

Procedure Title

Appeals Procedure

Preamble

The Appeals Procedure sets out the implementation of the Appeals Policy.

Purpose

This Procedure outlines the process of appealing a decision or outcome made by Deakin College.

Scope

The Procedure applies to all current and prospective Deakin College students in all campuses.

Policy

Appeals Policy

Related Documentation

Deakin College Appeal Application

Academic Progress Appeal – Student Response Form

Appeal Outcome Letters

Procedure

1. Appeals Process

- 1.1.** In the first instance, students are encouraged to access Deakin College’s review processes related to academic and non-academic matters prior to lodging a formal appeal. Students who are not satisfied with the outcome of a review related to an academic or non-academic matter may lodge a formal appeal to the Deakin College Appeals Committee;
- 1.2.** Appeals of an academic nature are those related to admissions, assessment, enrolment, attendance and academic progress;
- 1.3.** Appeals of a non-academic nature are those related to fees and, an appellant’s conduct which may result in perceived victimisation, intimidation, discrimination or harassment;
- 1.4.** Appeals against a Deakin College decision must be submitted within twenty (20) working days from the date the written outcome of the decision is communicated to the appellant. Late appeals may be dismissed by the Deakin College Appeals Committee;
- 1.5.** A completed Deakin College Appeal Application Form must be submitted to commence the appeal process. The grounds for appeal must be stated in the application and, supporting documentation must be provided;
- 1.6.** There is no cost to the appellant in accessing Deakin College’s internal appeal as set out in this policy, however, an external agency may choose to charge a fee for their services;

- 1.7. An appeal will commence within ten (10) working days of its lodgement and finalised as soon as practicable. At a minimum, this will comprise of a written acknowledgement of the appeal to the appellant with the assignment of a case reference number;
 - 1.8. If a request to present his or her case to the Deakin College Appeals Committee is received from the appellant, at least five (5) working days' notice regarding the date, time and location of the meeting must be provided;
 - 1.9. An appellant may be accompanied by a support person providing that the person is not a qualified and practising lawyer;
 - 1.10. If an appellant fails to attend the scheduled meeting, the appeal will be considered and finalised by the Deakin College Appeals Committee;
 - 1.11. The outcome of an appeal and reason(s) for the decision will be communicated to the appellant in writing within ten (10) working days from the completion of the appeal process;
 - 1.12. The written appeal outcome will be sent by email to the appellant's Deakin College email address and personal email address recorded in the student management system;
 - 1.13. It is the student's responsibility to ensure that his or her correspondence details (address, phone/mobile number and personal email address) are provided to Deakin College and updated regularly;
 - 1.14. The Deakin College Appeals Committee will make all reasonable attempts to resolve appeals as soon as practicable so not to disadvantage the appellant.
- 2. Grounds for Appeal**
- 2.1. An appeal will be considered and assessed by the Deakin College Appeals Committee in the following circumstances:
 - The appellant believes that the decision by Deakin College was not in accordance with the applicable Deakin College policy and/or procedure;
 - New information or evidence previously not provided or considered is made available;
 - 2.2. The Deakin College Appeals Committee may dismiss an appeal on the following basis:
 - the circumstances which resulted in the appellant's appeal submission does not reflect the grounds for appeal;
 - failure to receive email or postal correspondence from Deakin College due to the appellant's failure to provide or update his or her correspondence details;
 - the appeal is lodged outside the time-frame allowed for lodgment;

- 2.3. In the event that an appeal is dismissed, the appellant will be notified in writing and, the notification will include the reason(s) for the appeal's dismissal.

