

Assessment Appeals Policy

1. Policy

Spectra Training provides an appeals process that is transparent, fair and equitable for academic matters for current participants and/or those seeking to enrol.

2. Purpose

Despite the best efforts of Spectra Training to provide quality services and outcomes to its participants, complaints may occasionally arise that require formal resolution. This procedure describes the process by which Spectra Training clients and customers may have appeals addressed effectively, efficiently, professionally and confidentially.

3. Responsibility

The National Training Manager and Compliance Manager are jointly responsible for the control and issue of this procedure.

4. Definitions

- 4.1 **Appeal** means the action taken by a participant (or their employer) who is dissatisfied with the outcome of an assessment decision
- 4.2 **Advocate** means person who accompanies and assists a participant at any relevant meetings. The advocate may be a friend, family member, participant representative. Staff, whether academic or administrative will not act as advocates.
- 4.3 **Independent Staff** is a member of staff not involved with the appeal or appellant and is delegated by the Compliance Manager or National Training Manager to investigate an appeal(if required).
- 4.4 **RPL** – Recognition of Prior Learning
- 4.5 **CT** – Credit Transfer

5. Guidelines

Scope

This procedure applies to all participants enrolled with Spectra Training for the delivery of training and assessment services as well as those employed by, or contracted to Spectra Training for the

delivery of training, conduct of assessments, administrative duties and/or provision of support services. It also applies to appeals against RPL assessment decisions or Credit Transfer decisions.

Third Parties

An appellant may be assisted by a third party such as, a family member, counsellor or other professional support person however; a third party is not two or more persons acting at the same time. An advocate may also be referred to as a third party.

The appellant must bear the costs, if any, associated with the involvement of the third party.

Legal Representation

The costs of legal representation must be borne by the party engaging such representation. Costs are not relevant to any outcome of the appeal.

Judicial Notice

The appeal process/investigation does not have to strictly follow rules of evidence and can take notice of any information considered relevant. Where possible the principles relating to natural justice will be followed.

Assessment Appeals Form

An **Assessment Appeals Form** has been developed for the information of participants. It has been posted on the Spectra Training website.

All assessment appeals must be submitted in writing.

- 5.1 All prospective participants and employers/mentors will be provided with a Participant or Mentor Handbook upon application for training, this provides detail of the appeals policy and procedure.
- 5.2 Spectra Training will encourage the parties to approach an appeal with an open view and will attempt to resolve issues through discussion and conciliation. Where an appeal cannot be resolved through discussion and conciliation, the Compliance Manager decision will be final.
- 5.3 All appeals will be handled professionally and confidentially in order to achieve a satisfactory resolution.
- 5.4 All parties will have a clear understanding of the steps involved in the appeals procedure.
- 5.5 Each appellant will be provided with the opportunity to present his or her case at each stage of the process.
- 5.6 All appeals will be managed fairly and equitably and as efficiently as possible.
- 5.7 There is no charge to the participant for accessing the internal appeals process at Spectra Training.

- 5.8 All discussions relating to the appeal are to remain confidential and the appellant provided with a written statement of the outcomes, including reasons for the decision.

6. Procedures

Assessment Appeals Process

- 6.1 Participant (or their employer) discusses the result with their Trainer/Assessor and attempt to resolve the appeal within 14 days.
- 6.2 If resolved, the participant is provided with written outcome of appeal and reason for decision within 5 working days.
- 6.3 If the matter is not resolved the participant is to complete and lodge an Assessment Appeal Form (available on the Spectra Training website) with Compliance Manager.
- 6.4 The Compliance Manager (or their delegate) will review the original assessment decision and subsequent decisions and the grounds for the appeal. They will consult as necessary to investigate the appeal.
- 6.5 The Compliance Manager will provide the participant with a written outcome of the appeal and if necessary arrange for training records to be amended to reflect the outcome, within 10 working days of the lodgement of the appeal.
- 6.6 If the participant is still dissatisfied with the decision then they can lodge an official complaint with regard to the process or outcome. Refer to QR106_S Complaints and Appeals Policy and Procedure

Appeal against outcome of RPL/CT

- 6.7 Grounds for appeal
- a) A participant/prospective participant who is dissatisfied with the outcome of his/her application may appeal the decision on one or more of the following grounds:
- That a procedural irregularity has occurred
 - That evidence was inappropriately assessed
- b) New evidence will not be considered as grounds for appeal. Where new evidence is made available, a new application must be submitted.
- 6.8 RPL/CT Appeal Process – Stage 1
- a) Participants who wish to appeal against an unsatisfactory outcome, may request the assessor to review and ask to be re-assess and reconsider their decision

- b) If resolved, the student is provided with written outcome of appeal and reason for decision within 5 working days.

6.9 RPL/CT Appeal Process – Stage 2

- a) Participant must use the Assessment Appeals form to appeal the outcome of an RPL/credit transfer application for one or more courses:
 - Where they believe, and can evidence, that grounds exist
 - They are able to demonstrate that they have followed the provisions of Stage 1 but believe that the issue has not been resolved
- b) Appeals must be lodged no later than five working days from notification of the outcome of the RPL or CT application and must be made in writing to the Compliance Manager.
- c) The Compliance Manager (or their delegate) will review the original assessment decision and subsequent decisions and the grounds for the appeal. They will consult and form an Appeals Committee as necessary to investigate the appeal
- d) The Compliance Manager will provide the participant with a written outcome of the appeal and if necessary arrange for training records to be amended to reflect the outcome, within 10 working days of the lodgement of the appeal.
- e) In the instance determines that there is no case for the appeal, or if the participant is still dissatisfied with the decision then they can lodge an official complaint with regard to the process or outcome. Refer Complaint Procedure

7. Related Documents

TR008_S Training and Assessment Policy
QR106_S Complaints and Appeals Policy and Procedure

TF002_S Complaints Form
TF003_S Assessment Appeals Form

8. Review

8.1 12 months from release date or as required.

Amendment Schedule

8.2 This table detailing any “Corrected” (new release date) or “Changed” (new edition number) made to the controlled document between review dates.

Date	Modification	Detail	By
15/03/2015	Corrected	Changed to Spectra brand	QA Manager
20/03/2015	Corrected	Reflect new standards for RTO 2015	Meagan Wilson - Ops Manager
30/11/2017	Corrected	Simplified the sections: <ul style="list-style-type: none">• Remove ‘Related Standards’ and record them in R009 Controlled Document Register• Include ‘Authority’ into ‘Responsibility’• Include ‘Amendment Schedule’ into ‘Review’• Merged ‘Associated Work Instruction’ into ‘Related Documents’	Quality and Compliance Officer
16/04/2018	Corrected	Update to reflect current position titles	Compliance Manager