

**POLICY TITLE: Assessment Appeals**

**POLICY NUMBER: 023**

**POLICY AUTHOR: John Waites**

**POLICY REVISED: 22<sup>nd</sup> January 2018**

**POLICY EFFECTIVE FROM: 1<sup>st</sup> February 2018**

**PURPOSE OF POLICY: To ensure that *Southern Training Organisation Pty Ltd* has in place and maintains a fair and equitable procedure for learners to have appeals addressed efficiently and effectively and that clients are informed and aware of these.**

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**Relationship to Standards for Registered Training Organisations (2015)**

This policy and procedure is designed to ensure that Southern Training Organisation Pty Ltd meets the requirements of Standard 5.2 (d) and Standards 6.2 to 6.5 of the Standards for Registered Training Organisations (2015).

***Standard 5. Each learner is properly informed and protected.***

5.2. *Prior to enrolment or the commencement of training and assessment, whichever comes first, the RTO provides, in print or through referral to an electronic copy, current and accurate information that enables the learner to make informed decisions about undertaking training with the RTO and at a minimum includes the following content:*

- d) *the learner's rights, including:*
  - i) *details of the RTO's complaints and appeals process required by Standard 6*

***Standard 6. Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.***

*Subject to Clause 6.6, to be compliant with Standard 6 the RTO must meet the following:*

6.2. *The RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.*

6.3. *The RTO's complaints policy and appeals policy:*

- a) *ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process;*
- b) *are publicly available;*
- c) *set out the procedure for making a complaint or requesting an appeal;*
- d) *ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable; and*

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- e) *provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.*
- 6.4. *Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO:*
  - a) *informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required; and*
  - b) *regularly updates the complainant or appellant on the progress of the matter.*
- 6.5. *The RTO:*
  - a) *securely maintains records of all complaints and appeals and their outcomes; and*
  - b) *identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.*

### **Scope**

This policy sets out the circumstances under which students may lodge an appeal against an assessment outcome and the associated procedures for dealing with those appeals.

### **Principles and Procedures**

The following principles and procedures underpin this policy.

1. Southern Training Organisation Pty Ltd ensures that students have access to a fair and equitable process for appeals against assessment decisions, which affects the participant's progress. An appeals and reassessment process is an integral part of all training and assessment pathways leading to a nationally recognised qualification or Statement of Attainment under the Australian Qualifications Framework (AQF), in accordance with the Standards for Registered Training Organisations (2015).
2. 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.
3. Every appeal will be heard by a suitably qualified independent assessor or panel from another organisation, who will be asked to make an independent assessment.
4. Southern Training Organisation Pty Ltd may charge a fee for the appeals process.
5. Every effort is made by Southern Training Organisation Pty Ltd to ensure the appeal is resolved in a timely manner.
6. All appeals will be treated with confidentiality and will in no way be detrimental to the appellant.
7. All appeals must be lodged within 21 days (using Southern Training Organisation Pty Ltd 'Appeals Form') of the date of the assessment result notification to the student.

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8. Grounds of appeal

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

- a) The judgment as to whether competency has been achieved and demonstrated was made incorrectly,
- b) The judgment was not made in accordance with the Assessment Plan.
- c) Alleged bias of the assessor;
- d) Alleged lack of competence of the assessor;
- e) Alleged wrong information from the assessor regarding the assessment process;
- f) Alleged inappropriate assessment process for the particular competency;
- g) Faulty or inappropriate equipment; and/or
- h) Inappropriate conditions.

9. Appeal Outcomes

Appeal outcomes may include:

- a) Appeal is upheld; in this event the following options will be available
  - a. The original assessment shall be re-appraised
  - b. A new assessment shall be conducted
- b) Appeal is rejected

10. All appeals are recorded and reviewed at Southern Training Organisation Pty Ltd scheduled Staff Meetings.

11. Retention of Records

Sufficient evidence of assessments may include the marking guide, criteria, training record book, workplace evidence and/or observation checklist for each student.

If it is possible to keep students completed assessment items, copies of these or other evidence should also be kept to support the assessment decision.

Retain for length of appeals period.

**Note:**

**In the case of HRWL Assessments in NSW:**

If the student does not agree with the assessor's decision in deeming them 'not yet competent', they may lodge a request to SafeWork NSW for a review of the assessor's decision. Any such request must be in writing and lodged within 14 days of the date of assessment.

Southern Training Organisation Pty Ltd may or may not be involved in the appeal process.

**Approved:**

**Date:**