

Purpose

Perth College of Business & Technology is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (RTOs) 2015. As such, Perth College of Business & Technology is required to have a policy and procedure in place to manage requests for a review of academic and non-academic decisions, including those made by third party training and assessment providers who provide services on behalf of Perth College of Business & Technology.

This policy is based on providing and maintaining training and assessment services that are fair and reasonable and afford a forum where issues or inadequacies regarding academic and non-academic decisions can be raised and resolved. The Appeals policy provides opportunity for appeals to be recorded, acknowledged and dealt with in a timely manner.

The object of this policy is to ensure that Perth College of Business & Technology's staff and third party partners, act in a professional manner at all times. This policy provides clients with a clear process to register an appeal. It ensures all parties involved are kept informed of the resulting actions and outcomes.

Compliance

This policy & procedure aligns and relates to:

- Education Services for Overseas Students Act 2000 (ESOS Act)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code)
- National Vocational Education and Training Regulator Act 2011 (NVR Act), including the Standards for Registered Training Organisations (RTOs) 2015 (Standards for RTOs).

Policy Statement

Perth College of Business & Technology acknowledges that clients have the right to appeal an academic or non academic decision, based on valid grounds for appeal.

Perth College of Business & Technology has provision for clients to appeal against decisions, including those made by a third party partner.

Perth College of Business & Technology ensures that clients have access to a fair and equitable process for lodging an appeal.

In doing so, Perth College of Business & Technology:

- has written processes in place for collecting and dealing with appeals in a constructive and timely manner;
- ensures that these procedures are communicated to all staff, third party partners and clients;
- ensures that each appeal and its outcome are recorded in writing;
- ensures that each appeal is heard by an independent person or panel;
- ensures that each appellant has the opportunity to formally present his or her case;
- ensures that each appellant is given a written statement of the appeal outcomes, including reasons for the decision;
- takes appropriate action upon the subject of any appeal that is found to be substantiated; and
- utilises outcomes of appeals to review current practices which may potentially lead to continuous improvement.

Policy Principles

Underpinning Principles

- a) Clients have the right to lodge an appeal against a decision if they feel they were unfairly treated

and/or where they feel the decision is incorrect and they have grounds for an appeal.

- b) The principles of natural justice and procedural fairness are adopted at every stage of the appeal process.
- c) The appeals policy is publicly available, via Perth College of Business & Technology website and printed at student support services office.
- d) All appeals must be lodged in writing on the Appeals Form within 28 calendar days of the date the decision was made to the client.
- e) If the appeals process fails to resolve the appeal or if the appellant is not satisfied with the outcome of the appeal, in the case of being dissatisfied with an academic decision, the matter will be referred to an independent third party for review, at the request of the appellant. In all other cases, the appellant will be advised of his/her right to lodge an external appeal.
- f) Every appeal is heard by a suitably qualified independent assessor or panel, who will be asked to make an independent assessment of the application.
- g) All appeals are acknowledged in writing and finalised as soon as practicable.
- h) All appeals will be handled 'In-Confidence' and will not affect or bias the progress of the participant in any current or future training

Grounds for Appeal

Students are encouraged to try to resolve their concerns by discussing the issue with respective staff members in the first instance. Students can apply for an appeal if they feel:

- A decision has been made without full knowledge of the circumstances
- They have been unfairly treated in some way

Reasons to Appeal include, but are not limited to:

- Cancellation of enrolment for lack of course progress, breach of course attendance requirements or breach of financial obligations
- Denied Admission
- Dissatisfied with an assessment task mark or Unit's final result
- Credit for recognised learning denied
- Application for leave of absence denied
- A decision determined on an issue relating to academic or non-academic misconduct
- Application for a refund or remission of fees denied.

