

APPEALS PROCEDURE

RELEVANT STANDARD(S):

Standards for Registered Training Organisations (RTOs) 2015	Chapter 3 – Support and progression - Clause 6.1-6.5
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Appeals Procedure	
PURPOSE	This process serves as the guide and reference document for the Appeals handling of Train2Care. Error! Reference source not found. Changes to this procedure must only be made upon the approval of the Training Manager or CEO.
ROLE UNDERTAKING TASK	Training Team/Management
DOCUMENT UPDATE	01 November 2022

Initial Review of Appeal		
No.	Person/s Responsible	Steps to take
1	Student	(1) If the student is unhappy with the assessment decision, they should first seek to discuss the decision and options with the Trainer and Assessor, to determine and fully understand the reasons for the decision.
2	Trainer and Assessor	(2) With a view to resolving the matter, discuss with the Learner: <ol style="list-style-type: none"> a. Give specific feedback on their performance, b. Identify areas of improvement, and c. Provide options to the learner such as further training and/or assessment. (3) If the matter is successfully resolved, identify if there are areas of improvement and log any identified improvement opportunity in the Continuous Improvement Register (4) If the matter is not resolved, advise learner of their right to appeal the decision referring them to the Complaints and Appeals Policy in the website or Student Handbook (5) Provide Learner with access to the Appeals Lodgement Form
Lodgement of Appeal		
No.	Person/s Responsible	Steps to take
1	Student	(1) Lodge the appeal in writing using the Appeals Lodgement Form as soon as possible (2) Student will receive a confirmation email that the appeal was received and that the Train2Care staff will be in touch once the form is lodged.

2	Amin Staff	<p>(3) Once the appeal is lodged Admin Staff will receive an email notification that an appeal was lodged</p> <p>(4) Update the student record in the SMS by creating a note and nature of appeal</p>
3	Training Manager	<p>(5) Once the appeal is lodged the Training Manager will receive an email notifying that an appeal was lodged</p> <p>(6) Conduct a participative review of the appeal lodged</p> <p>(7) If needed, assign stakeholder(s) / Train2Care staff independent to the appeal to resolve matters within timeframes.</p>

Processing the Appeal

No.	Person/s Responsible	Steps to take
1	Training Manager / CEO / Assigned Staff	<p>(1) Communicate with the appellant and request for additional evidence if required.</p> <p>(2) Aim to resolve the complaint as quickly as possible and within 30 days from the time action item was assigned or within timeframe specified by the Training Manager. Actions which may be taken may include but are not limited to:</p> <ol style="list-style-type: none"> a. Review of the application form and supporting evidence. b. Review of all assessment documentation and process. c. Interview with the appellant to allow them the opportunity to formally state their claim. <p>(3) Determine the appeal outcome and provide an explanation to justify the decision</p> <p>(4) Communicate with the student every time actions are taken and decisions once appeal has been resolved.</p> <p>(5) If the outcome involves re-assessment proceed to Conducting Re-Assessment</p> <p>(6) If the outcome does not involve re-assessment proceed to Finalising the Appeal</p>

Conducting Re-Assessment

No.	Person/s Responsible	Steps to take
1	Training Manager Error! Bookmark not defined. / CEO/ Staff	<p>(1) Arrange for the re-assessment and inform the appellant of the details in writing, in accordance with assessment processes.</p> <p>(2) Update appeal register</p>

		<p>(3) The appellant has the option to nominate an independent observer to be present during the re-assessment.</p> <p>(4) Conduct the re-assessment.</p> <p>(5) Determine the assessment outcome against the competencies.</p> <p>(6) Complete all relevant assessment documentation, notifying the appellant and the Training Manager of the outcome, in writing.</p> <p>(7) If the appellant refuses to be re-assessed or is dissatisfied with the result or the process of the appeal, the appellant may lodge an appeal with External Arbitrator. <i>(See Referral to External Arbitrator)</i></p>
2	Admin Staff	<p>(8) Update the learner file in the Learning Management System</p> <p>(9) Place a copy of the re-assessment correspondence on the Learner file</p>
Finalising the Appeal		
No.	Person/s Responsible	Steps to take
1	Training Manager / CEO / Assigned Staff	<p>(1) Supply the appellant with the appeals outcome in writing once outcomes are completed.</p> <p>(2) Record all communication and documents related to the resolution actions in the Complaints and Appeals Register</p> <p>(3) Assign the Admin Staff to update the student record SMS</p> <p>(4) Lodge continuous improvement opportunities in the Continuous Improvement Register</p>
2	Admin Staff	<p>(5) Update the student record in the student management system with appeals resolution outcome</p> <p>(6) Place all documentation from appeals file onto student file.</p>
3	Training Manager / CEO	<p>(7) Monitor the learning environment to ensure that the behaviour/incident does not re-occur.</p> <p>(8) Discuss appeals, action items and communications during Management Meeting or Continuous Improvement Meetings</p>
Referral to External Arbitrator		
No.	Person/s Responsible	Steps to take
1	Training Manager	<p>(1) If the complaints process fails to resolve the appeal or the appellant is not satisfied with the outcome of the appeal, inform the student that they may request for an independent third-party review. The student is responsible to contact the third party and for all cost associated for an independent review.</p>

2	Student	(2) Contact and engage the External Arbitrator for a review of the appeal, providing all relevant documentation.
3	Training Manager / RTO	(3) Cooperate with External Arbitrator for a review of the appeal.
4	External Arbitrator	<p>(4) Review, investigate and mediate the appeal with all relevant parties and make a ruling.</p> <p>(5) Prepare a formal written report on the investigation, providing a copy to both the CEO of Train2Care and appellant.</p> <p>(6) Train2Care will abide by any resolutions as recommended by the External Arbitrator.</p>
5	CEO / Error! Reference source not found.	<p>(7) If the appeal is upheld, abide to the resolution decided on and proceed to step 4.1.</p> <p>(8) If not upheld, inform student in writing that the original decision is to stand and proceed to step 4.1</p>

VERSION CONTROL

Version Control Table					
Date	Summary of Modifications	Modified by	Version	Date of Implementation	Next Review Date
04/05/2020	Procedure Creation	360RTO Solutions	v. 1.0	27/04/2021	27/04/2022
04/05/2020	Updated document to include RTO Code and ABN	360RTO Solutions	v. 1.0	27/04/2021	27/04/2022
01/11/2022	Reviewed document for validity, relevance and currency.	Training Manager	V. 1.0	01/11/2022	01/11/2023
07/08/2023	Updated address and contact number	Training Manager	V.1.1	07/08/2023	01/11/2023