

# APPEALS AND COMPLAINTS POLICY

CPD Australia



*At CPD Australia, we uphold values of inclusivity, diversity, and respect for all individuals, paying homage to the rich cultural heritage of Aboriginal and Torres Strait Islander peoples, as well as honouring the diverse backgrounds and experiences of every member of our community. With a commitment to fostering a culturally safe and inclusive learning environment, our CPD Home embraces the principles of equity and cultural responsiveness, ensuring that every participant feels valued and supported on their educational path.*

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## OVERVIEW OF APPEALS

At CPD Australia, we understand that appeals and complaints are integral to maintaining the effectiveness of our systems and providing a fair and high-quality service. This Policy outlines our process for evaluating appeals and complaints, aiming to identify any underlying systemic issues and implement appropriate corrective measures.

There are three main situations in which practitioners may appeal a determination made by CPD Australia:

1. A practitioner is notified a CPD activity does not meet the requirements of the CPD Program.
2. A practitioner has not complied with the 'Registration standard: CPD'.
3. A practitioner has been declined a variation/exemption after written application.

The appeals process for each are outlined in the sections below.

## APPEAL OF A CPD ACTIVITY ASSESSMENT

### NOTIFICATION PROCESS

CPD activities may undergo an assessment during the audit process, or at any time during the year, by the Program Manager and/or Educationalist to ensure they are of sufficient quality as outlined in the *CPD Activity Evaluation Framework*.

- If the Program Manager or Educationalist conclude that an activity does not meet the required criteria, the practitioner will be informed as soon as reasonably possible.
- The Program Manager or Educationalist not involved in the original determination may review if there is uncertainty, and if consensus is reached, the practitioner will also be notified as soon as reasonably possible.
- If the Program Manager and Educationalist cannot agree on the activity's compliance with the criteria even after discussion, the activity will be forwarded to the Educational Board for review at their next quarterly meeting, without the practitioner incurring a charge. The practitioner will be notified of the delay in reaching a determination, invited to submit further evidence, and notified of the timeline.
- If the Educational Board subsequently makes the decision to reject the activity, the practitioner will be notified within two weeks of the Board meeting to enable time for meeting minutes to be circulated and signed. The Educational Board's determination of the CPD activity in question is final.

### APPEALS PROCESS

If upon first decision by the Program Manager or Educationalist, the practitioner is notified the activity has been rejected, they have two weeks to appeal the decision. The fee for appeal is \$150, to be refunded if the appeal is upheld.

Grounds for filing an appeal may include, but are not limited to, the following circumstances:

- Consideration of relevant and significant information, whether available at the time of the original decision or subsequently, which was either not considered or not properly evaluated during the decision-making process.
- Identification of errors in due process during the formulation of the initial decision.
- Failure to adhere to procedures mandated by the policies of CPD Australia concerning the decision-making process.
- Making the original decision in accordance with a rule or policy without due consideration of the merits of the specific case.
- Identification of inconsistency between the original decision and the evidence and arguments presented to the decision-making body.

The activity, along with any evidence provided by the practitioner, will be scheduled for discussion at the next scheduled Educational Board meeting.

The Educational Board will review the activity and decide to either uphold or overturn the initial decision. If the decision is overturned, the \$150 fee will be refunded. If upheld, the practitioner will be notified within two weeks of the meeting, providing time for the official meeting minutes to be circulated and signed.

## APPEAL OF CPD COMPLIANCE ASSESSMENT

### NOTIFICATION PROCESS

There are two means by which practitioners may be notified they are not compliant with the Registration Standard CPD:

- 1) All practitioners are automatically notified of their compliance status for the previous reporting year in January, with a certificate issued to those that are compliant, and notification made to those that are not.
- 2) An audit process is carried out on a yearly basis, which is detailed in the publicly available *Audit Policy*. If a practitioner has not complied with the 'Registration Standard: CPD', they will be notified in accordance with this Policy.

If the practitioner elects to appeal the decision, the details are summarised as follows.

### APPEALS PROCESS

#### Review Phase:

- If the member disagrees with the initial determination of the audit or of the automatic notification of compliance, and wishes to challenge the decision, they may request a *formal review*. No fee will be incurred.

- If selected for audit, the case will be reassessed by either the Educationalist or Program Manager, depending on who was not involved in the initial review. This *review* may include consulting external experts if needed. An independent determination will be made and communicated to the practitioner.
- If not selected for audit but informed of non-compliance, either the Educationalist or Program Manager will perform an evaluation, reach an independent decision, and inform the practitioner of the outcome.

#### Appeal Phase:

- Practitioners unsatisfied with the review outcome can initiate a *formal appeal* by emailing [support@cpdaustralia.org](mailto:support@cpdaustralia.org).
- The *appeal* is de-identified by the Administrative Officer and the Educational Board will be notified.
- An *appeal* incurs a \$1,500 fee, fully refundable if the appeal is upheld.
- The CPD Educational Board undertakes an independent examination of the practitioner's compliance record, possibly consulting external experts for an impartial and thorough assessment.
- Within 90 days of receiving the *appeal*, the Educational Board's decision will be finalised and conveyed to the practitioner in writing.
- This decision is definitive and conclusive.
- Upon a successful *appeal*, the practitioner is refunded the *appeal fee*, and any necessary modifications are applied to their CPD record.

