



ACS Migration Skills Assessment Appeal Policy

1. Introduction

The Australian Government authorises ACS to assess the qualifications and experience of data science and IT graduates and professionals seeking migration to Australia.

ACS provides applicants the ability to Appeal the outcome of their migration skills assessment (MSA) if they are dissatisfied or disagree with the proceedings.

2. Appeal Policy

This policy defines how ACS processes appeal requests from migration skills assessment applicants in accordance with the Department of Employment and Workplace Relations (DEWR) guidelines and requirements.



3. Level 1 Appeal – Request to Internally Review an Assessment Outcome

If an applicant disagrees with the outcome of their Migration Skills Assessment, they may request an internal review of the assessment by a senior assessor who was not involved in processing the original application. The purpose of a Level 1 Appeal is to ensure that ACS completed the assessment in line with required policies and regulation at the time of application and offered appropriate procedural fairness.

A Level 1 Appeal may be launched from the ACS application portal and an applicant requesting a review of a decision may provide new evidence if relevant to the outcome.

Upon receipt of appeal, ACS will allocate a senior ACS assessor who was NOT involved in the processing of the original application. The senior will review the appeal request including assessment evidence, administrative notes, findings, and any new evidence presented. Assessors may also seek additional evidence (e.g., documentation, due diligence checks, applicant interview, etc.) if required.

The senior assessor validates:

- assessment quality,
- case administration, and
- outcome quality.



Rights of Applicant	A Migration Skills Applicant may: <ul style="list-style-type: none">• launch a Level 1 Appeal within 60 days of assessment letter date,• initiate appeal via the applicant portal, and• provide additional records, documentation, and payment via the applicant portal.
ACS Duty of Care	ACS commits to: <ul style="list-style-type: none">• releasing outcome of a Level 1 Appeal within 30 days of receipt, including additional documentation or new evidence,• ensuring Level 1 reviewers are experts in ACS MSA practices and independent of the initial application process, and• updating assessment procedures based on feedback of ACS leadership.
Appeal Outcome	A Level 1 Appeal outcome will include the following information: <ul style="list-style-type: none">• the reason/s for the decision, and• the outcome of a potential refund, and• advice about how to appeal the decision.

4. Level 2 Appeal – Request to Externally Review an Assessment Outcome

If an applicant remains dissatisfied after a Level 1 Appeal, they may request a Level 2 Appeal via email and reference the Application ID (e.g., “ACS-1234567” or “A-1234567”). Applicants may offer grounds for the request but may NOT provide new evidence when commencing a Level 2 Appeal.

The purpose of the Level 2 Appeal is to ensure that ACS assessment outcomes reflect industry expectations for IT and data professionals working in Australia.

ACS will engage an independent assessor, an expert in the applicant’s nominated occupation, to re-assess the outcomes of the application and prior appeal. Where discrepancies arise, the independent assessor will provide subject matter expertise to support applicant review and ACS continuous improvement.

Applicants may not engage Level 2 Appeal, without first completing Level 1 Appeal in its entirety. Furthermore, a Level 2 Appeal outcome is final and cannot be overturned.

Rights of Applicant	A Migration Skills Applicant may: <ul style="list-style-type: none">• launch a Level 2 Appeal within 30 days of receipt of the Level 1 Appeal outcome,• lodge appeal by emailing level2appeal@acs.org.au and referencing the Application ID (e.g. “ACS-1234567” or “A-1234567”), and• provide required payment upon invoicing to engage Level 2 Appeal. Applicants may not provide additional documentation to support Level 2 Appeal.
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ACS Duty of Care	ACS commits to: <ul style="list-style-type: none">• releasing outcome of a Level 2 Appeal within 60 days,• engaging an external, independent assessor who understands ACS MSA practices and can provide subject matter expertise in the required field, and• updating assessment practices based on feedback of external experts.
Appeal Outcome	A Level 2 Appeal outcome will include the following information: <ul style="list-style-type: none">• the reason/s for the decision, and• the outcome of a potential refund. A Level 2 Appeal outcome is final and cannot be overturned.

5. Cost to Appeal

ACS requires upfront payment for all Appeals to commence. The pricing for Appeals is published on [ACS's website](#) and is current at the time of appeal lodgement.

Applicants may be eligible for a full or partial refund based on the appeal outcome. This approach applies to both Level 1 and Level 2 Appeals.

Appeal Outcome	Refund
The Appeal outcome stands with original assessment (no change)	No Refund
The Appeal outcome is modified or reversed.	Full Refund*

***ACS reserves the right NOT to refund the Appeal Fee, if:**

- an applicant does not provide adequate grounds or evidence to lodge an appeal,
- an applicant utilises ACS Appeal to change the nature of the original assessment (e.g., ANZSCO code, assessment pathway, etc.), or
- an applicant provides additional evidence during appeal (e.g., Level 1) which changes the assessment outcome.



End of Document
ACS Migration Skills Assessment Appeals Policy

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Version History

Date	Version	Revision History (reason for change)	Author /Reviser
Feb 2024	1	Original document created	Bessie, Steph, Elizabeth

Approvals

Name	Title	Date of Issue	Version
Elizabeth Gregg	Director, Migration Pathways	19/2/2024	1

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