



Policy on Vocational Training & Assessment Appeals

1. Purpose

ACRRM recognises the right of ACRRM vocational training pathway applicants and enrolled candidates to appeal against decisions that impact on their acceptance into the program or training towards the award of Fellowship of ACRRM (FACRRM).

The purpose of this policy is to outline the process and procedures which apply to appeals against decisions relating to the ACRRM Vocational Training program and related assessment.

This policy is relevant to applicants who are refused entry into an ACRRM vocational training pathway and to candidates enrolled in an ACRRM vocational training pathway who wish to appeal decisions which delay or deny achievement of ACRRM Fellowship (FACRRM).

This policy applies to decisions made by ACRRM regarding:

- a) entry into an ACRRM vocational training pathway;
- b) recognition of prior learning;
- c) progress within an ACRRM vocational training pathway;
- d) remediation requirements;
- e) outcomes of remediation;
- f) completion of training; and
- g) assessment requirements and results.

2. Related documentation

This policy should be read with reference to the following related documents:

- ACRRM Remediation Policy
- ACRRM Registrar Review Policy

3. Policy

Questions of disputed decisions or assessment can frequently be resolved without recourse to formal appeal. This policy may be employed when all other remediation avenues have been exhausted (see ACRRM Remediation Policy).

Prior to pursuing the appeals process, it is advised that the disputed decision be discussed with the Chief Executive Officer of the College. The Chief Executive Officer must be satisfied that all other avenues to resolve the issue have been exhausted before the Appeals Committee will be constituted.

The Appeals Committee shall hear appeals in relation to decisions made by or on behalf of the ACRRM. The ACRRM Board, on recommendation from the Appeals Committee shall be responsible for making final decisions regarding appeals.

All proceedings regarding an appeal shall remain confidential.

4. Grounds for appeal

4.1 A person who is aggrieved by a College decision may request an appeal based on one or more of the following grounds:

- a) that an error in law or in due process occurred in the formulation of the original decision;

- b) that relevant and significant information, whether available at the time of the original decision or which became available subsequently, was not considered or not properly considered in the making of the original decision;
- c) that irrelevant information was considered in the making of the original decision;
- d) that procedures required by College policies to be observed in connection with the making of the decision were not observed;
- e) that the original decision was made for an improper purpose;
- f) that the original decision was made in accordance with a rule or policy without regard to the merits of the particular case; and
- g) that the original decision was inconsistent with the evidence and arguments put before the body making the original decision.

5. Time restrictions for appeals

5.1 Appeals must be lodged in writing to the Chief Executive Officer via GPO Box 2507, Brisbane QLD 4001, within 21 days of the appellant being informed of the decision to which the appeal is being made.

5.2 The written appeal letter must:

- a) State the decision which is being appealed against;
- b) Clearly state the grounds for the appeal;
- c) Provide a brief outline of the aggrieved situation; and
- d) State the remedy sought.

6. Appeal proceedings

6.1 After determining that the appeal will proceed, the Chief Executive Officer or nominee shall:

- a) Acknowledge receipt of the appeal;
- b) Convene the Appeals Committee;
- c) Determine the date of the appeal hearing, which shall be held within three months of the appeal being lodged;
- d) Provide the following advice to the appellant at least 14 days prior to the hearing date:
 - the date, time and location of the hearing;
 - the membership of the committee;
 - their right to attend the hearing and present their case to the Appeals Committee personally, or to nominate an advocate to present their case, subject to approval by the Appeals Committee; and
 - their right to have a professional friend and/or a legal representative attend the hearing in an observer capacity.

6.2 The Appeals Committee will comprise:

- Three College Fellows with medical educator experience who were not party to any decision to which the appeal relates;
- The Chief Executive Officer of the College, as a non-voting member; and
- Other individuals appropriate to a specific case, as judged by the Appeals Committee.

6.3 Appellants are required to lodge all written submissions to the Appeals Committee at least 10 days prior to an appeal hearing. Additional information provided after the submission will only be considered if the Chair of the Appeals Committee considers that the material is of significance to the matter.

- 6.4 A personal advocate, colleague or mentor may represent the Appellant in those cases where the Appeals Committee considers that an appellant would be disadvantaged in his/her appeal if required to present in person.
- 6.5 The Appeals Committee shall be entitled to consider all relevant information which it thinks fit, and may invite any person to appear before it or to provide information.
- 6.6 All proceedings shall remain confidential.
- 6.7 The Appeals Committee may:
- a) confirm the decision which is the subject of the appeal;
 - b) revoke the decision which is the subject of the appeal and refer it back to the originating committee for a fresh decision; or
 - c) revoke the decision which is the subject of the appeal and make an alternative recommendation to the ACRRM Board.
- 6.8 In all cases the Appeals Committee's decision is final.
- 6.9 Decisions of the Appeals Committee must be notified to the ACRRM Board.
- 6.10 The Chief Executive Officer, on behalf of the Appeals Committee, will notify the appellant in writing of the decision, and reasons for the decision, within four weeks of the appeal hearing.

7. Fees

- 7.2 The Appellant shall submit the fee of \$900, with the letter of appeal.
- 7.3 The College will refund the appeals fee paid, minus administrative costs involved, in the case that the appeal is successful.
- 7.4 The Chief Executive Officer of the College has the power to waive the application fee in appropriate circumstances, and the Chair of the Appeals Committee shall have the power to review decisions of the Chief Executive Officer regarding fee waiver on application of the appellant.
- 7.5 An appellant requiring a face-to-face hearing will meet all costs of convening such a meeting, including, but not limited to, travel and accommodation for the appellant and appeal committee members, regardless of the result of the appeal.

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