#### Audit Completion and Reporting:

- Following the completion of the audit process, participants who have successfully met CPD Program requirements will be notified and issued a certificate of completion.
- Results will be reported to the Medical Board of Australia prior to July 1<sup>st</sup> of a given year.

The audit report and process will be reviewed at the mid-year Educational Board review meeting, and at the Organisational Leadership mid-year meeting to assess whether improvements may be made to the CPD Home/Program or the audit process.

## APPEAL OF DETERMINATION OF EXEMPTION/VARIATION REQUEST

### NOTIFICATION PROCESS

CPD Australia aims to provide special consideration outcomes within a reasonable timeframe.

Upon receiving a decision on their exemption/variation request, the member will be notified in writing, including the reasons for the decision.

### APPEALS PROCESS

The process for appeal of an exemption/variation decision will follow these steps:

- Upon receiving a decision on their *exemption/variation request*, the member will be notified in writing, including the reasons for the decision.

- If the member wishes to appeal the decision, they must submit a formal appeal request via email within 14 days of receiving the decision notification. The fee for appeal is \$150, to be refunded if the appeal is upheld.
- Depending on whether the initial review was denied by the Program Manager or the Educational Board, the appeal will follow one of two possible pathways:
  - o If the decision was made by the Program Manager, a submission to the Educational Board will be prepared for review who will provide a final decision.
  - o If the decision was made by the Educational Board, the member may be asked to detail what reasons for the initial decision the member disagreed with and invited to provide additional evidence or clarification for the Educational Board to consider. This will be reviewed by the Educational Board who will provide a final decision.
- The member may be asked to provide additional evidence or clarification as part of the appeal process.
- A final decision on the appeal will be communicated to the member within 90 days of receiving the appeal request. This decision will be considered final and binding.

## RECEIVING APPEALS AND COMPLAINTS

Appeals and complaints can be received through various channels:

- Email and contact forms on the website, including [support@cpdaustralia.org](mailto:support@cpdaustralia.org)
- Direct communication with CPD Australia employees
- Internal feedback systems for issues identified by CPD Australia employees
- Participant feedback surveys, as necessary.

## RECEIVING ANONYMOUS APPEALS AND COMPLAINTS

While direct anonymous reporting channels are not available, practitioners and other relevant stakeholders are encouraged to submit appeals and complaints via the channels outlined above.

If a complainant requests anonymity upon submission, a designated employee (usually the Administrative Officer) will remove any identifying details from the complaint, ensuring confidentiality is maintained throughout the process. The complainant acknowledges that anonymity may reduce the ability to investigate and respond to a complaint.

Appeals regarding a practitioner's own CPD Program necessitates identification and cannot be submitted with anonymity.

## FEEDBACK AND COMMUNICATION

Transparent communication is maintained throughout the process to keep stakeholders informed of progress and outcomes.

## EVALUATING SYSTEMIC ISSUES

### Collection and De-Identification:

- All appeals and complaints received during the quarter are compiled. All personal identifiers from each submission are removed to ensure anonymity and fairness in the review process.

### Aggregation and Categorisation:

- The de-identified data is then aggregated and categorised by issue type, or any other relevant criteria, aiding in the detection of commonalities and trends.
- The findings are prepared and organised into a report highlighting key trends, patterns, and categories of appeals and complaints.

### Educational Board Review:

- The report on aggregated appeals and complaints is presented to the Education Board. The Board members engage in a detailed review and discussion of the findings.
- This includes identifying patterns or trends that may indicate systemic issues, paying special attention to recurring complaints or appeals within the same categories.

### Action Plan Development and Implementation:

- Should systemic issues be identified, this is then passed onto Organisational Leadership for the development of an action plan outlining corrective measures, responsible parties, and timelines for implementation. These plans are designed to address the root causes of the issues highlighted by the appeals and complaints.
- Examples of actions include process improvements, policy revisions, or additional training and resources for staff.

### Monitoring and Feedback:

- Following the implementation of changes, the effectiveness of these actions is monitored over the subsequent quarter. Feedback on the impact of these changes is gathered and reviewed, feeding into the continuous improvement cycle.

## CONFLICTS OF INTEREST

CPD Australia is committed to fair, transparent, and unbiased handling of all appeals and complaints. In circumstances where an appeal or complaint is escalated to the Educational Board, any staff member involved in the original CPD activity assessment or CPD compliance determination will be formally recused from participating in discussions and/or decisions relating to that specific activity or practitioner. This ensures impartiality and aligns with CPD Australia's Conflict of Interest Policy and principles of procedural fairness. Best efforts will always be made to identify and manage any potential conflicts of interest at all stages of the process.

Appeals and Complaints Policy		
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<sup>i</sup> Used with consent from Andrea Piacquadio, available at [pexels.com](https://www.pexels.com)