

## Academic Appeals Policy and Procedure

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### Policy

1. This policy supports the Standards for Registered Training Organisations (RTOs) 2015 – Standard 6; ESOS National Code 2018 - Standard 8;
2. Appeals regarding academic decisions include, but are not limited, to:
  - a. academic progress decisions
  - b. assessment matters
  - c. a decision of a member of academic staff that affects an individual student or a group of students
  - d. content or structure of academic programs or nature of teaching
  - e. issues related to authorship or intellectual property
3. The following principles apply with respect to any dispute about an academic decision, whether dealt with formally or informally.
4. The policy will always be readily available to students and staff. It is published on Australian Centre of Further Education’s website. Students are entitled to access the academic dispute procedures set out in this policy regardless of the course in which they are enrolled.
5. All disputes will be resolved as quickly as possible.
6. The time frames specified in the following procedures should always be followed, unless there are exceptional circumstances. If the time frame is to be exceeded, the student must always be informed of the length of, and the reason for, the delay.
7. All disputes must be treated confidentially at all stages in the dispute resolution process. Access to information about a dispute must be restricted to those staff who need to be informed so that they may be properly involved in the dispute resolution process.
8. The fact that a student has appealed a decision under the following procedures will not disadvantage the student in any way, especially by way of subsequent victimisation or discrimination.
9. Academic disputes will be handled in an unbiased manner and will take into account the principles of procedural fairness.
10. Any person involved in an academic dispute process will be allowed the support and advice they need to participate effectively. While a conciliatory approach is preferred and encouraged, it may be appropriate, in some circumstances, that the student and/or staff member has another person speak on his or her behalf.
11. In order to facilitate the resolution of academic disputes, it is important that staff establish and maintain proper records and documentation once an appeal becomes formal.
12. Staff are also advised to keep notes of any informal discussions with students. Copies of documents which are provided to students should be kept, as well as a record of the date on which the documents were provided.

13. Given the nature of many academic disputes, Australian Centre of Further Education expects that most concerns will be resolved informally. This form of resolution provides an opportunity for open and direct dialogue between the student and the assessor. Furthermore, informal resolution normally provides the most time effective mechanism for resolving academic disputes.

## Procedures

There are four stages in the process associated with the resolution of an academic dispute. Each stage represents an increase in the formality with which the dispute is managed. The stages of the process are:

- Stage 1 - Informal resolution between the student and assessor
- Stage 2 - Formal appeal to the VET Academic Manager and CEO
- Stage 3 - External appeal to a relevant body

When escalating an academic dispute, a student must present evidence that the previous determination either lacked academic judgement or did not follow due process.

### Stage 1 - Informal Resolution between student and trainer/assessor

1. When a student has an academic dispute, he or she should first discuss the matter with the trainer/assessor concerned. If the student has any concerns about raising the matter with this person, then he or she should discuss the matter with the Training or Campus Manager.
2. Australian Centre of Further Education expects that in most cases the discussion of the dispute with the relevant trainer/assessor will result in a prompt resolution of the matter which both parties will find acceptable. If this informal approach to dealing with the student's grievance does not lead to an acceptable resolution within 14 days of the matter being raised, then a more formal process for resolution of the matter can be pursued at the discretion of the student.

### Stage 2 – Formal appeal to VET Academic Manager and CEO

1. Formal appeals on academic grounds must be submitted in writing to the VET Academic Manager.
2. To commence the formal process, a student must complete a Complaints and Appeals form and submit to the VET Academic Manager.
3. The following information must be provided with the Complaints and Appeals form:
  - details of the appeal;
  - supporting information that the student wishes to be considered as part of the appeal;
  - an explanation of the steps already taken to try to resolve the appeal informally and why the responses received are not considered satisfactory; and
  - the steps the student believes need to be taken to address their concerns.
4. The CEO will start the process of considering the appeal within 10 working days of receiving the Complaints and Appeals form and will acknowledge receipt of the appeal in writing to the student. The CEO will ensure all steps are taken to resolve the appeal within 20 working days.
5. In considering the appeal, the CEO will arrange a meeting with the student to explore the nature of the dispute. The student may be accompanied or assisted by a support person at any meeting.
6. If the appeal is upheld, the CEO will immediately notify relevant staff of the actions required for a resolution.
7. All parties involved in the dispute will be provided with a written report on the steps taken to resolve the issue within 20 working days of the commencement of the process.
8. If the appeal is not upheld, then all parties concerned will be provided with a written explanation detailing the reasons for that decision.
9. The CEO will record the appeal and its outcome on the Complaints and Appeals Register and file all documentation in the student administration file and Student Management System.

### Stage 3 - External Appeal

1. In the event of the student remaining dissatisfied with the result or conduct of Australian Centre of Further Education's internal procedures for handling of an academic appeal, the student has the right to access external appeals processes.

2. An international student may lodge an external appeal or complaint about a decision by contacting the Overseas Students Ombudsman. The Overseas Students 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 or training provider.
3. Overseas Students should be referred to the Commonwealth Ombudsman website for more information. (<http://www.ombudsman.gov.au/about/overseas-students>)
4. A local student may lodge an external appeal by contacting the Australian Skills Quality Authority. <http://www.asqa.gov.au/complaints/complaints.html>
5. If the external review process supports the student who requested the review, Australian Centre of Further Education will immediately implement any decision and take any action required, and advise the student in writing.

### Record Keeping and confidentiality

- a. Records of all appeals and the outcomes of appeals dealt with according to these procedures will be maintained for a period of at least five (5) years.
- b. All records relating to academic appeals will be treated as confidential and will be kept separately to the student's administration file in a secure environment.
- c. A copy of the statement of the findings at each stage of the process will be provided to the student.
- d. A register of academic appeals will be maintained by the CEO in the Complaints and Appeals Register.
- e. For each academic appeal the following is recorded:
  - details of the parties involved
  - the documents lodged
  - details of the appeal
  - details of the resolution or other outcome

### Communication to staff and students

- a. This policy document will be made available to all students, and to those seeking to enroll in a course of study with Australian Centre of Further Education.
- b. If a student chooses to lodge a formal academic appeal, their enrolment will be maintained during the resolution process.

### Document Control

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