

## 8.2 Appeals Policy 申诉政策

### 1. Purpose 目的

APEG is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (RTOs) 2015. As such, APEG will have policy and processes in place to facilitate the appeal of any decision made by APEG., including those made by third party providers who provide marketing and recruitment services on behalf of APEG.

APEG致力于根据《2015年注册培训机构（RTOs）标准》提供高质量的培训与评估。因此，APEG制定了政策和流程，以促进对APEG作出的任何决定的申诉，包括代表APEG提供营销和招生服务的第三方提供者所做出的决定。

This appeal process provides all stakeholders with a clear process to register an appeal against any APEG decision including the an appeal to review an assessment decision.

本申诉程序为所有利益相关方提供了明确的程序，以对任何 APEG 的决定进行申诉，包括对审查评估决定的申诉。

When considering an appeal against an assessment decision, APEG is committed to providing and maintaining training and assessment services that are fair and reasonable and afford a forum where issues or inadequacies regarding assessment can be raised and resolved.

在考虑对评估决定的申诉时，APEG致力于提供并维持公平合理的培训和评估服务，并提供一个可以提出并解决有关评估的问题或不足的论坛。

The appeals process provides for the opportunity for appeals to be recorded, acknowledged and dealt with in a timely manner to ensure all parties involved are kept informed of the resulting actions and outcomes.

申诉程序提供了及时记录、确认和处理申诉的机会，以确保所有相关方能够随时了解由此产生的行动和结果。

### 2. Policy Statement 政策声明

APEG acknowledges that all stakeholders have the right to appeal a decision made by the college.

APEG 确认所有利益相关方均有权对学院做出的决定进行申诉。

Students have the right to appeal an assessment decision, based on valid grounds for appeal and has provision for students to appeal against assessment decisions,

学生有权基于有效的申诉理由对评估结果提出申诉，并且有规定学生可以对评估结果进行申诉。

APEG ensures that all stakeholders have access to a fair and equitable process for lodging an appeal against any decision of the college including an assessment decision.

APEG确保所有利益相关方能够获得公正和平等的途径，就学院做出的任何决定进行申诉，包括评估决定。

In doing so, APEG:

为此，APEG：

- has written processes in place for collecting and dealing with appeals in a constructive and timely manner;  
具备以建设性和及时的方式收集并处理申诉的书面程序；
- ensures that these procedures are communicated to all staff, students and other stakeholders;  
确保将这些程序传达给所有教职员工、学生和其他利益相关方；
- ensures that each appeal and its outcome are recorded in writing;  
确保以书面形式记录每一项申诉及其结果；
- ensures that each appeal is heard by an independent person or panel;  
确保每一项申诉均由独立人士或小组进行审理；
- ensures that each appellant has the opportunity to formally present his or her case;  
确保每位申诉人都有机会正式提出自己的个案；
- ensures that each appellant is given a written statement of the appeal outcomes, including reasons for the decision;  
确保每位申诉人均能收到一份关于申诉结果的书面陈述，包括做出决定的理由；
- takes appropriate action upon the subject of any appeal that is found to be substantiated; and  
对所有经过证实的申诉事项采取适当行动；并且
- utilises outcomes of appeals to review current practices which may potentially lead to continuous improvement.  
利用申诉的结果来检查当前的实践是否有可能实现持续改进。

### 3. Definitions 定义

#### 3.1 The following words and expressions have the following specific meaning, as in the Standards for Registered Training Organisations (RTOs) 2015.

以下词语和表达在《2015年注册培训机构（RTOs）标准》中的具体含义如下：

**Assessment** means the process of collecting evidence and making judgements on whether competency has been achieved, to confirm that an individual can perform to the standard required in the workplace, as specified in a training package or VET accredited course.

**评估**是指收集证据并就是否具备胜任力作出判断的过程，以确认个人是否能达到培训包或职业教育认证课程规定的工作场所要求的标准。

**Third party** means any party that provides services on behalf of the RTO but does not include a contract of employment between an RTO and its employee.

