

## Appeals Policy

### Policy

Murray House Resource Centre is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (RTOs) 2015. As such, Murray House Resource Centre is required to have a policy and processes in place to manage requests for a review of assessment decisions made on behalf of the RTO.

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 opportunity for appeals to be recorded, acknowledged and dealt with in a timely manner.

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

### 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 accredited course.

**Third party** means any party that provides services on behalf of the RTO but does not include a contract of employment between an RTO and its employee.

### Related Policies

- Assessment
- Enrolment
- Access and Equity
- Completion and Certification

### Documentation

- Appeal Form

## Policy Principles

- Students 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 Murray House Resource Centre website and is in the Student Handbook.
- The student appealing an assessment outcome must provide detail of their appeal in writing.
- **All appeals must be lodged within 7 calendar days of the date of the assessment result notification to the student.**
- If the appeals process fails to resolve the appeal or the student 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 student.
- 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.
- Murray House Resource Centre 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 student before proceeding. If the appeal is successful then the RTO will bear the cost.
- If the appeal will take in excess of 60 calendar days to finalise Murray House Resource Centre will inform the appellant in writing providing the reasons why more than 60 calendar days are required. The appellant will also be provided with regular updates on the progress of the appeal.
- The RTO endeavours 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 student 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 Training and Assessment Plan
- 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.

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## Appeal Outcomes

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

- **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.
- **Appeal is rejected/ not upheld** - in accordance with Murray House Resource Centre assessment policy the student will be required to:
  - undertake further training or experience prior to further assessment or
  - re-submit further evidence or
  - submit/undertake a new assessment.
- **Where a student has already exhausted the number of attempts to submit and not been deemed competent** - they will be required to:
  - re-enrol in the unit of competency and undertake further training or experience prior to further assessment or
  - pay for additional coaching or one to one support outside of what is offered as part of the learning support mechanisms to assist them to reach the required benchmark

## RTO Responsibilities

The RTO Manager of Murray House Resource Centre is the Appeals Resolution Officer. The RTO Manager 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 Handbook and Murray House Resource Centre website.

## 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 RTO Manager shall be informed of receipt of any appeal.
- The RTO Manager 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 RTO Manager, Murray House Resource Centre.

- 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 satisfactory of the appellant, they may seek an appointment with the RTO Manager.
- If the appellant is not satisfied with the decision, they have the option to seek outside assistance to pursue the appeal.

## Records Management

Records of all appeals and their outcomes are maintained securely and be recorded on the Appeals Register.

Records of appeals will include:

- How the appeal was dealt with
- The outcome of the appeal
- The timeframes for resolution of the appeal
- The potential causes of the appeal
- The steps taken to resolve the appeal

## Monitoring and Improvement

All appeals practices are monitored by the RTO Manager and will be discussed at Management Review Meetings / RTO Meetings with areas for improvement identified and acted upon as part of the continuous improvement processes.

## ANNEX A: Appeals Process

