



RTO Assessment Appeals Procedure

AMS-AUS-PR-03-29

Scope

The Assessment Appeals Procedure has been developed in accordance with the Standards for Registered Training Organisations (RTOs) to ensure students understand their rights and the RTO's responsibilities under these Standards.

This procedure relates to the following Standards for Registered Training Organisations (RTOs) 2015: 1.8, 2.2, 5.2 and 6.1-6.6.

Process Map

Not Required

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Procedure

Definitions

For the purpose of this procedure, the following definitions apply:

Altrad Services means Cape Australia Holding Pty Ltd, TOID 7131, as defined on the National Register

Assessment Appeal means the person being assessed, or other interested party such as an employer, disputes the outcome of an assessment and seeks reassessment.

Assessment means the process of collecting evidence and making judgement on whether competency has been achieved, to confirm that the learner can consistently perform to the standard required, as specified in the relevant training package of VET accredited course.

Candidate means a person being trained and assessed by the RTO for the purpose of issuing AQF certification documentation

CEO means the Chief Executive Officer listed as the responsible person for the RTO on the National Register and with ASQA

Delegate a person, or third party, authorised by the Chief Executive Officer to investigate the complaint

National Register means the register maintained by the Commonwealth Department responsible for VET; training.gov.au

RTO means Registered Training Organisation, Cape Australia Holdings Pty Ltd, TOID 7131, as defined on the National Register

Standards means the 2015 Standards for Registered Training Organisations (RTOs)

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Process Stages

1. Altrad Services is committed to providing quality training and assessment services to all learners. All learners have a right to appeal an assessment decision made by the RTO if he/she feels that:
 - The assessment decision has been made incorrectly, and/or
 - The assessment process was not fair or valid
2. The Assessment Appeals Procedure is committed to, and guided by, the principles of assessment and rules of evidence, as outlined in clause 1.8 of the Standards.
3. All appeals must be made in writing, using Altrad Services' RTO Assessment Appeals Form, AMS-AUS-F-1041, and will be dealt with in a fair, impartial and efficient manner.

Resolving issues before they become an appeal

4. Where possible, in the first instance candidates are encouraged to resolve the situation(s) directly with the trainer/assessor, or RTO Centre Manager, to rectify the issue before the matter is escalated to an appeal.
5. If the issue cannot be resolved informally, the candidate can submit a formal appeal in writing as per the following process.

Lodging an Appeal

6. An appeal must be made in writing using the RTO Assessment Appeals Forms, AMS-AUS-F-1041. The appeal must:
 - Be addressed to the RTO Centre Manager
 - Specify the particulars of the decision or finding in dispute
 - Be lodged within 14 days of the candidate receiving notification of their final result/s

The following procedure is to be followed when an application for appeal is received

7. Appeals received by the RTO are to be recorded on the RTO Training Complaints and Appeals Register, AMS-APAC-F-0557.
 - Applicants who submit an appeal by phone or email are to be provided with the RTO Assessment Appeals Forms, AMS-AUS-F-1041, for submission
8. The applicant is to receive written acknowledgement of their appeal within five (5) days of receipt of the Appeals Form.
9. The completed Appeals Form is to be forwarded to the RTO Centre Manager, who will review the matter.
10. The RTO Centre Manager may assign a delegate to investigate the appeal.
11. The RTO Centre Manager, or delegate, may choose to consult with others within the RTO or relevant external agencies to determining their recommendation.
12. The RTO Centre Manager, or delegate, may choose to make inquiries about the matter or may task another person to research the matter against relevant policies.
13. The RTO Centre Manager, or delegate, will consider applications for appeal on the basis of procedural fairness.
14. The RTO Centre Manager, or delegate, is to finalise their response to the applicant within 30 working days from when the Appeal Form is received.
 - Where a delegate has been assigned to investigate an appeal, the RTO Centre Manager is to review all findings, recommendations and any correspondence prior to any response being finalised
15. The response to the applicant must include information that demonstrates the appeal was thoroughly reviewed and detail what actions and outcomes have been identified as a result of the appeal.

16. Where opportunities for improvement or corrective actions are identified as a result of the appeal, they are to be recorded on the RTO Training Continuous Improvement Register, AMS-AUS-F-0551.
17. If the applicant is satisfied with the response, the appeal is to be closed on the RTO Training Complaints and Appeals Register, AMS-APAC-F-0557.
18. If the applicant is not satisfied with the outcome, the applicant is to have the opportunity for a person or a body that is independent of the RTO to review his or her appeal following the internal appeals process.
 - The applicant is, however, required to meet their own costs in relation to travel, time and in preparing any submission to an independent person or body
19. At the conclusion of the review, the decision or outcomes of the appeals process will be officially recognised as the final result for that assessment.
20. The RTO Training Complaints and Appeals Register, AMS-APAC-F-0557, is to be kept up to date at all times to accurately reflect how the matter was responded to and the duration from the date the appeal was received to the date the appeal was resolved.

Resolution Timeframe

21. All formal appeals will be responded to efficiently within a reasonable timeframe, within 30 days or as soon as practicable. However, in some cases, particularly if the matter is complex, the resolution may take longer.
22. Where more than 60 calendar days are required to process and finalise an appeal, the applicant will be:
 - Informed in writing reasons why more than 60 are required calendar days; and
 - Regularly updated on the progress of the matter

Record Keeping and Confidentiality

23. In accordance with Altrad Services' RTO Records Management Procedure, AMS-AUS-PR-03-26, a written record of all appeals handled under this procedure and their outcomes will be maintained for a period of at least five (5) years to allow all parties the appropriate access to these records.
24. All records relating to appeals will be treated as confidential and will be covered by the RTO's Privacy and Data Protection Procedure, AMS-AUS-PR-03-35.

Non-Limitation of Policy

25. This procedure, and any related policies or procedures, do not replace or modify those or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this procedure, or related policies and procedures, limits the rights of individuals to take action under Australia's Consumer Protection laws. Also, this procedure does not circumscribe an individual's rights to pursue other legal remedies.

External Assistance

26. Candidates can lodge an external complaint with the appropriate department, including but not limited to the Australia Skills Quality Authority (ASQA), or the Ombudsman in their relevant State or Territory.
 - <https://www.asqa.gov.au/>
 - <http://www.ombudsman.wa.gov.au/>
 - <https://www.ombudsman.sa.gov.au/>



Key Related Documents

Reference Number	Document
AMS-AUS-F-1041	RTO Assessment Appeals Form
AMS-AUS-F-0557	RTO Training Complaints and Appeals Register
AMS-AUS-F-0551	RTO Training Continuous Improvement Register
AMS-AUS-PR-03-26	RTO Records Management Procedure
AMS-AUS-PR-03-35	RTO Privacy and Data Protection Procedure