3. How to Appeal

- 3.1. Upon receipt of a decision or outcome made by Deakin College, a student (appellant) may appeal the decision by submitted the relevant online form within 20 working days from the date of the written outcome.
- Appeal Application
<https://app.pipefy.com/public/form/SKcJyEy0>
 - Academic Progress Appeal – Student Response Form
<https://app.pipefy.com/public/form/payHIQsr>
- 3.2. A link to the Deakin College *Appeal Application* online form is available from the Student Hub in the Student Portal or Admissions for prospective students. A link to the *Academic Progress Appeal – Student Response Form* is available from the Student Hub in the Student Portal;
- 3.3. The Deakin College *Appeal Application* or *Academic Progress Appeal – Student Response Form* must be accompanied by relevant supporting documentation;
- 3.4. The appellant must submit the *Appeal Application* or *Academic Progress Appeal – Student Response Form* via the relevant online form;
- 3.5. Appellant must complete the *Appeal Application* or *Academic Progress Appeal – Student Response Form* to provide the reason for an appeal in the following circumstances:
- 3.5.1. The appellant believes that the decision by Deakin College was not in accordance with the applicable Deakin College policy and/or procedure;
 - 3.5.2. New information or evidence previously not provided or considered is made available;
- 3.6. Appellant appealing against a decision due to new information or evidence previously not provided or considered must submit the new information with the *Appeal Application Form* or *Academic Progress Appeal – Student Response Form*;
- 3.7. New information or evidence previously not provided or considered to be attached with the *Appeal Application Form* or *Academic Progress Appeal – Student Response Form* may include:
- 3.7.1. Letter from registered medical practitioner stating the nature of the medical condition, its severity and the impact on the student's ability to complete the assessment task or overall academic performance and/or progress or;
 - 3.7.2. Statutory Declaration together with other verifiable supporting documentation (e.g. letter from a registered psychologist, death certificate,

police report etc.) if the nature of the circumstance is due to loss, bereavement, hardship or trauma.

4. Appeals of an Academic Nature

Students who are appealing decisions that are academic in nature must complete the instructions and provide documents as prescribed below.

4.1. Academic Integrity

- must read the Academic Integrity Policy and Procedure;
- must complete the *Appeal Application* and provide the reason(s) for the appeal;
- must submit written outcome of decision received from Deakin College for academic misconduct;
- may submit new evidence that was not previously provided or considered.

4.2. Unsatisfactory Academic Progress

- Student must read the Academic Progress Policy and Academic Progress Procedure;
- Appellant must complete the *Academic Progress Appeal – Student Response Form* and provide the reason(s) for appealing the decision of the Board of Examiners;
- Appellant must attach the written outcome of decision received from Deakin College for Show Cause;
- Appellant may submit new evidence that was not previously provided or considered.

4.3. Admission

- Student must read the Admission Policy and Admission Procedure;
- Appellant must complete the *Appeal Application Form* and provide the reason(s) for the appeal;
- Appellant must attach the written outcome of decision received from Deakin College for the refusal of admission;
- Appellant may submit new evidence that was not previously provided or considered.

4.4. Attendance

- Student must read the Attendance Policy;
- Appellant must complete the *Appeal Application* to provide the reason(s) for the appeal;

- Appellant must attach the written outcome of decision received from Deakin College for the failure to meet the 80% attendance requirement;
- Appellant may submit new evidence that was not previously provided or considered.

4.5. Review of Assessment during a trimester

- Student must read the Assessment Policy and Assessment Procedure;
- Appellant must complete the *Appeal Application* to provide the reason(s) for the appeal;
- Appellant must attach the written outcome of the decision received from Deakin College following the submission of *Review of Assessment during a Trimester Form*;
- Appellant may submit new evidence that was not previously provided or considered.

4.6. Review of Final Grade

- Student must read the Assessment Policy and Assessment Procedure;
- Appellant must complete the *Appeal Application* to provide the reason(s) for the appeal;
- Appellant must attach the written outcome of the decision received from Deakin College following the submission of *Review of Final Grade Form*;
- Appellant may submit new evidence that was not previously provided or considered.

4.7. Release Letter

- Student must read the Overseas Students Transfers Policy and Procedure;
- Appellant must complete the *Appeal Application* to provide the reason(s) for the appeal;
- Appellant must attach the written outcome of the decision from Deakin College following the submission of the *Application for Release Letter for Overseas Student Form*;
- Appellant may submit new evidence that was not previously provided or considered.

4.8. Special Consideration

- Student must read the Assessment Policy and Special Consideration Procedure;

- Appellant must complete the *Appeal Application* to provide the reason(s) for the appeal;
- Appellant must attach the written outcome of the decision received from Deakin College following the submission of *Special Consideration Application*;
- Appellant may submit new evidence that was not previously provided or considered.

5. Appeals of a Non-academic Nature

Students who are appealing decisions that are non-academic in nature must complete the instructions and provide documents as prescribed below.

5.1. Refund of Fees

- Student must read the Refund Policy;
- Appellant must complete the *Appeal Application* to provide the reason(s) for the appeal;
- Appellant must attach the written outcome of the decision received from Deakin College following the submission of *Application for Refund of Tuition Fees Form*;
- Appellant may submit new evidence that was not previously provided or considered.

