

## 7. Review

This policy will be reviewed on a biennial basis by the chief executive officer. Therefore the date of the next review will be December 2017.