

# Appeals Policy

*This policy is all about what an appeal is and how a learner or their representative can appeal against an assessment judgement made by Access All Areas Training (AAAT). It explains what each party must do to make sure the correct processes are covered. The policy also refers to requirements and obligations of AAAT when cooperating with everyone, including Australian Skills Quality Authority (ASQA).*

## Purpose

The purpose of this policy is to ensure that AAAT resolves any appeal in a prompt and efficient manner. Access All Areas Training promotes the highest standard of professionalism in dealing with our learners and partners.

## Scope

- This policy applies to all members of AAAT and ensures that staff and executive are responsible for managing the resolution of disputes and complaints lodged.
- This policy manages and responds to allegations involving the conduct of:
  - The RTO, its trainers, assessors, other AAAT staff
  - A consultant employed by AAAT
  - A third-party providing services on the RTO's behalf or
  - A learner of the RTO.

## Explanation

Complaints and Appeals are to be treated as different processes.

All appeals will follow requirements under the Standards for RTO's and the Regulator.

The CEO of AAAT will be informed immediately of an appeal and outcomes of any investigation.

## Definitions

ASQA Australian Skills Quality Authority

UOC Unit of Competency

NYC Not Yet Competent. This is considered as a final assessment for the material submitted.

NYS Not Yet Satisfactory. This is a determination of a question or section of the UOC being undertaken.

RTO Registered Training Organisation

## Definition of an Appeal

An appeal is an application by a student of an unfavourable decision of finding during the training and/or assessment process.

Appeals should be made to request that a decision made by, or on behalf of, AAAT is reviewed. Decisions can involve but are not limited to:

- Assessment outcomes/results.
- Acceptance into a course.
- Refund assessments.

- Response to an appeal
- Grounds for reassessment.
- Course progression.
- Other general decisions made by AAAT, its staff, or representatives which may be perceived to impact unfairly on the learner.

## References

- **Revised Standards for RTOs 2025.**
- Standard 2.8 - Effective appeal processes are available where decisions of the RTO or a third party adversely impact a VET student.

## Review and Improvement

The Head of Operations will review this procedure annually or as appropriate.

## Appeals Procedure

### General

AAAT will make every effort to promptly resolve and ensure the lodged appeals are confidential and processed according to the principles of procedural fairness. In all matters, the educational wellbeing of students is the priority.

### Appeals Process

- AAAT is genuinely interested in having appeals resolved at RTO level.
- AAAT recognises a learner's right to an appeal and have this dealt with seriously and fairly.
- Each appellant is to be given the opportunity to present their appeal in person if they wish.
- Where the appellant is under the age of 18 years old, the parent/guardian is to be included in all correspondence.
- The appeal is to be lodged by the appellant within 7 days of the event.
- AAAT will provide the appellant with written acknowledgement of receipt of the appeal within 2 working days.
- AAAT's Head of Operations (HOPs) will inform the CEO of the lodged appeal.

- The appellant will be notified of the outcome in writing within 10 working days of receipt of the appeal.
- Where the RTO considers more than 60 calendar days are required for rectification, the appellant will be provided with regular written updates until the appeal is finalised.
- Appeals are monitored, and their management evaluated to reduce the occurrence of systemic and recurring problems.
- In all matters, the educational wellbeing of learners is the priority.

### Reporting Appeals

All appeals will be handled in a transparent, objective, and unbiased manner and will be kept strictly confidential. An appeal may be reported by a student where a perceived breach affects them in the conduct of the delivery and assessment of a qualification which AAAT is involved.

An appeal may be made by phone or email and shall be recorded by a representative of AAAT.

AAAT will ensure that:

- Formal appeals will be acknowledged by AAAT in writing.
- The student has full access to the relevant evidence and parties involved will be personally heard by an independent person who was not involved in the original issue.
- The review and investigation are evidence based, defensible and transparent and is documented at all stages and all parties involved are given a written statement of the outcome, including details of the reasons for the outcome.

### Recording an Appeal

AAAT HOps shall record all appeals and then enter it into the Appeals Register.

AAAT will document all verbal and written correspondence pertaining to any appeals.

An appeal may be made by the learner if they believe a determination has been made involving them or an assessment judgement of a NYS – Not yet satisfactory or NYC – Not yet competent, which impacts them unfairly.

### In the case of an Appeal against an Assessment Judgement

A learner is asked to refer directly to the trainer initially for resolution. They may also elect to proceed with their appeal directly to the HOps if resolution with the trainer is not reached.

The Hops will initiate an inquiry, which will involve the trainer, assessment judgement and other support parties and may result in instigating a validation of the judgement. This will follow the normal processes for validation.

If the HOps believe the trainer's result was a correct judgement, your appeal will be dismissed. If required, AAAT will instruct the trainer to amend the results or do

so on their behalf if the investigation finds the result not substantiated.

The findings of the validation will be recorded and made available to the learner. The learner will be further advised of their right to contact ASQA if the decision of the RTO still fails to meet their expectation.

### In the case of Appeal other than Assessment Judgement

The learner will follow the same process. The RTO will initiate an investigation into the appeal and decide based on their findings.

### Resolution

AAAT is committed to resolving any appeal. The result shall be agreed upon and AAAT will enter all details on to the Appeals Register. After this the appeal, investigation and resolution shall be tabled at the next RTO staff meeting for discussion. Recommendations to ensure a repetition on this type of issue is reduced.

### No Resolution

If no resolution has been agreed, the complainant or appellant will be advised of their rights and if appropriate to seek clarification from the regulator. The HOps shall advise the CEO immediately of the appellant's position.

AAAT will cooperate fully with the regulator and make available all documentation to them when sort. AAAT will abide by any decision made by the regulator of a breach against the Standards.

Where AAAT cannot resolve a complaint, the complainant will be further advised they can forward a written complaint to ASQA or the National Training Complaints Hotline.

Learners can be directed to the following agency if they are not satisfied with the RTO's finding:

<https://www.employment.gov.au/national-training-complaints-hotline>

or

<https://www.asqa.gov.au/complaints/complaints-about-training-providers>

### Review and Improvement

The Head of Operations will review this procedure on as needs basis.

### How will this be prevented in the future?

Upon completion of the investigation by the RTO of any appeal put to them, AAAT will convey to the relevant personal to look at the processes, procedures or practice which brought about the appeal. This process is intended to discover ways to prevent this occurring again.

The findings of the review will be recorded as continuous improvement on the Continuous Improvement Register and actions taken as deemed necessary, which may or may not include an audit of the trainer or RTO processes.