**第三方**是指代表本注册培训机构提供服务但不包括本机构与其员工之间的雇佣合同的任何一方。

## 4. Policy Principles 政策原则

### 4.1 Key Principles 关键原则

- a) Students have the right to lodge an appeal against any decision including an assessment decision and including a decision that has already previously been dealt with through the complaints process.  
学生有权对任何决定提出申诉，包括评估决定，同时也包括之前已通过投诉程序处理的决定；
- b) The principles of natural justice and procedural fairness are adopted at every stage of the appeal process. This means having a hearing appropriate to the appeal, ensuring a lack of bias in the process, using evidence to support a decision and inquiring into the matters in dispute.  
申诉程序的每个阶段均采用自然公正和程序公平原则。这意味着举行适合申诉的听证会、确保过程中无偏见、使用证据支持决定并调查争议事项；
- c) The appeals policy is publicly available, via the website.  
申诉政策通过网络公开；
- d) The appellant can initially provide details of their appeal verbally to an APEG staff member  
申诉人可以向APEG的工作人员以口头和/或书面形式提供申诉详情；
- e) If the matter remains unresolved, an appeals must be lodged within 7 calendar days of the date of decision that is being appealed  
如果问题未能得到解决，则必须在作出申诉决定之日起7个日历日内提出申诉；
- f) Every appeal is heard by a person independent of the original decision who will be asked to make an independent assessment of the application.  
每项申诉均由独立于原决定的人员进行审理，并要求他们对申请进行独立评估；
- g) If the appeals process fails to resolve the appeal or the appellant is not satisfied with the outcome of the appeal, the matter will be referred to an independent arbitrator for review, at the request of the appellant. All costs incurred for the independent arbitrator will be advised to the appellant.  
如果申诉程序未能解决申诉，或申诉人对申诉结果不满意，应申诉人的要求，该事项将提交独立的仲裁员审查。所有因独立仲裁员审查而产生的费用将通知上诉人；
- h) APEG may charge a fee for the appeals process where an independent arbitrator is engaged. Should this be the case, all costs incurred will be advised to the appellant.  
APEG将对涉及独立仲裁人员的申诉流程收费。如果是这种情况，所有已发生的费用将通知申诉人；
- i) All appeals are acknowledged in writing and finalised as soon as practicable.  
所有申诉均以书面形式确认，并在切实可行的情况下尽快处理完毕；
- j) If the appeal will take in excess of 14 calendar days to finalise APEG will inform the appellant in writing providing the reasons why more than 14 calendar days are

required. The appellant will also be provided with regular updates on the progress of the appeal.

如果申诉需要14个日历日以上才能完成，APEG将以书面形式通知申诉人，说明为何需要超过14个日历日。申诉人也将获得有关申诉进展的定期更新；

- k) All appeals will be handled 'In-Confidence' and will not affect or bias the progress of the participant in any current or future training

所有申诉均将以“保密”的方式处理，不会影响参与者任何当前或未来培训的进展，亦不会对其产生偏见。

## 4.2 Grounds for Appeal 申诉理由

Any stakeholder is able to appeal a decision made by APEG.

所有利益相关方均能对 APEG 做出的决定提出申诉。

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

就评估决定提出申诉的有效理由（如学生觉得评估决定不正确）可包括：

- a) The judgement as to whether competency has been achieved and demonstrated was made incorrectly;  
关于能力是否已经实现并得到证明的判断是错误的；
- b) The judgement was not made in accordance with the Assessment Plan;  
未根据评估计划做出判断；
- c) Alleged bias of the assessor;  
指称评估人存有偏见；
- d) Alleged lack of competence of the assessor;  
指称评估人缺乏能力；
- e) Alleged wrong information from the assessor regarding the assessment process;  
指称从评估人处获得有关评估过程的错误信息；
- f) Alleged inappropriate assessment process for the particular competency;  
指称对特定能力存在不适当的评估过程；
- g) Faulty or inappropriate equipment; and/or  
设备故障或不适当的设备； 和/或
- h) Inappropriate conditions.  
不恰当的条件。

### 4.3 Appeal Outcomes 申诉结果

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

对申诉进行的调查可能会导致以下结果之一：

- a) Appeal is upheld  
申诉维持原判
- b) An appeal against assessment is upheld:  
针对评估的申诉维持原判：  
  
in this event the following options will be available:  
在这种情况下，将提供以下选择：
  - i. The original assessment will be re-assessed, potentially by another assessor.  
重新进行最初的评估，可能由另一名评估人员进行；
  - ii. Appropriate recognition will be granted.  
给予适当的承认。
- c) Appeal is rejected  
申诉被驳回
- d) An appeal against assessment is rejected / not upheld; in accordance with APEG assessment policy the student will be required to:  
  
针对评估提出的申诉被驳回/不予维持原判；根据APEG的评估政策，学生将被要求：
  - i. undertake further training or experience prior to further assessment; or  
在进一步评估之前参加进一步培训或实习；或
  - ii. re-submit further evidence; or  
重新提交进一步的证据；或
  - iii. submit/undertake a new assessment.  
提交/进行新的评估。

## 5. APEG Responsibilities APEG的责任

The Chief Executive Officer of APEG is the Appeals Resolution Officer. The Chief Executive Officer may delegate responsibility for the resolution of the appeal if necessary.

