

# Learner Appeals Policy and Procedure



## Purpose

The purpose of this policy is to provide guidance on the process to manage Learner appeals against any assessment judgment made by a REINSW Trainer and Assessor.

## Aim

Ensure that Learners that request an appeal on a judgement made on their assessment are managed fairly, and in a timely manner to ensure that REINSW Training is adhering to the principles of assessment and the rules of evidence when making judgement on Learners submitted assessments.

## 1. Roles and Responsibilities

The following roles and responsibilities have been identified to ensure that members of REINSW training are aware of their responsibilities to meet the purpose and aim of this policy/procedure.

### 1.1. Training Manager/Compliance Coordinator

The Training Manager/Compliance Coordinator are to:

- a) Ensure that compliance with the RTO Standards is maintained and the contract requirements for Smart and Skilled
- b) Convene an appeals committee where an application for an appeal has been received by a Learner
- c) Chair the appeals committee

### 1.2. Learner Engagement Coordinator

The Learner Engagement Coordinator is to:

- a) Complete audits to ensure that all assessment documentation and notes have been captured within the Student Management System (SMS)
- b) Assist with the Appeals Committee where required

### 1.3. Learner Support Officers:

The Learner Support Officers are to:

- a) Provide a Learner with the Appeals application link when requested
- b) Advise the Training Manager and the LEC of any Appeals requests received from a Learner
- c) Ensure that all assessment documentation and notes are complete and stored within the SMS
- d) Provide support to the Appeals Committee where required

### 1.4. Customer Support Officer

The Customer Support Officers are to:

- a) Provide a Learner with the Appeals application link when requested

### 1.5. Trainer and Assessors

Trainers and Assessors are to:

- a) Ensure that all assessment judgements are in accordance with the principles of assessment and the rules of evidence as per the RTO standards
- b) Ensure that all assessment tools are complete, and in their entirety to ensure that all information of the judgement have been captured
- c) Maintain notes and record these within the SMS or on the assessment tool
- d) Form part of the Appeals Committee where the Trainer and Assessor was not the judging Trainer and Assessor

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## 2. Appeals Process

The following process should be followed to ensure that an Appeals application is correctly managed and communicated to the submitting Learner.

### Period for lodgment of an appeals Application

**Important** – Learners have thirty (30) days from the judgement date listed on their Learner Assessment and Feedback Form to lodge an appeal against a judgement made on their submitted assessments.

Where an appeals application has been lodged outside the 30 days, the Training Manager can make the decision to either hear the appeal or cancel the appeal application.

Where an appeal has been cancelled due to exceeding the 30 days, notification must be in writing to the Learner.

### Appeals Application Received

1. All appeal applications must be in writing using the REINSW Appeals Application form
2. Training Manager to be made aware of the application and to review the application
3. Training Manager to convene an appeals committee that includes the following:
  - i. Training Manager
  - ii. LE Coordinator
  - iii. 2 x Trainer and Assessors
  - iv. Vivacity representative
  - v. REINSW General Manager

Parties to be excluded from the Appeals Committee:

- i. Original judging Trainer and Assessor
- ii. Trainer involved in any training, assessment help sessions
- iii. LSO Officer where a conflict may be present

### Appeals Committee Role and Process

1. Review the Appeals Application form within 5 days of receiving the application
2. Gather all evidence and assessment documentation and review the judgement notes and assessment tools used
3. Interview the Learner
4. Interview the judging Trainer and Assessor
5. Interview the LSO Officer
6. Consult as a committee and consider the evidence against the principles of assessment and the rules of evidence
7. Make a recommendation to the Training Manager and prepare a report to be sent to the Learner
8. Record all meetings, conversations and actions that have influenced the committee's outcome

### Appeals timeframe

The Appeals Committees must issue a finalised report to the Learner within 21 days of receiving the Appeal Application form from the learner. Where the committee requires additional time to review the evidence and to make a final judgement on the outcome of the appeal application, the Appeals Committee must advise the Learner in writing of the additional time required which must not exceed 60 days from the initial date of application received.

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## 3. Notification to the Learner Process

The Training Manager or their representative will contact the Learner and advise them that the Appeals Committee has finalised their investigation and have prepared a report on the outcome of the appeals application.

The Training Manager must:

1. Arrange a meeting with the Learner to go through the findings and advise the Learner of the outcome of the investigation conducted by the Appeals Committee
2. Provide a copy of the report to the Learner and ensure that a copy has been saved against the Learners profile within the SMS
3. Provide an opportunity for the Lerner to have a person present during the meeting for support if required

## 4. Outcome Process

### Oncome in favor of the learner

Where the Appeals Committee have found the initial assessment outcome to be incorrect, REINSW Training will:

1. Revise the judgement outcome by completing a new Learner Assessment feedback form which must outline that the result is from an appeals outcome and attach the report from the Appeals Committee
2. Provide a copy of the new Learner Assessment Feedback Form to the Learner
3. Revise the outcome code against the unit of Competency recorded within the SMS
4. Advise the Learner in writing that their Unit of Competency has been updated with the revised outcome

### Oncome supports initial judgement

Where the Appeals Committee have found and supports the initial judgement made by the Trainer and Assessor, REINSW Training will:

1. Advise the Learner in writing that the initial judgement stands
2. Outline the reasons for the committee's decision and provide evidence
3. Advise the Learner of the options available to complete the Unit of Competency being either resubmission or re-enrolment

### Learners' further pathway options

Where the Learner feels that REINSW has not maintained the requirements of the RTO standards, the Learner may, once the appeals process has been finalised, submit a complaint to the Australian Skills Quality Authority (ASQA).

Learners as per the RTO Standards, must provide REINSW Training the opportunity to complete the appeals process and provide feedback on the outcome prior to any complaints lodged with ASQA.


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## Traineeships

Where the Learner is completing a traineeship under the Smart and Skilled arrangements, REINSW Training must make the relevant Australian Apprenticeship Centre aware of the Appeals Application and keep the AAC informed of the progress and outcome of the appeal.

## 5. Appeals Application From

QR Code	Form
	<p style="text-align: center;"><a href="#">Click Here</a></p>

## 6. Related Policies and Procedures

- Learner Assessment Allocation and Marking

## 7. Related Documentation

- Appeals Application Form
- Learner Assessment Feedback Form

## 8. Related Legislation / Contracts

- Standards for Registered Training Organisations
- Smart and Skilled Contract

## 9. Risk Rating

Category	Consequences	Review Period	Evidence of Understanding
Low Risk	Non-compliance could result in increased risk rating with ASQA audit requirements	5 years	Relevant staff members must be aware of the document. Staff/Contractors must retain records of evidence in relation to assessment and feedback provided to Learners including the process of the appeals committee

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## 10. Policy, Procedure Information

Date Issued:	04/09/2022
Date of last review:	04/09/2022
Date of next review:	04/09/2027
Policy / Procedure owner:	Training Department
Approved by:	Training Manager
Policy/Procedure number:	EAT012