

# Appeals

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### Version Control

Current Version: Number	Current Version: Date	Date of Next Review	Previous Version
11	26/10/2017	26/10/2019	10

### Change History

Date	Version	Author	Revision Description
26/10/2017	11	Joanne Viegas	Added more detail to policy statement; updated associated documents. Merged procedure and policy document. Updated against Standards for RTOs 2015.
23/03/2015	10	MJ Satterthwaite	Currency review; new branding
3/09/2014	9	MJ Satterthwaite	Currency reviewed; Scope Master Task List – CI Register terminology change; Assessment to Judgement Record terminology change
16/04/14	8	MJ Satterthwaite	Amendments made to relevant legislation
09/09/2012	7	MJ Satterthwaite	Reviewed in line with AQTF requirements and updated according to current RTO operational practices
28/01/2009	6	MJ Satterthwaite	PDF version of document uploaded to website; policy now known as 4.1
27/01/2009	5	Joanne Viegas	Flowchart reviewed and corresponding forms updated in interactive on line format
12/04/2003	4	MJ Satterthwaite	Amended as a result of audit with Dr Docking 02/02/2004: Reviewed – no change required 21/10/2004: Reviewed – no change required 12/04/2005: Reviewed – no change required 10/01/2008: Reviewed – no change required
20/07/2002	3	Joanne Laidlaw	Layout and wording changes
10/12/2001	2	Joanne Laidlaw	Changed to landscape layout
01/01/2001	1	Joanne Laidlaw	Issued for primary release

### Approval

Document reviewed by	Document authorised by	Approved for publishing
Joanne Viegas	MJ Satterthwaite	26/10/2017

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## Policy Statement

It is the right of every learner of Scope Vision to be able to appeal a decision made by Scope Vision or any third party providing services on Scope Vision's behalf. If a learner considers a decision to be unjust or unfair, they are first encouraged to discuss the issue with the parties involved. If they are still unsatisfied, they are invited to lodge a formal appeal. All appeals will be heard and decided on within 30 working days of receiving the written advice. The RTO Management will keep a record of appeals within the Appeal Register. This Register documents all formal appeals and their resolution. Any substantiated appeals will be reviewed as part of the Continuous Improvement Procedure.

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## Purpose

Scope Vision is committed to providing a quality learning experience to all learners studying through accredited pathways. In the event that a learner is dissatisfied with their assessment judgement outcome, this policy and procedure highlights the methodologies which will be enacted to proactively resolve the issue. The purpose of this policy is to provide a framework for dealing with an appeal and to provide confidence in Scope Vision's appeals process.

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## Scope

Appeals are managed fairly, efficiently and effectively. The RTO aims to create an environment where learner's views are valued. Any learner wishing to appeal an RTO assessment outcome shall have access to the appeals procedure.

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## Compliance Requirements

### Legislative Requirements

- WA Vocational Education and Training (VET) Act 1996 and Regulations (General) 2009
- Standards for VET Accredited Courses 2012
- Privacy Act 1988
- Privacy (Private Sector) Regulations 2001

### Compliance Requirements

- Standards for RTOs 2015 – Standard 6.1-6.6

**Definitions**

Term	Definition
Appeal	An appeal is undertaken by a learner who is in disagreement with the assessment outcome or judgement made
Assessment	The process of collecting evidence and making judgements on the nature and extent of progress towards the performance requirements set out in a standard, or a learning outcome, and at the appropriate point making the judgement as to whether competency has been achieved
Assessor	Any person engaged by the RTO to perform assessment activities pertaining to nationally recognised assessment
Assessment Tool	A document used by an assessor to record assessment evidence; it includes the following components: the context and conditions for the assessment; the tasks to be administered to the learner; an outline of the evidence to be gathered from the learner and the evidence criteria used to judge the quality of performance (i.e. the assessment decision making rules); the administration, recording and reporting requirements
Continuous Improvement Register	Scope Master Task List – CI Register; the document used to capture all operational information including continuous improvement; client project plans; appeal register; grievance and complaint register
Current Evidence	In assessment, currency relates to the age of the evidence presented by a learner to demonstrate that they are still competent; it requires demonstration of current performance
Fairness	Fairness in assessment requires consideration of the learner’s needs and characteristics, and any reasonable adjustments that need to be applied to take account of them; it also includes an opportunity for the person being assessed to challenge the result of the assessment and to be reassessed if necessary
Flexibility	To be flexible, assessment should reflect the learner’s needs; provide for recognition of competencies no matter how, where or when they have been acquired; draw on a range of methods appropriate to the context, competency and the learner; and support continuous competency development
Formative Assessment	Assists and supports learning by monitoring and advising learners of the quality of their performance and their rate of progress towards the achievement of the learning outcomes; provides feedback to the learner on what further development activities are needed to achieve the required competencies or learning outcomes

