

Student Review and Appeal Policy

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1. Purpose

This policy outlines the key principles that will be applied in:

- a. receiving, assessing and hearing requests for reviews of a University decision; and
- b. receiving, assessing and hearing eligible appeals against review decisions.

2. Scope

- a. A student may request a review of a University decision made under the following policies:
 - i. Student Complaints
 - ii. Assessment
 - iii. Academic Integrity
 - iv. Admissions
 - v. Enrolment
 - vi. Higher Degrees by Research
 - vii. Student Progress
 - viii. Other policies, not listed above, which provide for recourse to the Student Appeals Committee.
- b. A student may apply to have an appeal heard by the Student Appeals Committee, where relevant grounds are met, of a review decision.
- c. The Student Appeals Committee will also hear appeals on committee decisions relating to other academic matters, after a review has taken place.
- d. The Student Appeals Committee will not hear appeals on the outcomes of matters that are dealt with under [Statute 6.4–Student Conduct](#) or staff disciplinary processes.
- e. Decisions of the Academic Senate and the Council are not subject to review or appeal under this policy.

3. Policy statement

3.1. General principles

- a. The University will treat all reviews and appeals by students seriously and with proper regard to the rights of all parties.
- b. Reviews and appeals must be lodged, assessed, and heard in a timely manner, in accordance with internal and/or external timelines, processes and requirements that are relevant to the subject of the matter (e.g. census date, professional registration).
- c. No cost will be charged to a student for requesting a review or lodging an appeal.
- d. The review and appeals process will be administered in a timely manner and in accordance with principles of procedural fairness.

3.2. Review

- a. Students dissatisfied with a decision should in the first instance discuss the matter with the decision-maker. The decision-maker will inform the student of the reasons for the decision.
- a. A student who remains dissatisfied may request a review of the decision.
- b. The person conducting the review may consider any facts they consider relevant to the matter, including facts not presented in evidence in the original determination.
- c. The reviewer may:
 - i. uphold the original decision without amendment
 - ii. uphold the original decision but amend one or more of the outcomes
 - iii. set aside the original decision and refer it back for new investigation, or
 - iv. set aside the original decision and substitute a different decision.
- d. Where the reviewer upholds the original decision in whole or in part, or affirms any sanction imposed, a student may proceed to an appeal if they satisfy one or more grounds (see s.3.4).

3.3. Appeal

- a. An appeal may not be lodged until a review of the decision has been undertaken by an appropriate senior officer of the University.
- b. Each party involved in an appeal may be accompanied and assisted by a support person at any relevant meeting or hearing.
- c. All parties involved in an appeal must be kept informed regularly, in writing, of progress or outcomes, including the reasons for the outcome.
- d. A student may remain enrolled in their course of study pending the outcome of an appeal, including enrolment in any topic for which the topic under appeal is a prerequisite. However, this will not apply if it is demonstrated to the satisfaction of the Deputy Vice-Chancellor (Students) that the student's continued enrolment poses a risk to the safety of themselves or others.
- e. If the appeal is denied, the student will be required to withdraw from any topic for which the topic under appeal is a prerequisite, or to withdraw from the entire award course if failure in the topic under appeal makes them ineligible for re-enrolment in the course.
- f. Implementation of any decision and/or corrective and preventative action prescribed by the Student Appeals Committee must be immediate.

3.4. Grounds for appeal

- a. An appeal against a University review decision under this policy may be lodged only on one or more of the following grounds:

- i. that new and relevant material exists that was not reasonably available to the student before the review decision was made and that would have a significant impact on the decision
- ii. that there was a misapplication of policy or procedure resulting in some real disadvantage to the student
- iii. that the sanction applied was manifestly excessive, or
- iv. that there was a bias or a conflict of interest on the part of the reviewer.

3.5. Student Appeals Committee

- a. The composition of the Student Appeals Committee is specified in the [Student Review and Appeal Procedures](#).
- b. No member of a Student Appeals Committee may sit on an appeal hearing if they were involved at any previous stage in the decision under appeal.

4. Definitions

Procedural fairness	<p>Specifically, this means:</p> <ul style="list-style-type: none"> • The right to be treated fairly • The right for an individual to be informed of allegations made against them • The right to respond • The right to an unbiased decision-maker • The right to not have irrelevant matters considered, and • The right to review or appeal.
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5. Legislation

This policy complies with the requirements of:

- Higher Education Standards Framework (Threshold Standards) 2015
- Education Services for Overseas Students Act 2000 (ESOS Act)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018

6. Supporting procedures

Supporting procedures are part of this policy and provide additional detail to give practical effect to the policy principles.

[Student Review and Appeal Procedures](#)

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* Unless otherwise indicated, this procedure will still apply beyond the review date.

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