

Appeals Handling Procedure

The following procedure is to be followed when an application to appeal a decision is received:

- An application to appeal a decision is received by Skills Compliance and is to be immediately recorded into Skills Compliance Complaints and Appeals Register. An application to appeal a decision must be submitted in writing.
- The application to appeal a decision is to be forwarded to the Chief Executive Officer who is to review the matter and make recommendation as to how to respond to the matter. The Chief Executive Officer may choose to consult with the appellant, with others within Skills Compliance or relevant agencies external to Skills Compliance in determining their recommendations.
- The Chief Executive Officer may choose to make inquiries about the matter or may task another person to research the matter against relevant policy or legislation.
- The Chief Executive Officer is to commence their review of an appeal within seven (7) working days from the date the appeal being submitted.
- The Chief Executive Officer is to finalise their response to the appellant and provide the appellant a response as soon as possible but no later than fourteen (14) working days from when the appeal was submitted.
- The Chief Executive Officer is to communicate the response to the appellant personally either during a meeting or via the telephone. Appeal responses are not to be provided to the appellant via any third-party or via electronic communication such as e-mail. The Chief Executive Officer is to seek feedback from the appellant about their level of satisfaction with the appeal outcome and advise the appellant of their options if they are not completely satisfied with the outcome.
- Where the appellant is not satisfied with the outcome of the complaint handling, the Chief Executive Officer is to arrange for the appeal to be considered by an appropriate independent third-party. The independent third-party is required to respond with their recommendations within fourteen (14) days of their review being requested.
- Where the appeal is in relation to an assessment decision, a reassessment should be recommended. Students participating in a reassessment should be provided with detail counselling about the perceived gaps in their skills and knowledge along with additional training to support their improvement and ability to demonstrate competence. Reassessments should be scheduled to occur as soon as practicable following the outcome of an appeal. The reassessment must be undertaken by a different assessor than was used during the initial assessment. Following the reassessment, the student must be provided with detailed feedback about their performance and the outcome.
- An appellant who remains not satisfied with the process applied by Skills Compliance following review by an independent party may make a complaint to the Australian Skills Quality Authority - ASQA Online Complaint Form. Students are to be advised that ASQA will require the student to have exhausted all avenues through Skills Compliance internal appeals handling procedure before taking this option. The response to the appellant must include information that demonstrates that the matter was thoroughly reviewed and what actions and outcomes have been identified as a result of the appeal.
- Opportunities for improvement that were identified as a result of the appeal are to be recorded in a Continuous Improvement Report and submitted for the next Management Team meeting. The Chief Executive Officer may, at their discretion, follow-up with the appellant after consideration by the Management Team to inform the appellant of the improvement actions identified.
- The Complaints and Appeals Register is to be kept up to date at all times to accurately reflect how the matter was responded to and the duration from the date the appeal was received to the date the appeal was resolved.