Term	Definition
Independent Third Party	A recognised professional within the VET sector with no direct involvement in the training and assessment process within the RTO
Key Stakeholder	A person party to the assessment, or assessment process; e.g. Learner, RTO, Assessor, or the employer
Learner	Any person enrolled in nationally recognised training undertaking nationally recognised assessment; may also be known as a candidate for assessment; an individual who is receiving, responding to and processing information in order to acquire and develop competence; this incorporates the processes of preparing and presenting for assessment
National Recognition	Recognition by an RTO of the AQF Qualifications and Statements of Attainment issued by all other RTOs, thereby enabling national recognition of the Qualifications and Statements of Attainment issued to any person
NVR	National Vocational Requirements
Principles of Assessment	Assessment events must be valid, reliable, flexible and fair
Qualification	Means a formal certification, issued by a relevant approved body, in recognition that a person has achieved learning outcomes or competencies relevant to identified individual, professional, industry or commercial needs
Recognition Pathway	A pathway for learners to have their skills and knowledge recognised via recognition of prior learning, recognition of current competency, or credit transfer arrangements
Recognition of Current Competence	RCC applies if a learner has previously successfully completed the requirements of a unit of competency or module and is now required to be reassessed to ensure that the competence is being maintained
Recognition of Prior Learning	Recognition of Prior Learning (RPL) is an assessment process that assesses an individual's non-formal and informal learning to determine the extent to which that individual has achieved the required learning outcomes, competency outcomes, or standards for entry to, and/or partial or total completion of, a Qualification
RTO	Registered Training Organisation: Scope Vision: RTO code: 4685
RTO Management	Maria-Jane Satterthwaite; Managing Director. Joanne Viegas; General Manager
RTO Agent	Includes trainers, assessors, contractors, administrators, or parties to formal partnership arrangements with Scope Vision

Term	Definition
Scope of Registration	The scope of registration of the RTO as outlined on <a href="http://www.training.gov.au">www.training.gov.au</a>
Standards for RTOs 2015	<p>The Standards under which the RTO is governed; there purpose is to:</p> <ul style="list-style-type: none"> <li>• Set out the requirements that an organisation must meet in order to be a registered training organisation (RTO);</li> <li>• Ensure that training products delivered by RTOs meet the requirements of training packages or VET accredited courses, and have integrity for employment and further study; and</li> <li>• Ensure RTOs operate ethically with due consideration of learners' and enterprises' needs</li> </ul>

### **RTO Management**

- Ratifies Scope Vision Appeals Policy and Procedure
- Ratifies appeal resolution actions and appeal decisions
- Mediates and consults in appeal resolution processes
- Implements and manages the Scope Vision Appeals Policy and Procedure
- Liaises with an Independent Third Party to have the assessment evidence reviewed; as required
- Takes responsibility for the overall maintenance of the Continuous Improvement Register including ensuring appeal resolutions, decision or actions are documented
- Takes responsibility for the education of trainers and assessors regarding the Appeals Policy and Procedure
- Initiates continuous improvement within the RTO through validation and moderation of assessment judgement outcomes as a result of appeals
- Communicates all relevant changes and updates to trainers and assessors and learners as appropriate

### **RTO Agent**

- Operate in accordance with the Scope Vision Appeals Policy and Procedure
- Handle all appeals in the first instance, advising the RTO Management in writing of all circumstances involving the issue or appeal
- Ensure that the RTO Management is aware of any formal appeals which may be pending
- Participate in the appeal resolution process as directed by the RTO Management