APEG 的首席执行官为申诉决议官。如有必要，首席执行官可以授权其他人员来处理申诉。

Details concerning the scope of the Appeals Policy are to be clearly displayed throughout the organisation and contained within the Staff Induction Process, Student Handbook and APEG website.

有关申诉政策范围的详细信息应在整个机构内清楚列明，并包含在员工入职流程、学生手册和APEG网站中。

## 6. Appeals 申诉

### 6.1 Appeals Process 申诉流程

All appeals shall follow the below process:

所有申诉均应遵循以下流程：

- a) Appeal to be made in writing within 7 calendar days of an APEG decision or notification of the assessment decision using the Appeals form.  
在APEG做出决定或告知评估决定后的7个日历日内使用申诉表提出申诉；
- b) A submitted Appeals form will constitute a formal appeal from the appellant. Further detail may be provided by the appellant verbally.  
提交的申诉表将构成申诉人的正式申诉。申诉人可以口头提供进一步细节；
- c) The Chief Executive Officer APEG shall be informed of receipt of any appeal.  
收到申诉后将通知APEG的首席执行官；
- d) The Chief Executive Officer APEG may delegate responsibility for the resolution of the appeal, as appropriate.  
APEG的首席执行官可酌情将解决申诉的责任授予他人；
- e) Chief Executive Officer may refer the appeal directly to an Independent Arbitrator if the appellant cannot be assured of natural justice  
如果申诉人认为无法确保自然公正，首席执行官可将申诉直接提交给独立仲裁员；
- f) Appeals will be processed in accordance with the Appeals flowchart – Attachment A.  
申诉将根据申诉流程图（附件A）进行处理；
- g) Appeals, where possible, are to be resolved within 28 days of the initial application.  
在可能的情况下，申诉应在首次申请后的28天内解决；
- h) In all cases the final conclusion will be endorsed by the Chief Executive Officer APEG.  
在所有情况下，最终结论应得到APEG首席执行官的认可；
- i) The appellant will be advised in writing of the outcome of their appeal, within seven (7) days of the resolution.  
申诉人将在决议后七（7）天内以书面形式获知申诉结果；
- j) If the outcome is not to the satisfactory of the appellant, they may seek the appointment Independent Arbitrator to review the determination.  
如果申诉人对结果不满意，申诉人可寻求指定独立仲裁人对决议进行审查；
- k) If the appellant is not satisfied with the decision of the Independent Arbitrator, they have the option to seek outside assistance to pursue the appeal.  
如果申诉人对独立仲裁员做出的决定不满意，则申诉人可以寻求外界协助来进行申诉。

## 7. Access & Equity 使用和公平

The APEG Access & Equity Policy applies. (See 8.1 Access & Equity Policy)

APEG使用和公平政策使用。（见8.1使用和公平政策）

## 8. Records Management 记录管理

Records of all appeals and their outcomes are maintained securely.

所有申诉和其结果的记录均应妥善保存。

Records of appeals will include: 申诉记录包括:

- a) How the appeal was dealt with;  
申诉是如何处理的;
- b) The outcome of the appeal;  
申诉的结果;
- c) The timeframes for resolution of the appeal;  
解决申诉的时间表;
- d) The potential causes of the appeal; and  
可能的申诉原因; 以及
- e) The steps taken to resolve the appeal.  
解决申诉所采取的步骤。

All documentation from Refund processes are maintained in accordance with Records Management Policy. (See 7.3 Records Management Policy)

所有退款流程的文件均已按照记录管理政策进行维护。（见7.3记录管理政策）

## 9. Monitoring and Improvement 监督和改进

All appeals practices are monitored by the Chief Executive Officer APEG and will be discussed at Management Meetings with areas for improvement identified and acted upon. (See 6.1 Continuous Improvement Policy)

所有申诉实践均由APEG的首席执行官监督，并将在管理层会议上进行讨论，以确定需要改进的领域并采取相应措施。（见6.1持续改进政策）

**Attachment A: Appeals Process**

**附件A: 申诉流程**

