

# Appeals Procedure



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<b>Authority</b>	Chief Executive Officer or Nominee
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<b>Related policies</b>	<ul style="list-style-type: none"><li>▪ Privacy Policy</li><li>▪ Continuous Improvement Policy</li></ul>
<b>Related procedures</b>	<ul style="list-style-type: none"><li>▪ Continuous Improvement Procedure</li></ul>
<b>Forms and supporting documents</b>	<ul style="list-style-type: none"><li>▪ Student Handbook</li><li>▪ Staff Handbook</li><li>▪ AuPI website</li><li>▪ LMS</li><li>▪ Continuous Improvement Form</li><li>▪ Continuous Improvement Register</li><li>▪ Complaints and Appeals Form</li><li>▪ Complaints Acknowledgment Email Template</li><li>▪ Complaint and Appeals Register</li></ul>

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## PURPOSE

Australian Polytechnic Institute is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (SRTOs 2015) and the National Code of the Department of Education and Training.

This Procedure serves as the guide and reference document for the Appeals handling process of Australian Polytechnic Institute.

Changes to this Procedure must only be made upon approval of the CEO or Nominee.

## SCOPE

Australian Polytechnic Institute acknowledges the student's right to lodge a complaint or appeal when they are dissatisfied with the training and/or assessment services and experiences that they have been provided by Australian Polytechnic Institute or by a third-party provider (if applicable).

Australian Polytechnic Institute ensures that clients have access to a fair and equitable process for expressing complaints and appeals, and that Australian Polytechnic Institute will manage the complaint by implementing principles of natural justice and procedural fairness.

With this, Australian Polytechnic Institute ensures that:

1. It has a procedure for collecting and managing complaints and appeals in a constructive, timely, confidential and sensitive manner.
2. These procedures are communicated to all staff, contractors, third party partners and students.
3. Each complaint and appeal and its outcome are recorded in writing.
4. Complainants and appellants are given written statements or communication of the appeal or complaints handling outcomes, including decision and reason for the decision.
5. Outcomes of complaints and appeals are utilised to review current practices which may potentially lead to continuous improvement initiatives in order to mitigate the likelihood of the complaints and appeals.

## PROCEDURES

### 1. Initial Review of Appeal

Person Responsible	Step	Resources / References
Student	If the student is unhappy with the assessment decision, they should first seek to discuss the decision and options with the Trainer and Assessor, to determine and fully understand the reasons for the decision.	
Trainers and Assessors	With a view to resolving the matter, discuss with the student: <ul style="list-style-type: none"><li>• Give specific feedback on their performance;</li><li>• Identify areas of improvement, and</li><li>• Provide options to the student such as further training and/or assessment.</li></ul>	Continuous Improvement Form Continuous Improvement Register Student Handbook AuPI website Complaints and Appeals Form



	<p>If the matter is successfully resolved, identify if there are areas of improvement and log any identified improvement opportunity in the Continuous Improvement Form and Register.</p> <p>If the matter is not resolved, advise student of their right to appeal the decision referring them to the Complaints and Appeals Policy on the website or Student Handbook.</p> <p>Provide student with access to the Complaints and Appeals Form.</p>	
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## 2. Lodgement of Appeal

Person Responsible	Step	Resources / References
Student	<p>Lodge the appeal in writing using the Complaints and Appeals Form as soon as possible.</p> <p>Student will receive a confirmation email that the appeal was received and that the Australian Polytechnic Institute staff will be in touch once the form is lodged.</p>	<p>Complaints and Appeals Form Complaints Acknowledgment Email Template</p>
Administrative staff	<p>Once the appeal is lodged, administrative staff will receive an email notification that an appeal was lodged.</p> <p>Update the student record in the SMS/LMS by creating a note and nature of appeal.</p>	SMA/LMS
CEO / Training Manager	<p>Once the appeal is lodged, the Training Manager will receive an email notifying that an appeal was lodged.</p> <p>Handle the complaint within 10 working days of the lodgement of the appeal.</p> <p>Conduct a participative review of the appeal lodged.</p> <p>If needed, assign stakeholder(s) / Australian Polytechnic Institute staff independent to the appeal to resolve matters within timeframes.</p>	

