

## **Policy Title**

### **Appeals Policy**

#### **Preamble**

This Policy is consistent with:

- The Higher Education Support Act (HESA) 2003
- The Higher Education Standards Framework (Threshold Standards) 2021, Standard 2.4 Student Grievances and Complaints
- The Education Services for Overseas Students Act (ESOS) 2000 and
- The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code)

#### **Purpose**

This Policy has been developed to affirm Deakin College's commitment to a supportive, fair and equitable learning environment by ensuring that students have access to an appeals process which is independent, free, effective and, resolved in an efficient and timely manner.

#### **Scope**

This policy applies to all current and prospective students in all campuses.

#### **Policy**

1. This Policy is underpinned by the following principles:
  - 1.1. All appeals will be considered and dealt with according to the principles of natural justice and procedural fairness;
  - 1.2. All appeals will be dealt with in a supportive environment and the appellant will not be subjected to victimisation, intimidation, discrimination or harassment;
  - 1.3. An appeal does not restrict a student's right to access Australia's consumer protection laws or to pursue other legal remedies. Students are however, encouraged to access Deakin College's review processes prior to lodging a formal appeal to the Deakin College Appeals Committee;
  - 1.4. All appeals will be submitted, assessed and resolved within the time-frames specified in this policy and its associated procedures;
  - 1.5. Deakin College will take all reasonable steps to ensure that information and communication regarding any appeals remain confidential and will only be disclosed to a person who have a right to the information by virtue of their role in the appeals process;
  - 1.6. Appellants have the right to present his or her case to the Deakin College Appeals Committee and, be accompanied by a third person providing that the person is not a qualified and practising lawyer;

- 1.7. Where the appeal is against Deakin College's decision to cancel an appellant's enrolment due to unsatisfactory academic progress or unsatisfactory attendance which may result in reporting to the relevant Australian Government higher education and immigration agencies, Deakin College will maintain the appellant's enrolment by not completing the reporting until all avenues of appeal, internal and external (if accessed), is completed;
- 1.8. Deakin College's appeals process allows for the outcome of only one external appeal. For overseas students, where the external appeal (if accessed) supports Deakin College's decision, Deakin College will proceed and report the student to the relevant Australian Government higher education and immigration agencies.

## **2. Deakin College Appeals Committee**

- 2.1. The Deakin College Appeals Committee is responsible for the assessment and determination of appeals received from Deakin College students. The Deakin College Appeals Committee is also responsible for communicating the appeal outcome to the appellant.
- 2.2. An appeal to the Deakin College Appeals Committee is the final avenue of internal appeal at Deakin College and the outcome determined by the committee is final.

## **3. Record Keeping**

- 3.1. Deakin College will keep records of an appeal for five (5) years after the appellant ceases to be an accepted student.

## **4. Appeals Procedure**

- 4.1. There are separate procedures depending on the type of appeal:
  - Academic Integrity
  - Academic Progress
  - Admission
  - Attendance
  - Enrolment, Fees and Charges
  - General Misconduct of Assessment at the end of Trimester
  - Review of Assessment during Trimester
  - Special Consideration
  - Overseas Student Transfers

### **Related Policies**

Academic Integrity Policy  
Academic Progress Policy  
Equity and Diversity Policy  
Admission Policy  
Assessment Policy  
Attendance Policy

Overseas Student Transfers Policy  
Enrolment, Fees and Charges Policy  
Privacy Policy  
Refund Policy

**Procedure**

Appeals Procedure

**Definitions**

<b>Key Term or Acronym</b>	<b>Definition</b>
Appeal	A formal process to challenge and request for a decision to be reversed
Appellant	A student who submits an appeal
Deakin College Appeals Committee	The final appeals body at Deakin College that considers appeals from students against any decision by Deakin College or Deakin College Indonesia of an academic or non-academic nature.
Overseas Student	A student who holds an Australian student visa.
Victimise	To act or omit to act towards a person in a way which is unfair or intended to cause disadvantage to that person.
Working Day	Excludes Victorian and Australian public holidays and weekends.

**Status and Details**

<b>Identification</b>	Appeals Policy
<b>Initial Issue Date</b>	19/04/2018
<b>Status</b>	Current
<b>Domain</b>	Student and Academic Services
<b>Effective Date</b>	30/06/2022
<b>Review Date</b>	31/12/2024
<b>Approval Authority</b>	Academic Board of Studies
<b>Implementation Officer</b>	Director Quality & Student Services
<b>Enquiries Contact</b>	Robert Close