

POLICY

APPEALS POLICY

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1. Purpose

- 1.1 The purpose of this Policy is to ensure Allens Training maintains compliance against Standards for Registered Training Organisations (RTOs) Clause 1.7,5.4, 6.1- 6.6 and applicable legislative requirements.
- 1.2 It is the aim of the policy to provide clear and practical guidelines to ensure that complaints received from clients, students, staff, or other stakeholders can be resolved equitably and efficiently and in accordance with the principles of natural justice. This policy deals with the student's rights to appeal a decision either arising from a compliant or an assessment decision.
- 1.3 This document is always publicly available on our website, in the Student Handbook or by contacting Allens Training directly.

2. Scope

- 2.1 This policy relates to Allens Training PTY Ltd RTO 90909, its trainers and assessors and employed staff. It includes any third party providing services on behalf of the RTO, including their trainers and assessors and administration staff. It also covers students of the RTO and third party providers.
- 2.2 This right to an appeal opportunity extends to persons seeking to enrol into a course with Allens Training.

3. Policy Statement

- 3.1 Principles of natural justice and procedural fairness are followed at every stage of the complaint and appeal process by allowing anyone subject to a decision by the RTO, or anyone who has allegations made against them, to a right of reply before a decision is made.
- 3.2 Complainants have the right to appeal a decision made about a complaint, as well as submit an appeal about an assessment decision.
- 3.3 A complaint or appeal can be lodged with Allens Training Pty Ltd at no cost.

- 3.4 Each party lodging an appeal may be accompanied and/or assisted by a support person throughout the process.
- 3.5 Appeals are handled in the strictest of confidence and records are secured in accordance with data management and privacy principles.
- 3.6 An appeal may include, but is not limited to:

General complaint requiring an appeal

- Complaints including dissatisfaction with services
- Marketing and promotional activity
- Personal safety
- Administration
- Behaviours of others
- Equity and access, discrimination, harassment, and bullying
- Sexual harassment
- Vilification
- Application or enrolment procedures
- Exclusions from events and facilities; and
- The use or misuse of personal information, breach of privacy

Academic grievance requiring an appeal

- Course advice and enrolment
- Suspension and/or cancellation of enrolment
- Program delivery
- Learning resources
- Investigations into plagiarism
- Assessment decisions by the assessor
- Issue of results, certificates, statement of attainment

- 3.7 Appeals of assessment outcomes are to be lodged within 14 days of when the assessment outcome is informed to the learner.
- 3.8 A student's enrolment status will not be affected during the complaints and appeals process.
- 3.9 Allens Training Pty Ltd aims to ensure that all complaints and appeals will be heard with resolutions reached within 30 calendar days of receiving the complaint or request for an appeal, where possible. In the case of the time frame estimated to take longer than 60 days, the RTO will communicate with the appellant why the process is taking longer and an estimated timeframe for resolution as well as being kept informed regarding ongoing progress.
- 3.10 The National VET Regulator (Australian Skills Quality Authority – ASQA) is not able to act as an independent third party to review complaints and hear an appeal and cannot act as an advocate for an individual student.
- 3.11 The root cause of any appeal will be included in the systematic monitoring and evaluation processes of the RTO so that appropriate corrective action can be instigated to eliminate or mitigate the likelihood of reoccurrence.

4. Procedures

4.1 How to appeal a decision:

- By phoning 1300 559 064
- By emailing rtocompliance@allenstraining.com.au or compliance@allenstraining.com.au

4.2 Immediate Escalation of an appeal

Where an appeal is received and is of a critical, urgent or legal nature and has been deemed to present significant risk to Allens Training, its staff, a third-party delivering training on behalf of Allens Training and/or the status of the Registered Training Organisation, the matter must be immediately referred to the CEO and General Manager of Regulatory Compliance.

4.3 Appeal – General

- a. General Manager of Regulatory Compliance will maintain the ticket associated with the complaint and appeal
- b. All evidence relating to a complaint and appeal will be maintained in a Ticket in Training Desk
- c. Where a matter cannot be resolved in less than thirty (30) days – an email must be provided to the complainant keeping them advised of progress as per this policy.