Valid grounds for an appeal against an assessment decision (where the client feels the assessment decision is incorrect) could include the following:

- a) The judgement as to whether competency has been achieved and demonstrated was made incorrectly;
- b) The judgement was not made in accordance with the Assessment Plan;
- c) Alleged bias of the assessor;
- d) Alleged lack of competence of the assessor;
- e) Alleged wrong information from the assessor regarding the assessment process;
- f) Alleged inappropriate assessment process for the particular competency;
- g) Faulty or inappropriate equipment; and/or
- h) Inappropriate conditions.

Appeal Outcomes

An investigation into an Appeal may result in one of the following outcomes:

- a) Appeal **is upheld**; in this event the following options will be available:
 - i. The original assessment will be re-assessed, potentially by another assessor.
 - ii. Appropriate recognition will be granted.
 - iii. A new assessment shall be organized
 - iv. Appellant will be reinstated
 - v. Credit Transfer granted
 - vi. Decision reversed
 - vii. Leave /Admission approved
 - viii. Refund granted

- b) Appeal is **rejected/ not upheld**; in accordance with Perth College of Business & Technology 's policy the client will be required to:
 - i. undertake further training or experience prior to further assessment; or
 - ii. re-submit further evidence; or
 - iii. Submit/undertake a new assessment.
 - iv. Enrolment cancelled
 - v. Refund not granted
 - vi. Leave/Admission not approved
 - vii. Decision upheld
 - viii. Credit Transfer not granted

Students will be advised of their rights to appeal to the Ombudsman and will be given 5 days to do so, failing which the penalties imposed by Perth College of Business and Technology in the first instance will be confirmed.

Perth College of Business & Technology Responsibilities

The Academic Manager of Perth College of Business & Technology is the Appeals Resolution Officer for academic matters and The Admissions Manager of Perth College of Business & Technology is the Appeals Resolution Officer for non-academic matters. These two officers are appointed by the Director of Perth College of Business and Technology.

Details concerning the scope of the Appeals Policy are to be clearly displayed throughout the organisation and contained within the Staff Induction Process, Client Handbook and Perth College of Business & Technology's website.

Appeals

Appeals Process

All appeals shall follow this process:

- a) Appeal to be made in writing within 28 calendar days of notification of the decision using the Appeals form.
- b) A submitted Appeals form will constitute a formal appeal from the appellant.
- c) The Academic Manager and Admissions Manager of Perth College of Business & Technology shall be informed of the receipt of any appeal for academic and non-academic appeals respectively.

- d) The Academic Manager and Admissions Manager of Perth College of Business & Technology may delegate responsibility for the resolution of the appeal, as appropriate.
- e) Appeals will be processed in accordance with the Appeals flowchart – Annex A.
- f) Appeals, where possible, are to be resolved within 21 days of the initial application.
- g) In all cases the final conclusion will be endorsed by the Director of Perth College of Business & Technology.
- h) The appellant will be advised in writing of the outcome of their appeal, within seven (7) days of the resolution.
- i) If the appeal is not upheld, the appellant may apply for an external appeal within 5 days of the decision of the appeal.

Access & Equity

The Perth College of Business & Technology Access & Equity principles apply.

Records Management

Records of all appeals and their outcomes are maintained securely.

Records of appeals will include:

- a) How the appeal was dealt with;
- b) The outcome of the appeal;
- c) The timeframes for resolution of the appeal;
- d) The potential causes of the appeal; and
- e) The steps taken to resolve the appeal.

All documentation are maintained in accordance with Records Management Principles in students' files and on PCBT Appeal Register GoogleSheet

(https://docs.google.com/spreadsheets/d/1dVME_hlP9CzR1MWWfJGctJdF2MLr-afAZ_voqybCgBU/edit#gid=1093697179).

Monitoring and Improvement

All appeals practices are monitored by the Academic Manager of Perth College of Business & Technology and will be discussed at Management Review Meetings with areas for improvement identified and acted upon. (See Continuous Improvement Policy).

ANNEX A: Appeals Process

