

ACT Appeals Policy

This policy sets out the Association of Certified Training's approach to managing appeals in a fair, transparent, and timely way. It explains who may appeal, the grounds on which an appeal may be made, how appeals will be considered, and the possible outcomes.

1. Purpose

The purpose of this policy is to ensure that appeals against ACT-related certification decisions are handled consistently, independently, and in accordance with the requirements of the certification scheme. The appeals process is intended to review whether the correct process was followed and whether relevant evidence was carefully considered.

2. Scope

This policy applies to appeals made against the following decisions:

- A review decision made by a panel.
- A certification decision made by the ACT Certification Director.
- A decision made as the result of a complaint.
- A decision to terminate an application, certification, or any part of certified services, including approval for individual programmes, authorisation for individual trainers, or authorisation for individual affiliated organisations delivering training services.

3. Making an Appeal

Appeals must be made in writing to the Certification Director within 14 working days of the appellant receiving feedback on the decision. The Certification Director will acknowledge receipt of the appeal within five working days and will provide a copy of this policy if requested.

For appeals against review panel decisions, an appeal panel will be drawn from a new impartial panel whose members have not previously considered the application. The impartial chairperson or the Chair of ACT Board of Trustees will chair the panel.

For all other appeals, the Chair of ACT Board of Trustees or another ACT Board Trustee will chair the panel.

The Certification Scheme Administration Manager will provide the appellant with written details of the appeal panel, the requirements for the panel, and information about the decision-making process.

4. Grounds for Appeal

The appeal must make specific reference to the decision being challenged and, in no more than 500 words, clearly explain the grounds on which the appeal is being made.

Appeals against a review panel decision, or certification decision, must be based on one or more of the following grounds:

- The original decision did not follow the criteria set out in the ACT Customer Handbook or the contract between ACT and the training provider.
- Evidence was presented to the panel that was not representative of the evidence submitted by the training provider due to an act or omission by the certification scheme or its agents.
- Evidence made available within the submission was not given due consideration.

Evidence that was not presented as part of the original submission will not normally be accepted where its omission was due to an act or omission by the training provider.

5. Appeal Panel Process

The appeal panel will be provided with all relevant information, including feedback given to the training provider.

The appeal will be conducted as follows:

- The Certification Scheme Administration Manager will arrange the appeal panel via Microsoft Teams or other media platform at the most convenient available date and time and will notify all interested parties.
- Up to two representatives of the appellant organisation may attend. One representative should be the primary named contact for the training provider.
- Attendance will be limited to 40 minutes.
- The appellant may submit a written report and make verbal representations to the appeal panel, setting out clearly the grounds on which the appeal is being made.
- The appeal panel will make its decision based on all evidence made available to it. The panel will only review information relating to the areas of the RRN Training Standards or the organisation's contractual responsibilities with ACT that have been identified in the appeal.

6. Appeal Outcome

The appellant will normally be notified of the outcome within 14 working days of the appeal panel.

The decision of the appeal panel is final and there is no further right of appeal.

Where the decision being appealed impacts the certified status of the training provider:

- If the appeal is unsuccessful, the training provider may submit a new application for certification within six months of the appeal panel decision. This will be treated as a new application, and the certification process will start again.
- If the appeal is successful, the training provider will be instated/re-instated as a Certified Training Service meeting the RRN Training Standards. For newly certified organisations, the three-year assessment cycle will commence from the date of the appeal panel decision.