

1 Appeals Policy and Procedure

Vital Training Solutions provides all students with a formal appeals process, which draws on a commitment to all parties understanding their rights and responsibilities in receiving services delivered from Vital Training Solutions. Other grievances or issues not pertaining to assessments should be referred to Vital Training Solutions' complaints processes.

Vital Training Solutions' appeals process facilitates requests for a review of decisions, including assessment decisions, made by Vital Training Solutions or a Third Party representative providing services on Vital Training Solutions' behalf.

Vital Training Solutions' appeals process follows the principles of natural justice and procedural fairness by allowing anyone subject to a decision by Vital Training Solutions, 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.

Vital Training Solutions will maintain a student appellant's enrolment during any appeal process.

Vital Training Solutions' 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 Vital Training Solutions 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

Vital Training Solutions' appeals process is publicly available on the Vital Training Solutions' website.

1. Before making a formal appeal, students are required to discuss the matter with the relevant Vital Training Solutions personnel in an effort to reach an agreement. Vital Training Solutions 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 the Vital Training Solutions Chief Executive Officer.
3. Vital Training Solutions will commence assessment of the appeal within 5 working days of it being made and finalise the outcome as soon as practicable. Vital Training Solutions ensures the assessment of the appeal is conducted in a professional, fair and transparent manner
4. Upon receiving a formal appeal, Vital Training Solutions 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.

All appellants are given an opportunity to formally present his or her case at no cost and be accompanied and assisted by a support person at any relevant meetings.

The independent member will review the information provided by all parties and either reject or uphold the appeal.

All appellants are given a written statement of the outcome of the appeal, including detailed reasons for the outcome. With this notification, all appellants will receive information on how they can progress their appeal if still unhappy.

5. If a student, on receiving written advice on the initial appeal, is still unhappy they may lodge a second appeal to the Vital Training Solutions Chief Executive Officer. The Vital Training Solutions 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. All appellants are given a written statement of the outcome of the appeal, including detailed reasons for the outcome. With this notification, all appellants will receive information on how they can progress their appeal if still unhappy.

6. 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 Vital Training Solutions considers more than 60 calendar days are required to process and finalise the appeal, Vital Training Solutions:

- 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.

If an appeal is not successful in the Vital Training Solutions' internal appeals process, Vital Training Solutions advises the appellant within 5 working days of concluding the internal review of the appellant's right to access an external complaint handling and appeals process at no cost. Vital Training Solutions gives appellants the contact details of the appropriate complaints handling and external appeals body.

If the internal or any external complaints handling or appeal process results in a decision or recommendation in favour of an appellant, Vital Training Solutions immediately implements the decision(s) or recommendation(s) and/or takes the preventive or corrective action(s) required by the decision, and advises the appellant of that action in writing.

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. Vital Training Solutions keeps a written record of each appeal, including a statement of the outcome and reasons for the outcome. Each appeal and its outcome is recorded in writing and stored on the *Appeals Register*. This register is located in the Management Register at:

<https://drive.google.com/drive/folders/191UtWNbuT62-GWSEc0eusQGLQ0ZK9AYi>

1.2 Improvement Actions

Vital Training Solutions confirms its commitment to investigate and act on any appeal raised, and also to take appropriate action in any case where appeals are substantiated. In cases where an appeal is upheld, Vital Training Solutions 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*. Vital Training Solutions 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.