## 3. Processing the Appeal

Person Responsible	Step	Resources / References
Training Manager / CEO / Staff-In-Confidence	<p>Communicate with the appellant and request for additional evidence, if required.</p> <p>Aim to resolve the appeal as quickly as possible and within 30 days from the time action item</p>	Complaints and Appeals Form



	<p>was assigned or within timeframe specified by the Training Manager.</p> <p>Actions which may be taken may include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Review of the application form and supporting evidence.</li> <li>• Review of all assessment documentation and process.</li> </ul> <p>Interview with the appellant to allow them the opportunity to formally state their claim.</p> <p>Determine the appeal outcome and provide an explanation to justify the decision.</p> <p>Communicate with the student every time actions are taken, and decisions once appeal has been resolved.</p> <p>If the outcome involves re-assessment, proceed to Step 4.</p> <p>If the outcome does not involve re-assessment, proceed to Step 5.</p>	
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## 4. Conducting Re-Assessment

Person Responsible	Step	Resources / References
Training Manager / CEO / Staff-In-Confidence	<p>Arrange for the re-assessment and inform the appellant of the details in writing, in accordance with assessment processes.</p> <p>Update Complaint and Appeals Register.</p> <p>The appellant has the option to nominate an independent observer to be present during the re-assessment.</p> <p>Conduct the re-assessment.</p> <p>Determine the assessment outcome against the competencies.</p> <p>Complete all relevant assessment documentation, notifying the appellant and the Training Manager of the outcome, in writing.</p> <p>If the appellant refuses to be re-assessed or is dissatisfied with the result or the process of the appeal, the appellant may lodge an appeal with External Arbitrator. (See Step 6)</p>	Complaint and Appeals Register



Administrative staff	<p>Update the student file in the Student Management System/Learning Management System.</p> <p>Place a copy of the re-assessment correspondence on the student file.</p>	SMS/LMS
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## 5. Finalising the Appeal

Person Responsible	Step	Resources / References
Training Manager / CEO / Staff-In-Confidence	<p>Supply the appellant with the appeals outcome in writing once outcomes are completed.</p> <p>Record all communication and documents related to the resolution actions in the Complaints and Appeals Register.</p> <p>Assign the administrative staff to update PRISMS.</p> <p>Lodge continuous improvement opportunities in the Continuous Improvement Register.</p>	Complaints and Appeals Register Continuous Improvement Register
Administrative staff	<p>Advise the appellant of his/her right for an external appeal. Give the appellant an overview of the external appeal process, and provide necessary contact details.</p> <p>If the appellant does not pursue an external appeal, update the student record in PRISMS with appeals resolution outcome.</p> <p>Place all documentation from appeals file onto student file.</p>	
Training Manager / CEO	<p>Monitor the learning environment to ensure that the behaviour/incident does not re-occur.</p> <p>Discuss appeals, action items and communications during management meeting or Continuous Improvement meetings.</p>	Continuous Improvement Register

## 6. Referral to External Arbitrator

Person Responsible	Step	Resources / References
Training Manager / CEO / Staff-In-Confidence / Student	<p>Contact and engage the External Arbitrator for a review of the appeal, providing all relevant documentation.</p> <p>Cooperate with External Arbitrator for a review of the complaint.</p>	Complaints and Appeals Form
External Arbitrator	Review, investigate and mediate the appeal with all relevant parties and make a ruling.	

# Appeals Procedure



	<p>Prepare a formal written report on the investigation, providing a copy to both the CEO of Australian Polytechnic Institute and complainant.</p> <p>Australian Polytechnic Institute will abide by any resolutions as recommended by the External Arbitrator.</p>	
<p>Training Manager / CEO / Staff-In-Confidence</p>	<p>If the complaint is upheld, abide to the resolution decided on and proceed to step 5.</p> <p>If not upheld, inform student in writing that the original decision is to stand and proceed to step 5.</p>	

