

## APPEALS

### POLICY STATEMENT

This document provides a consistent set of principles under which REIWA Training provides a fair and equitable appeals process for students.

REIWA Training acknowledges that candidates have the right to appeal an assessment decision, where they feel they have appropriate grounds.

### POLICY PRINCIPLES

An appeals and reassessment process is an integral part of all training and assessment pathways leading to a Qualification or Statement of Attainment within the Australian Qualifications Framework (AQF).

REIWA Training will ensure that participants have access to a fair and equitable process for dealing with appeals against assessment decisions and will provide an avenue for participants to appeal against decisions which affect the participant's progress.

Participants have the right to lodge an appeal against an assessment decision if they feel they were unfairly treated or dealt with during an assessment and where they feel the assessment decision is incorrect and they have grounds for an appeal.

Every effort is made to settle the appeal to both the appellant's and REIWA Training's satisfaction. Should this not be possible then a suitably qualified independent assessor will be asked to make an independent assessment. REIWA Training will bear any costs associated with this process.

In its handling of appeals, REIWA Training will:

- have written procedures in place for collecting and dealing with appeals in a constructive and timely manner;
- ensure that these procedures are communicated to all staff, consultants and clients;
- ensure that all necessary procedures, relevant documentation and resources are in place to enable clients to submit an appeal;
- ensure that each appeal and its outcome is recorded in writing;
- ensure that each appeal is heard by an independent person or panel; and
- ensure that each person has the opportunity to formally present his or her case;
- ensure each person is given a written statement of the appeal outcomes, including reasons for the decision.

### TIMEFRAMES

Appeals must be lodged within 14 days of the receipt of the assessment result by the student.

Every effort will be made by REIWA Training to resolve appeals in a timely manner.

Dependent on the complexity of the assessment, appeals will normally be concluded within a ten working day period.

### CONFIDENTIALITY

All appeals will be treated with confidentiality and will in no way be detrimental to the person.

### GROUNDS OF APPEAL

Valid grounds for an appeal against an assessment decision (where the candidate 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 Assessment Plan. Alleged bias of the assessor.
- Alleged competence of the assessor.
- Alleged wrong advice from the assessor regarding the assessment process.
- Alleged inappropriate assessment process for the particular competency.

### APPEAL OUTCOMES

Appeal outcomes may include:

- Appeal is upheld
- Appeal is rejected

Candidate is recommended for re-assessment at no fee

### PROCEDURE

Every student has the right to appeal an assessment decision. A student who expresses concern about the assessment decision to any member of staff will be directed to contact the course co-ordinator and provided with the co-ordinator name and contact email or number.

#### STUDENT QUERIES ASSESSMENT DECISION

On receipt of a communication where the student expresses concern or dissatisfaction with the assessment decision:

- 1 The course co-ordinator will refer the student to the assessor who made the assessment decision to discuss the decision and to understand the reasons for the decision.

- 2 The assessor will respond to the request to contact the student to discuss the assessment decision within two working days.
- 3 The assessor will either meet or discuss by telephone and provide specific feedback on performance, areas for improvement, and provide options to students such as additional training, study and/or assessment.
- 4 The assessor will advise the student of their right to appeal the decision and direct the student to the Appeals Policy and Procedure available on the REIWA Training website or through the course co-ordinator.
- 5 On request, the course co-ordinator will provide the student with a copy of the Appeals Policy and Procedure and an Appeals Lodgement Form.

#### **RECORDING APPEALS**

On receipt of an Appeals Lodgement Form:

- 1 The form will be date stamped on receipt and passed to the course co-ordinator.
- 2 The course co-ordinator will check the form to ensure all required information is provided and contact the student for missing information if required.
- 3 The Appeals Form will be passed to the Compliance Manager who will acknowledge receipt of the claim to the student in writing within two working days.
- 4 The Compliance Manager will enter the receipt of the Appeal Form in the Appeals Register.
- 5 The Compliance Manager will scan the Appeals Form and copy into the student record held in the VETtrak student management system.
- 6 The Compliance Manager will start an Appeals Progress Form to maintain a record of the progress of the appeal.

### **PROCESSING APPEALS**

- 1 The Compliance Manager will, within five working days, nominate an independent assessor and provide to the assessor a copy of the Appeals Form, and all assessment documentation:
  - a. Assessor Feedback Form.
  - b. Evidence presented by the student for assessment.
  - c. Any other relevant documentation.
- 2 The independent assessor may interview the student in person or by telephone if required.
- 3 The independent assessor may interview the original assessor in person or by telephone if required.
- 4 The independent assessor will make an assessment decision and report to the Compliance Manager within five working days, providing a full written explanation to support the decision.
- 5 The Compliance Manager will advise the student in writing of the outcome of the appeal and provide the detailed explanation provided by the independent assessor.
- 6 The Compliance Manager will advise the student in writing that if they are still dissatisfied with the decision, they have the right to appeal to the Training Accreditation Council.
- 7 The Compliance Manager will provide the student with information to enable them to contact the Council.

### **FINALISING AN APPEAL**

- 1 The Compliance Manager will finalise the Appeals Progress Form, scan and attach to the student record held in the VETtrak student management system.
- 2 The Compliance Manager will update the Appeals Register.

### **APPEAL TIMEFRAMES**

Appeal durations will naturally vary dependent on the nature of the appeal. REIWA Training will aim to conclude each appeal within 15 working days. Should more than 15 working days be required to process and finalise the appeal, the Compliance Manager will inform the appellant in writing of the delay and advise of the reason. The Compliance Manager will then regularly (weekly) update the appellant on the progress of the matter.

### **ASSOCIATED DOCUMENTS**

- Appeals Lodgement Form
- Appeals Progress Form
- Appeals Register

## APPEALS

### REVIEW OF THE POLICY

This is a controlled document. It may only be changed on the authority of the Executive Manager Training.

**AUTHOR OF POLICY:** Liz McIlhone - Executive Manager Training

**DATE REVIEWED:** May 2016

**DATE TO BE REVIEWED:** May 2018

### VERSION CONTROL

Version	Page	Revision Details	Changed by	Date
1.0	All	New policy	Rhonda Stacy	December 2003
2.0	All	Separated Grievances from this policy	Rhonda Stacy	April 2004
3.0	All	Review	Sue Hartree	June 2006
3.0	All	Review – no change	Sue Hartree	March 2008
3.1	All	Check for currency Change logo	Sue Hartree	June 2010
4	All	Review Addition of Procedure	Liz McIlhone	October 2012
5	All	Revised against Standards for RTOs 2015 New branding applied	Liz McIlhone	February 2015
6	All	Updated to reflect position title changes	Liz McIlhone	May 2016