### **Learner**

- Ensure that they are familiar with the RTO Policy and Procedure pertaining to appeals
- Complete and submit the Appeal Notification Form to the RTO within 30 days of receiving their assessment judgement outcome
- Attend all mediation meetings as agreed to and scheduled with the RTO and Independent Third Party
- Accept that the documented decision of the Independent Third Party is the outcome agreed to by all parties

## Appeals Procedure

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Scope Vision is committed to providing a quality learning and assessment experience to all learners. In the event that a learner is dissatisfied with their assessment outcome or judgement decision, this policy and procedure highlights the methodologies to be enacted to proactively resolve any issues. Appeals are managed fairly, efficiently and effectively. Scope Vision aims to create an environment where learner's views and opinions are valued. Any learner wishing to appeal an assessment outcome shall have access to the appeals procedure.

### Procedure

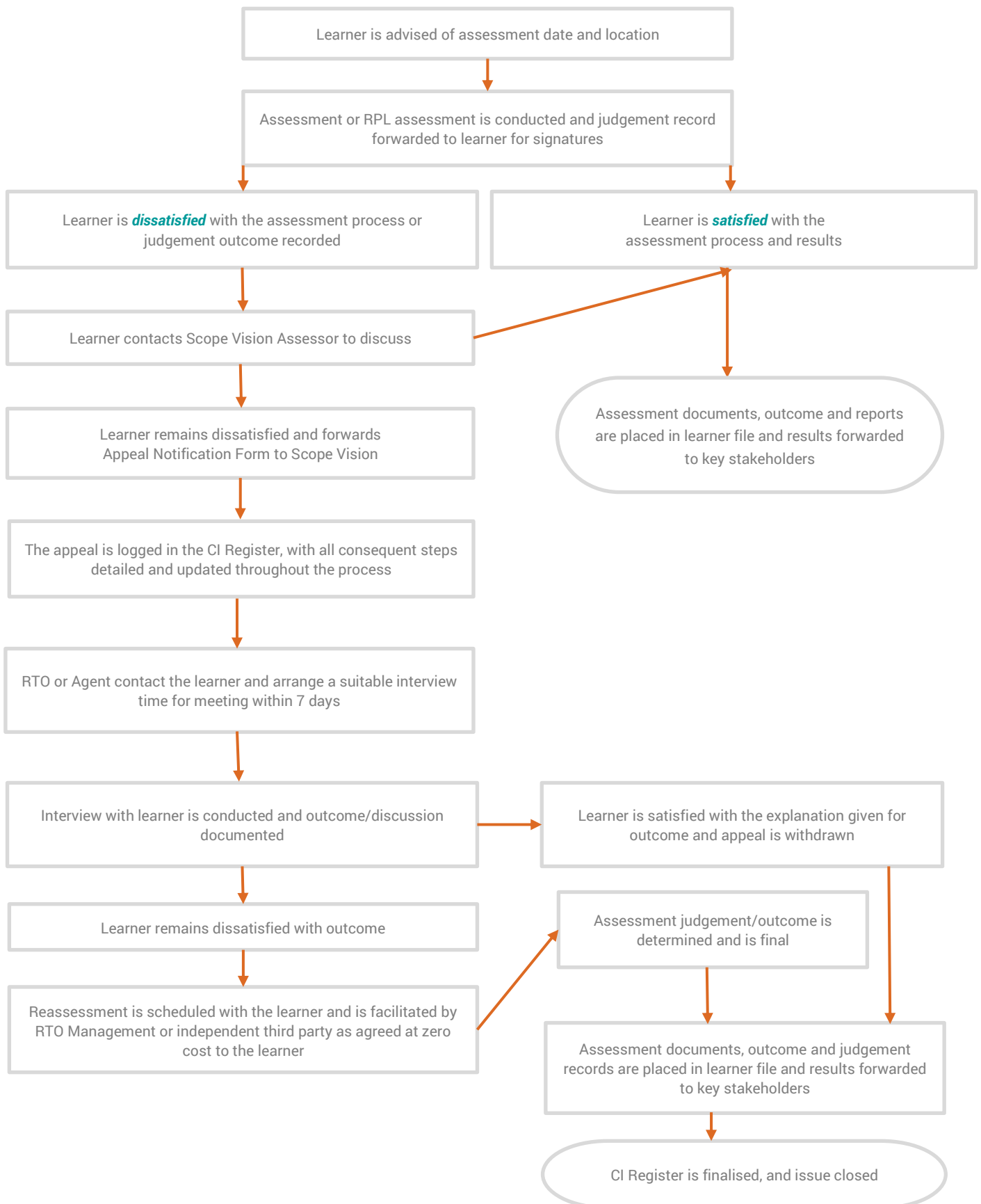
#### Steps to follow

1. In the first instance, learners are to approach the assessor responsible for guiding their learning and assessment pathway; Assessors are identified in the Assessment Progress Report and Judgement Record received by the learner notifying them of the assessment outcome.
2. The assessor explores options with the learner to provide further detail to support their assessment decision and brings to the attention of the RTO Management the notification of a potential issue.
3. The RTO Management liaise with the learner to investigate if the learner wishes to lodge a formal appeal.
4. In the event a learner wishes to lodge a formal appeal they are to complete and submit to the RTO an Appeal Notification Form within thirty (30) days of receiving their formal assessment outcome.
5. The Appeal Notification Form outlines the unit, course or qualification that the learner is undertaking, the nature of the appeal, all parties to the appeal and any evidence put forward for consideration. Also specified, are the steps taken to attempt to resolve the issue and the actions they would like to see occur. Upon receipt of the Appeal Notification Form the RTO Management logs the notification in the Continuous Improvement Register formally tracking all correspondence and outcomes related to the appeal.
6. The RTO Management reviews the assessment evidence and outcome, making an appointment to meet with the learner within seven (7) days of receiving the formal notification. At this meeting the issue, evidence and judgement decision are discussed with a view to negotiating a suitable outcome for all parties involved. If the learner is still not in agreement with the assessment outcome of the RTO, the RTO engages the services of an Independent Third Party to mediate interaction with the view to achieving mutually agreed outcomes. The RTO pays all reasonable costs involved in negotiating a suitable outcome and result for all parties.



