

# APPEALS POLICY



## Purpose

This policy is to provide to any person who is not satisfied with the outcome of a decision made by the ITO, in respect of assessment or moderation, a formal appeal of their grievance. It details the grounds on which the appeal is made, the procedure for lodging an appeal and the responsibilities of the ITO in addressing the appeal.

## Rationale

- The ITO is required to meet the requirements of the New Zealand Qualifications Authority (NZQA).
- Trainees are entitled to expect a fair and reasonable process for making assessment and moderation decisions and to challenge the process where they do not agree with the decision.

## Accountability

The CEO is accountable for all policy approval and adherence to this policy.

## **Responsibility**

- The National Moderator is responsible for managing the appeal process.
- If an appeal proceeds to the next level (the Board or to NZQA), the CEO becomes responsible for managing the appeal process.

## Review Date

This policy is to be reviewed as part of the ITO Policy Framework Review.

## Policy

- For the purpose of this Policy, an appeal is a request for a review of a decision affecting an assessment or moderation decision made in respect of an individual.
- An appeal can only be made by the person affected by the decision and may be communicated to CSSITO verbally and/or in writing.
- The ITO process of appeal is a formalised system, which allows for escalating authority to review the appeal, if requested by the person who is appealing.

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## **General**

- The registered ITO assessor will be required to show that the candidate had, prior to assessment, complete information on the appeal procedure, appeal fees and the candidate's rights in an appeal process.
- The Moderator will ensure that the assessor and/or training provider had, prior to moderation, complete information on the appeal procedure and their respective rights in an appeal process.
- When an appeal is formalised, it is to be co-ordinated by a designated staff member who has the appropriate experience and/or has received the appropriate training. This person is referred to as the investigator.
- The investigator of the appeal is to have no direct interest in the outcome of the appeal.
- The privacy and confidentiality of all parties concerned in an appeal must be maintained at all times. See the Privacy and Confidentiality Policy.
- The appeal procedure must be available and accessible to all affected parties.
- The Moderator will ensure that thorough documentation of appeal events are kept.

## **Assessment Appeals**

- A candidate who is not satisfied with the outcome of an assessment undertaken by an ITO registered assessor may seek a formal review of the assessment outcome.
- The candidate is required to open discussion about their concerns with the assessor who undertook the assessment in an attempt to resolve concerns in an informal manner. If the issues are not able to be resolved informally, the candidate may appeal.
- The assessor will support the candidate's right to appeal the assessment decision and ensure the candidate has fair and reasonable access to the appeal process in order to resolve any ongoing concerns.
- The assessor will ensure that thorough documentation of appeal events are kept.
- Where an appeal is upheld, the ITO will take immediate steps to implement any identified changes.

## **Moderation Appeals**

An assessor or training provider who is not satisfied with any aspect of moderation as it was applied to them or the outcome of the moderation, can appeal to the National Moderator.

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### ***Appeal Application Requirements***

- The appeal may be lodged by the instigator or by a nominated agent approved by the instigator.
- The application may be lodged on the ITO Appeal Form Appeal forms are available upon request from the ITO, included with the TSM or the ITO website or may be captured verbally by an ITO staff member from the person lodging the appeal.
- The ITO must receive the Appeal Form and the appeal fee within 30 days from the date of the moderation or assessment outcome had become known to the candidate/assessor or training provider.

### ***Appeal Process***

See the Appeal Procedure for the appeal process.

### ***Appeal Costs***

#### **Assessment Appeal**

- The candidate is required to pay a fee of \$50 including GST for each unit standard to which the appeal applies. This is to be paid to the ITO before the appeal will take place
- Appeal fees are refunded to the candidate in full, if the appeal process is upheld.

#### **Moderation Appeal**

There is no cost to an assessor or training provider in lodging a moderation appeal.

### ***External Advice***

Where an appeal is lodged against an assessment for which the ITO is not the standard setting body of the unit standard concerned, the ITO reserves the right to consult with the appropriate standard setting body and with NZQA, or other appropriate bodies and individuals, where necessary.

### ***Review of the Appeal Procedure***

A review of the appeal procedure to monitor its effectiveness is to be completed on an annual basis by the ITO.

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## Linked Documents

Appeal Procedure

Appeal Form

## Stakeholders

Candidates

Registered workplace assessors, including independent (roving) assessors

National Moderator

Employers

Training providers

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