4.4 Appeals procedure

- a. On receipt of a verbal appeal:
 - Resolve the appeal if possible, documenting the appeal in a Training Desk Ticket, its cause, actions taken, and decisions made
 - If the appeal cannot be promptly and simply resolved, advise that the appeal will be escalated, but a written record of the appeal is required
- b. To put an appeal in writing, the appellant should be advised:
 - They may use the support of a third party or independent support person in progressing the appeal
 - They can either, put the appeal in writing themselves using the Complaints and Appeals Form; or
 - A staff member of Allens Training can make a written record for them to sign or confirm via email. In this case:
 - Note whether the appellant wants the support of a third party
 - Ensure the appellant signs and dates the form (or confirms that all facts are accurate via email)
 - Complete details of your role within Allens Training, sign and date the form
- c. On receipt of a written appeal:
 - The appeal is forwarded to the General Manager of Regulatory Compliance
 - A written acknowledgement is sent to the appellant within 3 days of receiving the appeal
 - The appeal is recorded, and supporting evidence maintained in a Training Desk Ticket
- d. The GM Regulatory Compliance or delegated representative will either deal with the appeal or convene an independent panel to hear the appeal.
- e. The appeals committee if appointed shall not have had previous involvement with the appeal, and will include representatives of:
 - The GM Regulatory Compliance or delegated representative
 - Trainers and Assessors
 - An independent person where required
- f. All parties to the appeal will be given an opportunity to present their case and may be accompanied by a support person.
- g. The outcome/decision will be communicated to all parties in writing within 30 days.
- h. If the processes fail to resolve the appeal, the individual making the appeal will have the outcome reviewed by an appropriate party independent of the RTO. Any costs incurred as a result of an independent review will be communicated to the appellant prior to referral.
- i. Matters referred externally will be managed by the CEO and General Manager of Regulatory Compliance.
- j. If the appeal is not finalised within 60 calendar days, the appellant will be informed of the reasons in writing and regularly updated on the progress of the matter.

- k. If the appellant is still not satisfied, they will be referred to the VET Regulator (ASQA) website for further information about making complaints.

5. Responsibilities

Handling of appeals

- 5.1 The General Manager of Regulatory Compliance is responsible for handling of complaints and will be responsible to keep the CEO informed throughout the process of the appeal.

Compliance, monitoring and review

- 5.2 The General Manager of Regulatory Compliance is responsible for implementing, reviewing, monitoring and ensuring compliance with this policy.

Reporting

- 5.3 No additional reporting is required.

Records management

- 5.4 Employees must maintain all records in Training Desk relevant to administering this policy securely.

6. Definitions

Terms and definitions

What is an appeal?

- A complaint or an assessment decision has been registered with Allens Training.
- An investigation has been carried out and our decision has been communicated to the parties involved.
- The parties involved do not agree with the outcome and have the right to appeal that decision by requesting an independent review
- We are required to disclose any costs associated with a third-party review in your policy, so all parties are aware of any costs they may need to pay
-

Natural Justice - is concerned with ensuring procedural fairness.

It involves:

- Decisions and processes free from bias
- All parties having the right to be heard
- All parties having a right to know how and of what, they are involved/accused
- Investigating a matter appropriately before a decision is made
- All parties being told the decision and the reasons for the decision

Complainant – is someone lodging a complaint and can be an individual, a group or an entity/organisation.

Third party – a third party delivering training on behalf of Allens Training

7. Related Legislation & Documents

[Standards for Registered Training Organisations \(RTOs\) 2015](#)

8. Feedback

8.1 Feedback about this document can be emailed to compliance@allenstraining.com.au.

9. Approval and Review Details

Approval Authority			Review Date
CEO			June and December of each year
Version	Effective Date	Author(s)	Description
Draft	Draft	Ferne Robinson	Initial draft for review by Management Team