7. The assessment judgement documented by the Independent Third Party is the outcome recorded by the RTO and entered as the learner assessment outcome. The outcome is forwarded to the learner in writing.
8. In closing out the Continuous Improvement Register entry relating to the appeal, the RTO records if moderation or validation of the assessment tools, or processes is required.

Flowchart



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## Responsibilities throughout the procedure

### Assessor

- Liaise with learner regarding assessment outcome forwarding written copy of judgements made to learner
- Advise RTO of any potential issues with recorded outcomes
- File all learner Judgement Records and Assessment Progress Reports in accordance with the Assessment Policy and Procedure
- Update database in accordance with Assessment and Record Management and Administration Policy and Procedure

### Learner

- Complete and submit the Appeal Notification Form
- Meet with RTO Management at a time agreed to by all parties
- Accept the decision of the RTO and/or Independent Third Party as the agreed outcome from the appeal

### RTO Management

- Log the appeal in the Continuous Improvement Register/Appeal Register
- Investigate the appeal in accordance with the process outlined
- Arrange a meeting with the learner to negotiate an appropriate outcome
- Contract Independent Third Party, if required

### Independent Third Party

- Review the assessment evidence submitted by the learner and/or RTO
- Document and report the final judgement outcome
- Mediate and attend meetings as required

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### Associated Documents

- Training Accreditation Council Fact Sheet – RTO Complaints and Appeals
- Continuous Improvement Register
- Learning and Assessment Plan
- Appeal Notification Form
- Continuous Improvement Policy and Procedure
- Records Management and Administration Policy and Procedure
- Risk Management Policy and Procedure
- Trainer and Assessor Position Description
- Certification Policy and Procedure
- Assessment Task Judgement Record
- Assessment Progress Report
- Assessment Policy and Procedure

### Records

- Upon receipt of the Appeal Notification Form the RTO Management logs the notification in the Continuous Improvement Register/Appeal Register formally tracking all correspondence and outcomes related to the appeal
- The RTO records if moderation or validation of the assessment tools, or processes is required in the Continuous Improvement Register.

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### Feedback and Amendments

Formalised feedback review is carried out annually by the RTO Management. Any amendments to be made to this Policy and Procedure follow the Continuous Improvement Policy and Procedure and are recorded on the Continuous Improvement Register.