

FIT COLLEGE APPEALS POLICY

1. Purpose

FIT College is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (RTOs) 2015. As such, FIT College is required to have a policy and processes in place to manage requests for a review of assessment decisions, including those made by third party training and assessment providers who provide services on behalf of FIT College. 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 Appeals policy provides the opportunity for appeals to be recorded, acknowledged and dealt with in a timely manner. The object of this policy is to ensure that FIT College staff and third party third-party partners, act in a professional manner at all times. This policy provides learners 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 all employees involved in the appeals process with FIT College. Due diligence by all involved in the appeals process with FIT College is crucial in minimising risk to the company.

3. Policy Statement

FIT College acknowledges that learners have the right to appeal an assessment decision, based on valid grounds for appeal. FIT College has provision for learners to appeal against assessment decisions, including those made by a third party third-party partner. FIT College ensures that learners have access to a fair and equitable process for lodging an appeal against an assessment decision. In doing so, FIT College ensure that:

- A written process is in place for collecting and dealing with appeals in a constructive and timely manner;
- The appeals procedure is communicated to all staff, third party partners and learners;
- Each appeal, and its outcome, are recorded in writing;
- The appeal is heard by an independent person or panel;
- Each appellant has the opportunity to present his or her case formally;
- 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.

4. Definitions

Appellant refers to the learner who seeks reversal or modification to a decision.

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.

LAR refers to Learner Action Request, which is available to FIT College Learners via the Student Lounge Portal.

Natural justice refers to principles, procedures, or treatment felt instinctively to be morally right and fair.

Third-party means any party that provides services on behalf of the RTO but does not include a contract of employment between an RTO and its employee.

Valid grounds refers to a rational motive, reason or cause for an action to be taken.

5. Policy Responsibilities

Responsible Officer	Responsibilities
Operations Manager or delegated representative	<ul style="list-style-type: none"> • Ensure employees adhere to the principles outlined in the Appeals Policy. • Collected required documentation to ensure a fair & equitable appeals process is conducted. • Provide an outcome to the learner on their appeal submission. • Run the meeting with the learner upon their request if the appeal is not resolved.
Involved Employees	<ul style="list-style-type: none"> • Adhere to the principles outlined within the Appeal Policy. • Provide any communication between the employee and the learner through to the Operations Manager or delegated representative. • Attend any required meetings with the learner upon the Operations Manager or delegated representative.

6. Learner appeals

Learners 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. The principles of natural justice and procedural fairness are adopted at every stage of the appeal process. The appeals policy is publicly available, via the FIT College website.

6.1. Learner appeals principles

- 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. All costs incurred for the third-party review will be advised to the appellant.
- Every appeal is heard by a qualified independent assessor or panel, who will be asked to make an independent assessment of the application.
- All appeals are acknowledged in writing and finalised as soon as practicable.
- FIT College 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.
- If the appeal will take in excess of 60 calendar days to finalise, FIT College will inform the appellant in writing, providing the reasons why more than 60 calendar days are required. The appellant will also be provided with regular updates on the progress of the appeal.
- FIT College strives to deal with appeal issues as soon as they emerge to avoid further disruption or the need for a formal complaint process.

- 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 learner feels the assessment decision is incorrect) could include the following:

- a) The judgement as to whether competency has been achieved and demonstrated was made incorrectly;
- b) The judgement was not made in accordance with the Assessment Plan;
- c) The alleged bias of the assessor;
- d) Alleged lack of competence of the assessor;
- e) Alleged wrong information from the assessor regarding the assessment process;
- f) The alleged inappropriate assessment process for the particular competency;
- g) Faulty or inappropriate equipment; and/or
- h) Inappropriate conditions.

8. Appeal outcomes

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

- The appeal is upheld; in this event, the following options will be available:
 - The original assessment will be re-assessed, potentially by another assessor.
 - Appropriate recognition will be granted.
 - A new assessment shall be conducted/arranged.
- The appeal is rejected/ not upheld; in accordance with FIT College assessment policy, the learner will be required to:
 - undertake further training or experience prior to further assessment; or
 - re-submit further evidence; or
 - submit/undertake a new assessment

9. Appeals process

All appeals shall follow the below process:

- The appellant can provide detail of their appeal either verbally and/or in writing through submitting a Communication Log or via the Learner Action Request (LAR) in the Student Lounge.
- Appeal to be made in writing within 7 calendar days of notification of the assessment decision using the Appeals form.
- A submitted LAR Appeals form will constitute a formal appeal from the appellant. Further detail may be provided by the appellant verbally.
- The Operations Manager of FIT College shall be informed of the receipt of any appeal.
- The Operations Manager of FIT College may delegate responsibility for the resolution of the appeal, as appropriate.
- Appeals will be processed in accordance with the Appeals flowchart - Annex A.
- Appeals, where possible, are to be resolved within 28 days of the initial application.
- In all cases, the final conclusion will be endorsed by the Operations Manager of FIT College.
- The appellant will be advised in writing of the outcome of their appeal, within seven (7) days of the resolution.

- If the outcome is not to the satisfaction of the appellant, they may seek an appointment with the Operations Manager of FIT College.
- If the appellant is not satisfied with the decision, they have the option to seek outside assistance.

10. Access & Equity

The FIT College Access & Equity Policy applies to this policy (See Access & Equity Policy).

11. Records Management

Records of all complaints and their outcomes are maintained securely. Records of complaints include:

- How the complaint was dealt with;
- The outcome of the complaint;
- The timeframes for resolution of the complaint;
- The potential causes of the complaint; and
- The steps are taken to resolve the complaint.

All documentation from appeal processes is maintained in accordance with Records Management Policy (See Records Management Policy).

12. Monitoring and Improvement

All appeal practices are monitored by the Operations Manager of FIT College and will be discussed at Management Review Meetings with areas for improvement identified and acted upon (See Continuous Improvement Policy).

13. Document Control

Version	Date	Change Description	Author
1.0	06/07/2017	Policy Generated	RTO Manager
1.1	02/05/2018	Policy Updated	RTO Manager
1.2	17/03/2020	Policy Updated	Tim Stockwell & Amber Gersbach

ANNEX A: Appeals process flowchart

