

Academic Appeal Policy

Reference:	RTO-POL-004. V2.0 12/2024
Ownership:	CEO
Authorised by:	
Review due:	12/2025

1. Purpose.

Skill360 Australia is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (RTOs) 2015. As such, Skill360 Australia is required to have policy and processes in place to manage requests for a review of assessment decisions.

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 Appeal 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 Skill360 Australia staff act in a professional manner at all times. This policy provides clients with a clear process to register an appeal. It ensures all parties involved are kept informed of the resulting actions and outcomes.

2. Scope.

This policy applies to Skill360 Australia as part of The BUSY Group (TBG), this includes all employees who work within Skill360.

3. Child Safety Commitment

As an organisation that is committed to the Child Safety Organisation National Principles, Skill360 as part of The BUSY Group (TBG) is dedicated to creating a child safe culture – refer to our Child Safety and Wellbeing policy to see how TBG adopts broader strategies that promote and protect the safety and wellbeing of children and young people.

4. Policy Statement

Skill360 Australia acknowledges that clients have the right to appeal an assessment decision, based on valid grounds for appeal.

Skill360 Australia has provision for clients to appeal against assessment decisions.

Skill360 Australia ensures that clients have access to a fair and equitable process for lodging an appeal against an assessment decision.

In doing so, Skill360 Australia:

- has written processes in place for collecting and dealing with appeals in a constructive and timely manner.

- ensures that these procedures are communicated to all staff, third party partners and clients.
- ensures that each appeal and its outcome are recorded in writing.
- ensures that each appeal is heard by an independent person or panel.
- ensures that each appellant has the opportunity to formally present his or her case.
- ensures that each appellant is given a written statement of the appeal outcomes, including reasons for the decision.
- takes appropriate action upon the subject of any appeal that is found to be substantiated; and
- utilises outcomes of appeals to review current practices which may potentially lead to continuous improvement.

5. Definitions (if applicable)

5.1. 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.

6. Policy Principles

6.1. Underpinning Principles

- i. Clients 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.
- ii. The principles of natural justice and procedural fairness are adopted at every stage of the appeal process.
- iii. The appeals policy is publicly available, via Skill360 Australia website.
- iv. The appellant can provide details of their appeal either verbally and/or in writing.
- v. All appeals must be lodged within 7 calendar days of the date of the assessment result notification to the client.
- vi. If the appeals process fails to resolve the appeal or the appellant 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 appellant. The appellant will be advised of All costs incurred for the third-party review and agreement in a written form will be obtained and recorded prior to proceeding with a third-party review.
- vii. Every appeal is reviewed by a suitably qualified independent assessor or panel, who will be asked to make an independent assessment of the application.
- viii. All appeals are acknowledged in writing and finalised as soon as practicable.
- ix. Skill360 Australia 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 appellant.
- x. If the appeal will take in excess of 60 calendar days to be finalised Skill360 Australia will inform the appellant in writing providing the reasons why more than 60 calendar days are required. The appellant will be provided with regular updates on the progress of the appeal.

- xi. Skill360 Australia strives to deal with appeal issues as soon as they emerge, in order to avoid further disruption or the need for a formal complaint process.
- xii. All appeals will be handled 'In-Confidence' and will not affect or bias the progress of the participant in any current or future training.

7. Grounds for Appeal

Valid grounds for an appeal against an assessment decision (where the client 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 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.

8. Appeal Outcomes

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

- a) Appeal is upheld; in this event the following options will be available:
 - i) The original assessment will be re-assessed, potentially by another assessor.
 - ii) Appropriate recognition will be granted.
 - iii) A new assessment shall be conducted/arranged.
- b) Appeal is rejected/ not upheld; in accordance with Skill360 Australia assessment policy the client will be required to:
 - i) undertake further training or experience prior to further assessment; or
 - ii) re-submit further evidence; or
 - iii) submit/undertake a new assessment

9. Skill360 Australia Responsibilities

The responsible officer is the CEO Skill360 Australia Ltd. Delegation of tasks and actions are as follows;

The Operations Manager Training at Skill360 Australia is the Appeals Resolution Officer. The Manager may delegate responsibility for the resolution of the appeal if necessary. Escalation of the Appeal will be reported to the General Manager for a resolution.

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 Skill360 Australia website.

10. Appeal process

All appeals shall follow the process below: (See RTO-PRO-030 Academic Appeal Procedure)

- a) 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. A staff member may complete an appeal form on the appellants' behalf via telephone conversation. Further detail may be provided by the appellant verbally and a record added to the appeal. (See RTO-FOR-004 Complaint and Appeal Form)
- b) The Operations Manager Training at Skill360 Australia shall be informed of receipt of any appeal and noted on the appeal register for tracking.
- c) The Operations Manager Training at Skill360 Australia may delegate responsibility for the resolution of the appeal, as appropriate.
- d) Appeals will be processed in accordance with the Appeals Procedure.
- e) Appeals, where possible, are to be resolved within 28 days of the initial application.
 - The appellant will be advised in writing if the process will take longer than 28 days.
- f) In all cases the final conclusion will be endorsed by the Operations Manager Training Skill360 Australia.
- g) The appellant will be advised in writing of the outcome of their appeal, within seven (7) days of the resolution.
- h) If the outcome is not to the satisfactory of the appellant, they may seek an appointment with the Operations Manager Training at Skill360 Australia to resolve.
- i) If the appellant is not satisfied with the appeal decision, they have the option to escalate to the General Manger or seek outside assistance to pursue the appeal. Costs for outside assistance to be made clear to the appellant.

11. Access & Equity

The Skill360 Australia Access & Equity Policy applies. (See RTO-POL-018 Access & Equity Policy)

12. Records Management.

Records of all appeals and their outcomes are maintained securely.

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; and
- The steps taken to resolve the appeal.

All documentation from this policy is maintained in accordance with Records Management Policy. (See RTO-POL-015 Student Records Management Policy)

13. Monitoring and Improvement

All appeal practices are monitored by the Operations Manager and areas for improvement are identified and acted upon. (See RTO-POL-024 Continuous Improvement Policy)

14. Related documents referenced / Legislation.

- TBG Child Safety and Wellbeing
- Equal Opportunity Act 2010
- Standards for Registered Training Organisations 2015
- RTO-POL-015 Student Records Management Policy
- RTO-POL-018 Access & Equity Policy
- RTO-POL-024 Continuous Improvement Policy.
- RTO-FOR-004 Complaint and Appeal Form
- RTO-PRO-030 Academic Appeal Procedure

15. Version Control

Version	Date	Change Summary	Author/Reviewer	Approved by:
2	03/12/2024	Updated, transferred to new template.	Keith Heavens	Damien Shea
1	01/07/2018	new	Mark Hankinson	?