

Appeals Policy

Context

This policy is based on providing and maintaining training and assessment services that are fair and reasonable and afford a forum where issues or inadequacies regarding assessment can be raised and resolved. The Appeals policy provides an opportunity for appeals to be recorded, acknowledged, and dealt with in a timely manner.

Purpose

Macedon Ranges Education is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (RTOs) 2015. As such, is required to have a policy and processes in place to manage requests for a review of assessment decisions.

Scope

The object of this policy is to ensure that staff act in a professional manner at all times. This policy provides clients with a clear process to register an appeal. It ensures all parties involved are kept informed of the resulting actions and outcomes.

Policy Statement

Macedon Ranges Education acknowledges that clients have the right to appeal an assessment decision, based on valid grounds for appeal. Macedon Ranges Education has a provision for clients to appeal against assessment decisions, including those made by a third-party partner. Macedon Ranges Education ensures that clients have access to a fair and equitable process for lodging an appeal against an assessment decision.

In doing so:

- Macedon Ranges Education has written processes in place for collecting and dealing with appeals in a constructive and timely manner.
- Macedon Ranges Education ensures that these procedures are communicated to all staff, third-party partners, and students.
- Macedon Ranges Education ensures that each appeal and its outcome are recorded in writing.
- Macedon Ranges Education ensures that each appeal is heard by an independent person or panel.
- Macedon Ranges Education ensures that each appellant has the opportunity to formally present the case.
- Macedon Ranges Education ensures that each appellant is given a written statement of the appeal outcomes, including reasons for the decision.

- Macedon Ranges Education takes appropriate action upon the subject of any appeal that is found to be substantiated; and
- Macedon Ranges Education utilises outcomes of appeals to review current practices which may potentially lead to continuous improvement.

Definitions

The following words and expressions have the following specific meaning, as in the Standards for Registered Training Organisations (RTOs) 2015.

Assessment means the process of collecting evidence and making judgements on whether competency has been achieved, to confirm that an individual can perform to the standard required in the workplace, as specified in a training package or VET (Vocational Education and Training) accredited course.

Policy Principles

Underpinning Principles

- Clients have the right to lodge an appeal against an assessment decision if they feel they were unfairly treated during an assessment, and/or where they feel the assessment decision is incorrect and they have grounds for an appeal.
- The principles of natural justice and procedural fairness are adopted at every stage of the appeal process.
- The appeals policy is publicly available, via the website.
- The appellant can provide details of their appeal either verbally and/or in writing.
- All appeals must be lodged within 7 calendar days of the date of the assessment result notification to the client.
- If the appeals process fails to resolve the appeal or the appellant is not satisfied with the outcome of the appeal, the matter will be referred to an independent third party for review, at the request of the appellant. All costs incurred for the third-party review will be advised to the appellant.
- Every appeal is heard by a suitably qualified independent assessor or panel, who will be asked to make an independent assessment of the application.
- All appeals are acknowledged in writing and finalised as soon as practicable.
- Macedon Ranges Education may charge a fee for the appeals process where an external assessor is engaged. Should this be the case, all costs incurred will be advised to the appellant.
- If the appeal will take in excess of 45 calendar days to finalise, Macedon Ranges Education will inform the appellant in writing providing the reasons why more than 45 calendar days are required. The appellant will also be provided with regular updates on the progress of the appeal.
- Macedon Ranges Education strives to deal with appeal issues as soon as they emerge, in order to avoid further disruption or the need for a formal complaint process.

- All appeals will be handled 'In-Confidence' and will not affect or bias the progress of the participant in any current or future training.

Grounds for Appeal

Valid grounds for an appeal against an assessment decision (where the client feels the assessment decision is incorrect) could include the following:

- The judgement as to whether competency has been achieved and demonstrated was made incorrectly.
- The judgement was not made in accordance with the Performance Evidence Requirements.
- Alleged bias of the assessor.
- Alleged lack of competence of the assessor.
- Alleged wrong information from the assessor regarding the assessment process.
- Alleged inappropriate assessment process for the particular competency.
- Faulty or inappropriate equipment; and/or
- Inappropriate conditions.

Appeal Outcomes

An investigation into an Appeal may result in one of the following outcomes:

The appeal is upheld; in this event, the following options will be available:

- The original assessment will be re-assessed, potentially by another assessor.
- Appropriate recognition will be granted.
- A new assessment shall be conducted/arranged.

If the appeal is rejected/ not upheld; in accordance with assessment policy the client will be required to:

- undertake further training or experience prior to further assessment; or
- re-submit further evidence; or
- submit/undertake a new assessment.

Responsibilities

The CEO (Chief Executive Officer) is the Appeals Resolution Officer. The CEO may delegate responsibility for the resolution of the appeal if necessary.

Details concerning the scope of the Appeals Policy are to be clearly displayed throughout the organisation and contained within the Staff Induction Process, Student Information Guide, and website.

Appeals

Appeals Process

All appeals shall follow the below process:

- Appeal to be made in writing within 7 calendar days of notification of the assessment decision using the Appeals form.
- A submitted Appeals form will constitute a formal appeal from the appellant. Further detail may be provided by the appellant verbally.
- The CEO shall be informed of the receipt of any appeal.
- The CEO may delegate responsibility for the resolution of the appeal, as appropriate.
- Appeals will be processed in accordance with the Appeals flowchart – Annex A.
- Appeals, where possible, are to be resolved within 28 days of the initial application.
- In all cases the final conclusion will be endorsed by the CEO.
- The appellant will be advised in writing of the outcome of their appeal, within seven (7) days of the resolution.
- If the outcome is not to the satisfaction of the appellant, they may seek an appointment with the CEO.
- If the appellant is not satisfied with the decision, they have the option to seek outside assistance to pursue the appeal.

Access and Equity

The Access and Equity Policy applies. (See Access and Equity Policy)

Records Management

- Records of all appeals and their outcomes are maintained securely.
- Records of appeals will include:
 - How the appeal was dealt with.
 - The outcome of the appeal.
 - The timeframes for the resolution of the appeal.
 - The potential causes of the appeal; and
 - The steps taken to resolve the appeal.
- All documentation from Refund processes are maintained in accordance with the Records Management Policy. (See Records Management Policy)

Monitoring and Improvement

All appeals practices are monitored by the CEO and will be discussed at Weekly Meetings with areas for improvement identified and acted upon. (See Continuous Improvement Policy)

Version Control

This document is under version control.

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| Version | 1.2 | Created Date | 18 Apr 2023 |
| Created By | Dot Smith | Modified Date | 16 Apr 2024 |
| Modified By | Dot Smith | Status | Approved |
| Policy Group | Training and Assessment | Approved By | Iona McKimmie |