

Version	1.1
Short description	This policy provides a framework for appeal processes for students and prospective students in academic decisions.
Relevant to	All Higher Education and Vocational Education & Training students, Higher Degree Research candidates and prospective students. All academic and professional staff involved in the administration of appeals.
Authority	Academic Board
Policy owner	Provost
Responsible office	Office of the Provost
Date approved	11 July 2023
Date effective	20 July 2023
Review due	July 2027
Related Avondale documents	Appeal Procedure (Academic) Complaint Resolution Policy Code of Conduct (Staff) Student Charter
Related legislation	Higher Education Standards Framework (Threshold Standards) 2021 National Code of Practice for Providers of Education and Training to Overseas Students 2018 Standards for Registered Training Organisations (RTOs) 2015
Key words	academic, appeal, HDR candidate, student, VET

1. PURPOSE

- 1.1 This policy reflects the principles, expectations and responsibilities of both Avondale University (Avondale) and its students in the management of an appeal of an academic decision.
- 1.2 Details regarding the process, timeline and staff and student responsibilities, are available in the Appeal Procedure (Academic). Grounds for appeal are also available in this procedure.

2. SCOPE

- 2.1 This policy applies to:
 - HE and VET students and HDR candidates including students on intermission (leave) and discontinued students;
 - prospective students; and
 - academic and professional staff involved in the administration of appeals.

3. DEFINITIONS

- 3.1 **Appeal:** a request for a decision to be reviewed and reversed or adjusted.
- 3.2 **Appeal decision-maker:** for the purpose of this Policy, the person authorised at each stage of an appeal to respond to and determine the outcome of the appeal.
- 3.3 **Avondale values:** the core values of excellence, spirituality, wellbeing, integrity and service, foundational to Avondale's identity and mission.
- 3.4 **Grounds for appeal:** acceptable reasons for requesting a review or reversal of a decision.
- 3.5 **Original decision-maker:** for the purpose of this Policy, the person responsible for the decision being reviewed in the first stage of appeal.
- 3.6 **Student:** for the purpose of this Policy, includes current students and HDR candidates, discontinued students, students on intermission, and prospective students who have applied for enrolment.
- 3.7 **Unreasonable student conduct:** any behaviour by a student which, because of its nature or frequency raises substantial health, safety, resource or equity issues for the University, staff, other students, or the student themselves.

4. PRINCIPLES

- 4.1 Avondale is committed to providing transparent, equitable, and consistent mechanisms for students to make an appeal.
- 4.2 All actions under this policy are to be consistent with Avondale values and to be underpinned by principles of mutual respect and procedural fairness for and by all students, staff and others who may be involved.
- 4.3 Avondale will take all reasonable steps to prevent students suffering any disadvantage (including through victimisation) as a result of lodging an appeal.

5. STUDENT RIGHTS & RESPONSIBILITIES

All students:

- 5.1 have the right to request an appeal or a review of an academic decision made by Avondale in accordance with this policy and the relevant procedure, without fear of reprisal;
- 5.2 will be afforded procedural fairness by all staff as outlined in this policy and the relevant procedure;
- 5.3 have the right to have a decision made without bias;
- 5.4 will act in accordance with the [Student Charter](#) and not submit an appeal application or seek a review of decision for frivolous or vexatious reasons;
- 5.5 when submitting an appeal application or seeking a review of decision, will state their grounds for an appeal fully, provide a rationale together with supporting documentation; and
- 5.6 will familiarise themselves with and adhere to all relevant Avondale regulations, course rules and associated written procedures and standards of conduct.

6. EXPECTATIONS FOR STAFF

Original decision-makers, appeal decision-makers and committee members must always:

- 6.1 act fairly, reasonably and without bias;
- 6.2 disclose promptly any actual or potential conflict of interest and manage that conflict in accordance with the Code of Conduct (Staff);
- 6.3 treat any application, submission, review or decision under this policy as strictly confidential and only discuss these with another person to the extent that this is necessary for the purposes of applying this policy, or to seek legal or other professional advice; and
- 6.4 deal with the matter as expeditiously as possible, consistent with the need to act fairly.

7. LEGISLATIVE COMPLIANCE

- 7.1 While students are encouraged to resolve any concerns or complaints they may have as a student, nothing in this policy detracts from the right of a student to access any other appeal or complaint mechanism available to the student as legislated in the relevant State or Territory.
- 7.2 Avondale will alter this policy immediately and without notice where any conflict arises with relevant legislation and in such cases the requirements of the legislation will take precedence.

8. AUTHORITY AND DELEGATIONS FOR APPEALS

- 8.1 The appeal decision-makers may:
 - a) consider an appeal and determine whether it should be upheld or denied;
 - b) change a penalty related to the outcome of the appeal;
 - c) place an encumbrance on the student's enrolment record, until the outcome of the appeal application is made;

- d) quash, vary, or replace an original decision made by Avondale;
- e) summon any document that was previously before the original decision-maker;
- f) require any staff member or student to provide further information deemed relevant;
- g) obtain advice or help from another person, or authorise another person to assess an appeal application, but will remain responsible for the assessment and/or decision; and
- h) do other things necessary to prepare for or support a decision delegated to them.

8.2 The Appeals Committee will report to the Vice-Chancellor.

9. UNREASONABLE STUDENT CONDUCT

9.1 Avondale will not consider appeals where it is determined that the behaviour of a student is having a disproportionate and unreasonable impact on the University, its staff, services, time and/or resources.

Table of amendments

Version Number	1.1	Replaces Version	1.0, 6 July 2022
Implementation Date	20 July 2023	Scheduled Review Date	July 2027
Approving Body	Academic Board	Approval Date	11 July 2023
Policy Owner	Provost	Date first introduced	6 July 2022
Short description of amendment	Minor changes made to reflect the development of a Complaint Resolution Policy and Procedure in place of the Appeal & Grievance Procedure (Non-Academic). The Appeal Policy is now exclusively related to the appeal of academic decisions.		