

Policy Statement

The Centre is committed to providing a fair, safe and productive study environment. However, the Centre recognizes that from time to time, decisions made by the Centre and its staff may adversely affect a student, and that students may wish to appeal such decisions. In all instances, the Centre will respond to appeals in a way that contributes to the Centre's supportive and fair learning environment, and consistent with the principles of fairness, equal opportunity and natural justice.

During the **Student Appeal Procedure**, the Centre is committed to:

- an accessible, impartial, fair and equitable process;
- transparency and consistency;
- resolution of appeals at the earliest possible stage; and
- privacy and confidentiality.

The Centre will consider appeals in a timely manner, while keeping the parties fully informed of the progress of the matter.

All staff and students are expected to cooperate with the **Student Appeal Procedure** fully, openly and in good faith, with the aim of reaching a mutually satisfactory resolution. Any student who uses the **Student Appeal Procedure** to make a frivolous or vexatious claim may be subject to **disciplinary action**.

The Centre reserves the right to decline to pursue an appeal, including but not limited to circumstances where another process is more appropriate, or where the student does not have sufficient grounds to lodge an appeal.

Grounds for Appeal

Appeals may occur because of decisions made including, but not limited to, the following:

- Appeal against a selection decision
- Appeal of a final grade;
- Special consideration;
- Student discipline (including cheating, unfair advantage and plagiarism);
- Examinations;
- Unsatisfactory progress;
- Exclusion;
- Admission, enrolment, transfer and withdrawal;

- Credit;
- Fees and charges;
- Bullying;
- Discrimination;
- Harassment;
- Privacy; and
- Conduct that has an unreasonable negative impact on the student.

Student Appeal Procedure

Appeal Procedure

Centre's and learners have 4 weeks from the date of the decision which is being appealed against in which to lodge an appeal – this includes assessment results. Hence Centre's need to retain course and assessment evidence in line with timescales set out in the Centre recognition requirements. Please complete the Centre's appeals form on request from the Centre. Alternatively, reports may be submitted accompanied with documents and supporting evidence.

Reports must include:

- Centre name, address and Centre reference number.
- Learner's name and the Centre's registration number.
- Date(s) the Centre or the learner received notification of the Centre's decision.
- Full nature of the appeal.
- Contents and outcome of any investigation carried out by the Centre or the learner relating to the issue.
- Date of the report and the appellant's name, position and signature.

ACTION PROCESS

The Centre will acknowledge all appeals within 2 working days of receipt. The Centre will undertake an initial, informal assessment of all potential appeals to ensure the application is complete and to ascertain if the issue can be resolved before it goes to a formal appeal. In all instances the Centre will ensure that the person carrying out this initial check will not have a personal interest in the decision being appealed. Following the initial review of the potential appeal the Centre will write to the appellant with details of the decision to either:

1. Amend the original decision in light of the new rationale/evidence being put forward and which has now been reviewed.

2. Confirm the original decision and in doing so provide the rationale for this decision and request confirmation, within 15 days, whether this decision is accepted or, if requested, to proceed to the formal appeals process which will be carried out by an independent party.

NOTE: In some cases the review processes may take longer, for example, if a Centre visit is required. In such instances, the Centre will contact all parties concerned to inform them of the likely revised timescale.

Confidentiality and Privacy

Appeals must be treated by all parties as strictly confidential. This means that information about the Appeal shall only be discussed with, or made available to, a person who:

- a. is a party to the appeal; or
- b. is or has been legitimately involved in the management of that appeal; or
- c. has a formal management role in following up the consequences or implications of the appeal.

Witnesses, support persons or any other observers must refrain from discussing the appeal with each other or with the parties unless those discussions are in accordance with the management of the appeal.

Parties must be aware of the consequences if there is a breach of confidentiality, which may include disciplinary action under the Centre Student Discipline legislation or the staff member's applicable employment agreement.

Appeals and complaints will be dealt with in accordance with the Centre's **Information Privacy Policy** and obligations.