



# Assessment Re-Mark & Assessment Appeal Procedure

Updated on 03/05/2019

## ASSESSMENT RE-MARK AND ASSESSMENT APPEAL POLICY

### Purpose and Scope

This procedure details the process for handling appeals and disputes against assessment decisions. This procedure covers allegations involving assessment decisions made by MCI's Assessors or a third party providing services on the MCI's behalf.

### References

Standard ISO 9001:2008 sections 5.2, 7.2

Standards for Registered Training Organisations 2015, Standard 6, Clauses 6.2 – 6.6

MCI Management System Manual section 3.3.1

### Definitions

Principles of natural justice and procedural fairness: MCI is committed to following the principles of natural justice. The rules or principles of natural justice, also known as procedural fairness, have developed to ensure that decision-making is fair and reasonable. Put simply, natural justice involves decision-makers informing people of the case against them or their interests, giving them a right to be heard (the 'hearing' rule), not having a personal interest in the outcome (the rule against 'bias'), and acting only on the basis of logically probative evidence (the 'no evidence' rule). Taken from NSW Ombudsman, permission granted to reproduce given on 23rd January 2015. For further information on this please follow the link here: <https://www.ombo.nsw.gov.au/news-and-publications/publications/fact-sheets/state-and-local-government/natural-justiceprocedural-fairness>

### Responsibilities

The responsibility for implementing the requirements of this procedure rest with the RTO Operations and Administration Manager.

### Procedure

1. The assessment re-mark
  - a. Where a student disagrees with an assessment result, they must complete and lodge a Request for an Assessment Remark Form within 10 business days of receiving the assessment result;
  - b. MCI will acknowledge in writing to the student receipt of the request;
  - c. The MCI Program Manager will organise for a re-marking of the assessment;
  - d. The assessment will not be marked by the original assessor;
  - e. A clean copy of the assessment will be provided to the assessor;

- f. The assessor will return the task graded as Competent or Not Yet Competent ('NYC') to the Program Manager within 10 business days of receiving the remarking request;
- g. Where the assessment grade has changed from NYC to Competent, the Program Manager will request Student Services to amend the grade in the student's record and will inform the student of the change in grade;
- h. Where the assessment grade has not changed, the Program Manager will inform Student Services that the grade does not change, and will inform the student of the outcome of the re-marking process; and
- i. Students can appeal the outcome of an assessment re-mark.

## 2. Assessment Appeal

- a. A student can appeal an assessment remark decision within five (5) working days of receiving notification of the remark outcome;
- b. To appeal an assessment remark decision, a student must complete and submit the Application for Assessment Appeal to MCI;
- c. The Program Manager assesses the Application to determine if there is a case by reviewing:
- The student's case for the appeal, accompanying evidence and documentation;
  - The first assessment decision and feedback provided to the student;
  - The re-marking of the assessment and feedback provided to the student; and
  - The re-marking grade outcome.
- d. If required, the Program Manager can also contact the assessors and / or the student for more detail and clarification on the matter;
- e. The Program Manager then makes a recommendation to the RTO Operations and Administration Manager about whether or not to uphold the Appeal;
- f. The RTO Operations and Administration Manager will review the case to make a final determination;
- g. If the student's appeal is successful, then the RTO Operations and Administration Manager advises the Program Manager to request Student Administration to amend the student's grade to Competent and informs the student in writing of the successful outcome of the Appeal;
- h. If the student's appeal is unsuccessful, then the RTO Operations and Administration Manager advises the Program Manager to inform the student in writing of the unsuccessful outcome of the Appeal; and

i. MCI will endeavour to manage the Appeals process within 60 business days. If MCI is unable to achieve this, the student will be informed in writing, including details as to why more than 60 business days are required, and will regularly update the student on progress;

j. This is the highest point of review for assessment appeals in MCI. If a student remains dissatisfied with the outcome of the Assessment Appeal, MCI will arrange for an external independent party to aid in the resolution of the matter.

## Records

The following records shall be generated and retained for a period of 5 years:

- Assessment Appeal Form, and accompany documents
- Records of remark process and outcomes
- Records of appeal process and outcomes
- Assessment Appeals Register

## Key Links

Forms and / or documents required for this procedure:

Assessment Remark and Appeal Application Form, here: <https://fs9.formsite.com/mcieduau/AssessmentRe-Mark-Appeal/index.html>

## Document Revision History and Version Control

Approved by: Kim Middlemiss, RTO Operations Manager.

Effective date: 3 May 2019