PP2.10 – Appeals Handling - Public

Policy area	Appeals Handling - Public
Standards	Outcome Standards for RTOs, Standard 2.8.
Responsibility	CEO, Trainers and Assessors, Director of Studies (DoS)
Classification	**Public**

1. Purpose

The purpose of this policy and procedure is to ensure:

- students are informed about avenues for appealing decisions
- students are afforded procedural fairness
- appeals are actioned in a reasonable timeframe
- avenues for review by an independent party
- outcomes are documented and communicated to the student
- outcomes of appeals are used to inform continuous improvement

2. Policy statement

3.1 Who and what does this policy apply to?

This policy relates to appeals of decisions made by Canberra College of Management and Technology. These appeals may be submitted by a student where Canberra College of Management and Technology has made a decision that is relevant to the student, or which effects the student in some way. Where Canberra College of Management and Technology makes a decision which does not relate to or effect a student, the student is not eligible to appeal the decision.

The following are some examples of decisions that a student might appeal:

- An assessment decision of the student's knowledge and skills,
- An administrative decision that effects the student directly,

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- A policy decision that changes the nature of the terms of service that the student agreed to at the time of their enrolment,
- A decision in relation to utilising third parties in service delivery,
- A decision in relation to a training product being superseded or deleted and the related transition process, or
- A decision to change the nature of the service being delivered that the student agreed to at the time of their enrolment.

The above list of examples is not exhaustive, and this policy may apply to literally any decision that Canberra College of Management and Technology makes that is relevant to the student, or which effects the student in some way.

3.2 Ensuring procedural fairness

Canberra College of Management and Technology implement the following mechanisms to ensure procedural fairness when handling appeals:

- the appeal is handled by an unbiased person not involved in making the original decision
- the student is given an opportunity to be heard and to provide relevant information
- the privacy of all parties involved is protected, and the information included in an appeal is kept confidential. Only individuals directly involved in the appeals process will have access to the appeal information.
- information is handled sensitively to ensure that students feel safe and supported when lodging an appeal.

3.2 The appeals period

Students have the right to appeal decisions within **28 calendar days** of receiving notification of the decision. Appeals submitted after this period may not be considered.

3.3 Early Resolution of Appeals

Students are encouraged to resolve any concerns they may have directly with the Canberra College of Management and Technology staff member involved in the first instance. It is often the case that the student's decision to make an appeal can be avoided by proper communication and consultation with students at the time a decision is made.

3.4 Submitting an Appeal

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If the student is unable to resolve the issue directly with the Canberra College of Management and Technology staff member, they should raise the appeal with the Director of Studies (DoS), Administration Manager or CEO. This may be verbally in the first instance and must then be in writing by completing a *Request for an Appeal of a Decision Form.* The request for an appeal may be submitted to the Director of Studies (DoS), Administration Manager or CEO. Alternatively, the student may submit it via email or hard copy via the post. The contact details for submitting the appeal are provided to the student in the *Student Handbook*.

3.5 Principles of Natural Justice and Procedural Fairness

A student is to be provided an opportunity to formally present his or her case at no cost. Each student may be accompanied and/or assisted by a support person at any relevant meeting. The principles of Natural Justice and Procedural Fairness must be incorporated into every stage of the appeals handling process to ensure that decision-making is fair and reasonable. Natural justice must be observed when it affects the rights, interests or legitimate expectations of individuals. The following principles are to be applied:

- **CEO bias.** Where the Chief Executive Officer of Canberra College of Management and Technology feels that they may have bias or there is a perception of bias or where the person making the appeal is not satisfied with how the matter is being handled, the student is to be referred directly to an independent third-party for consideration and response. This means that the student is entitled to have their appeal heard by a person that is without bias and may not be affected by the decision.

- **Third Party Review.** Where the student is not satisfied with the handling of the matter by Canberra College of Management and Technology, they have the opportunity for a body or person that is independent of Canberra College of Management and Technology to review his or her appeal following the internal completion of the appeal handling process. Before a person seeks a review by an independent third party, they are requested to first allow Canberra College of Management and Technology to fully consider the nature of the appeal and to respond to the person in writing. If after this has occurred, the person is not satisfied with the outcome, they have the right then seek a review by an independent third party. To request a review by an independent third party, the student should inform the Administration Manager of their request who will initiate the process with the Chief Executive Officer.

- In these circumstances, the Canberra College of Management and Technology Chief Executive Officer will advise of an appropriate party independent of Canberra College of Management and Technology to review the appeal outcome (and its subsequent handling) and provide advice to Canberra College of Management and Technology in regards to the recommended outcomes.

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The independent third-party is required to respond with their recommendations within **fourteen (14) calendar days** of their review being requested. This advice is to be accepted by Canberra College of Management and Technology as final, advised to the person making a appeal in writing and implemented without prejudice.

- Where the Canberra College of Management and Technology appoints or engages an appropriate independent person to review an appeal the Canberra College of Management and Technology will meet the full cost to facilitate the independent review.

3.6 Confidentiality

Appeals are to be handled in the strictest of confidence. No Canberra College of Management and Technology representative is to disclose information to any person without the permission of Canberra College of Management and Technology CEO. A decision to release information to third parties can only be made after the student has given permission for this to occur. This permission should be given as a written consent**.**

3.7 Appeals Handling Timeframe

Canberra College of Management and Technology will provide written acknowledgement of receiving the appeal no later than **24 hours** from the time the appeal is received using the appeals written acknowledgment email template. The acknowledgement must inform the student that they will receive a written response within **fourteen** (**14) calendar days** to explain the appeals handling process and the person's rights and obligations.

Appeals must be resolved to a final outcome within **thirty (30) calendar days** of the appeal being initially received. Where Canberra College of Management and Technology CEO considers that more than **thirty (30) calendar days** are required to process and finalise the appeal, the CEO must inform the student in writing, including reasons why more than **thirty (30) calendar days** are required.

3.8 Unresolved Appeals

Once the appeals handling process has concluded; where the person seeking an appeal of a decision remains not satisfied with the outcome of the appeals handling procedure, the person is to be advised that they have the right to refer the matter to any external authority/agency that may be relevant to their appeal. The following external agencies are nominated in the first instance as relevant points of referral the person may consider:

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- In relation to consumer related issues, the person may refer their complaint to the **Office of Fair Trading**.

- In relation to the delivery of training and assessment services, the person may refer their complaint to the **National Training Complaints Service** via the following phone number: 13 38 73 or visit the website at https://www.dewr.gov.au/national-training-complaints-hotline or alternatively to the Australian Skills Quality Authority at the following website https://asqaportal.asqa.gov.au/Make-a-Report//?from=tip-off

- In relation to matters relating to privacy, the person may refer their complaint to the **Office of the Australian Information Commissioner** via the following details: https://www.oaic.gov.au/individuals/how-do-i-make-a-privacy-complaint or call on 1300 363 992

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Request for Appeal of a Decision

Surname:		**Title:**	
First Given Name:			
Course title:			
Trainer / Assessor:			
Date of decision:			
What was the decision:			
Reason for your request:			
Occurrences leading up to this request:			
What outcomes are you seeking or expect:			
Can we improve our system to avoid these situations in the future:			

By signing this form, I certify that the information provided is true and correct.

Signed: _____ Date: _____ / _____ / _____

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Canberra College of Management and Technology Action		
Action to be taken:		
CI Register No:	To be followed up by:	
Sign:		Date:

Document History

Date	Version	Author	Changes Made
20/01/2025	V0.9	Newbery Consulting	Newly designed policy
30/06/2025	V1.0	Director of Studies (DoS)	Contextualised and minor changes made

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