5.2. Re-crediting or Remission of FEE-HELP Debt

- Student must read the Enrolment Fees and Charges Policy and Procedure;
- Appellant must complete the *Appeal Application* to provide the reason(s) for the appeal;
- Appellant must attach the written outcome of the decision received from Deakin College following the submission of the *Application for Re-crediting or Remission of FEE-HELP Debt Form*;
- Appellant may submit new evidence that was not previously provided or considered.

5.3. Student misconduct

- Student must read the Student Code of Conduct;
- Appellant must complete the *Appeal Application* to provide the reason(s) for the appeal;
- Appellant must attach the written outcome of the decision received from Deakin College on non-academic misconduct;

- Appellant may submit new evidence that was not previously provided or considered.
6. Upon receipt of student's appeal, Deakin College Appeals Committee will acknowledge receipt and provide a case reference number within 10 working days, and if required, request for additional information or supporting documentation.
 7. A note regarding receipt of and, acknowledgement of appeal to be recorded in the student management system.
 8. The student's appeal is logged in the Deakin College Appeals Register.
 9. The appellant may request to present his or her case to the Deakin College Appeals Committee. If so, appellant will be notified and provided of the date, time and location of the meeting at least five (5) working days prior to the date of the meeting.
 10. The appellant may be accompanied by support person who is not a qualified and practising lawyer.
 11. The student's appeal is investigated and considered by Deakin Colleges Appeals Committee or delegate in accordance with the relevant Deakin College Policies and the Deakin College Appeals Policy.
 12. Once appeal decision or outcome is reached, the outcome is communicated to student in writing within 10 working days. An electronic copy of the outcome notice is sent to the Deakin College email address and personal email address recorded in the student management system.
 13. The email sent to the student with the outcome notice will be recorded in the student management system.
 14. If the appeal is successful the outcome of the appeal will be updated in the student's record.
 15. **External Appeal**
 - 15.1. If an appellant is not satisfied with the outcome, the appellant may pursue the matter externally through an independent appeals agency within ten (10) working days following the written notification of the outcome by the Deakin College Appeals Committee. Examples of an external appeals agency include, but are not limited to:
 - **Commonwealth Ombudsman**

GPO Box 442
Canberra ACT 2601
1300 362 072
Website: <https://www.ombudsman.gov.au/How-we-can-help/overseas-students>
 - **Independent Higher Education Australia (IHEA)**

Chief Executive Officer

198/612 Harbour Esplanade
Docklands
Vic 3008
Website: <https://ihea.edu.au/>

- 15.2.** Deakin College students who are on an Australian student visa may contact the Commonwealth Ombudsman.
- 15.3.** The Commonwealth Ombudsman offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education.
- 15.4.** Domestic students or non-student visa holders seeking to have a matter referred by IHEA to an independent external reviewer must make an application in writing to the Chief Executive Officer of IHEA, detailing the complaint, the process applied as at that point in time, the decision to be reviewed and grounds for an external review of the decision.
- 15.5.** If the matter is resolved with only IHEA's intervention the appeal process is free, otherwise a chargeable fee is advised to the appellant when the complexity of the case is known.

16. Deakin College Appeals Committee

The Deakin College Appeals Committee is responsible for the assessment and determination of appeals

16.1. Membership:

- College Director and Principal (or delegate)
- Academic Director (or delegate)
- Director Quality and Student Services (or delegate)
- Director Marketing & Admissions (or delegate)
- Student and Academic Services Manager / Campus Manager (or delegate)

16.2. Members of the Deakin College Appeals Committee are expected to act in good faith, with integrity and, with no conflict of interest or bias. Any conflict of interest, whether real or perceived, must be disclosed.

16.3. A member with prior involvement in the matter forming the subject of appeal, or a close association with the appellant will be excused from participating in the appeal process.

16.4. It is expected that members of the Deakin College Appeals Committee are familiar with all Deakin College policies and procedures and, the relevant legislations.

- 16.5.** The Deakin College Appeals Committee provides feedback to the Deakin College Senior Management Group and may recommend a change in policy or procedure.
- 16.6.** If the external appeal agency makes a recommendation in relation to an appeal, Deakin College will ensure the recommendations are considered for implementation immediately and advise the appellant of the outcome.

Status and Details

Identification	Appeals Procedure
Initial Issue Date	8/08/2018
Status	Current
Domain	Student and Academic Services
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