

Educare Appeals Process

Educare College provides all students with a formal appeals process, which draws on a commitment to all parties understanding their rights and responsibilities in the assessment process. Other grievances or issues not pertaining to assessments should be referred to Educare College’s complaints processes.

Educare College’s appeals process facilitates requests for a review of decisions, including assessment decisions, made by Educare College or a third-party representative providing services on Educare College’s behalf.

Educare College’s appeals process follows the principles of natural justice and procedural fairness by allowing anyone subject to a decision by Educare College, or anyone who has allegations made against them, to tell their side of the story before a decision is made. There is no fee or charge levied for any appeal processed.

Educare College will maintain a student appellant’s enrolment during any appeal process.

Educare College’s process ensures that the decision-maker is independent of the decision being reviewed (for example, an assessor does not consider or decide an appeal against an assessment decision they made). If a student objects to actions taken or decisions made by Educare College personnel in conducting Recognition of Prior Learning and assessment services, they have the right to lodge an appeal.

Students also have the right to lodge an appeal against competency decisions made if:

- They believe the outcome is invalid; or
- They feel the process was invalid, inappropriate or unfair.

1.1 Appeals Process

Educare College’s appeals process is publicly available on the Educare College’s website.

1. Before making a formal appeal, students are required to discuss the matter with the relevant Educare College personnel to reach an agreement. Educare College personnel will undertake to reassess the decision that has been made.
2. If a student is still unhappy, they must lodge a formal appeal in writing to Educare College Chief Executive Officer.
3. Upon receiving a formal appeal, Educare College Chief Executive Officer will:
 - Acknowledge receipt of the appeal in writing within five working days; and
 - Appoint an independent member of personnel as a third party to try to resolve the issue. Any decision recommended by the third party is not binding to either party.

The independent member will review the information provided by all parties and either reject or uphold the appeal. The student will be advised of the outcome of the appeal in writing within 10 working days of lodging the appeal, including reasons for the decision made, and any additional appeal or complaint options available to them.

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4. If a student, on receiving written advice on the initial appeal, is still unhappy they may lodge a second appeal to the Educare College Chief Executive Officer. The Educare College Chief Executive Officer will:
- Acknowledge receipt of the further appeal in writing within five working days; and
 - Appoint another Registered Training Organisation (RTO) to review the appeal, at no additional cost to the student. This second registered training organisation will:
 - Uphold the appeal;
 - Reject the appeal; or
 - Recommend further evidence gathering by either party.

The student will be advised of the outcome of the appeal in writing within 20 working days of lodging the further appeal, including reasons for the decision made, and any additional appeal or complaint options available to them.

5. If a student, on receiving written advice on the further appeal, is still unhappy they have a right of appeal to:
- Their relevant State Training Authority (STA) in each state and territory if an apprenticeship/traineeship-based course; or
 - Alternatively, to the Australian Skills & Quality Authority (ASQA) via the appropriate process.

<http://www.asqa.gov.au/complaints/making-a-complaint.html>

If at any stage Educare College considers more than 60 calendar days are required to process and finalise the appeal, Educare College:

- Informs the appellant in writing, including reasons why more than 60 calendar days are required; and
- regularly updates the appellant on the progress of the matter.

All stages of the appeals process are documented, and notes provided to all parties involved, including the outcomes of the appeal and reasons for the decisions made. Each appeal and its outcome is recorded in writing and stored on the *Appeals Register*.

1.2 Improvement Actions

Educare College confirms its commitment to investigate and act on any appeal raised, and to take appropriate action in any case where appeals are substantiated. In cases where an appeal is upheld, Educare College endeavours to identify the cause of the appeal and implement steps to prevent the situation happening again.

All improvement actions arising from appeals are raised via an *Improvement Record*. Educare College maintains a *Continuous Improvement Register* for recording the receipt and management of improvement records.

Once improvement records are raised, activities review appeals and their causes, evaluate corrective actions to resolve the issue and prevent reoccurrence, implement appropriate actions, record results of actions undertaken and review these actions to ensure effectiveness after implementation.

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