



ACCESS
Recognised Training

TA004 Appeals

Access Recognised Training
RTO# 88203

Policy Title:	TA004 Appeals
Version Number:	1.0
Approved By:	Mark Field
Position:	Managing Director
Effective Date:	19 th June 2015
Change History:	V1. New policy designed to support best practice business operations and align to the <i>Standards for Registered Training Organisations (RTOs) 2015</i>
Associated Documents:	<i>Standards for Registered Training Organisations (RTOs) 2015</i> Standard 6.2, 6.3, 6.4, 6.5 Complaints and Appeals Register Continuous Improvement Register

POLICY STATEMENT

Access Recognised Training (ART) has robust assessment processes in place to ensure that assessment outcomes are based on the Principles of Assessment and Rules of Evidence to allow consistent and fair outcomes across all of our students. We acknowledge that, from time to time, students may be dissatisfied with the assessment outcome.

All students have the right to appeal assessment outcomes and can base their appeal on the assessment process or the decision itself. Appeals can also be made against unsatisfactory progress warnings.

This policy provides for transparency and clarity of process in the management of appeals and applies in situations where the assessment decision has been made by ART and also where the decision has been made by a third-party providing services on our behalf through a documented third party agreement.

PROCESS

Information on the appeals process is provided on the ART website in the published Student Handbook to ensure each student has equal access to the process. All appeals are addressed by ART in a fair, efficient and confidential manner. This includes a commitment to a thorough investigation of the facts and circumstances surrounding the appeal and reasonable consideration of the points of view of all parties concerned.

Appeals can be made on the following:

- assessment outcomes
- non-acceptance into a course
- suspension and/or cancellation of enrolment
- determination of refunds

Informal Appeals

Initial appeals can be either verbal or written and should be lodged with the assessor within 7 days of notification of the assessment outcome. In the first instance the assessor discusses the appeal and allows for re-assessment (if appropriate). The appeal is reported to the Compliance and Administration Officer and the student is informed of the re-assessment decision.

Formal Appeals

If the Student is not satisfied with the informal approach and decision taken by the assessor, then the appeal should be escalated to the Managing Director with an appeal made in writing. The written appeal should include, at a minimum:

- full name, address, phone/email address of person lodging the appeal
- details of the concern (include full name where the appeal relates to a specific person)
- any evidence to support the appellant's case

- information on what would constitute a successful resolution for the appellant
- what efforts have been made to resolve the situation through an informal process and reasons for escalating the appeal through a formal process

The Student may be re-assessed by a second assessor and this re-assessment outcome is recorded in writing. The Managing Director has responsibility to ensure that no conflict of interest exists throughout the appeals process and that the decision maker in the review process is independent of the decision being reviewed.

The following apply in all cases:

- the person lodging an appeal may be accompanied and/or assisted by a support person throughout the process
- formal records of the appeal, the decisions and the process followed are kept on file and recorded in the Appeals Register
- outcomes of appeals are used to inform Continuous Improvement processes and are recorded appropriately in the CI Register
- where a complainant notes a concern but declines to lodge a formal appeal no further action can be taken by ART due to procedural fairness for all involved
- ART will acknowledge in writing the receipt of a formal complaint
- where the appeal and investigation process are expected to take more than 30 days ART will inform the appellant of the likely timeframe in writing and will commit to regular status updates
- the student's enrolment will remain active while the appeals process is taking its course

Where the appellant is still not satisfied with the outcome after the second ART review, they may request in writing that an independent external arbitrator be engaged. This independent third party will be determined by the Managing Director and the name, contact details and anticipated review period is communicated to the appellant in writing. Any costs associated with an independent third-party review are the responsibility of the appellant and must be communicated prior to independent review being undertaken to ensure all parties are aware of any costs they may incur.

Once a decision is returned by the external reviewer, the outcomes are communicated immediately to the appellant. Where the outcomes are in favour of the appellant the associated changes will be actioned by the Managing Director immediately with respect to updating internal policies and processes with all changes to be recorded in the Continuous Improvement Register.

Throughout the Appeals process, all assessment appeal decisions will be provided to the appellant in writing with the inclusion of the reason for the decision.

It should be noted that ASQA is unable to act as the independent third party for reviewing appeals.