



## STUDENT ACADEMIC GRIEVANCE AND APPEALS Procedures

### DEFINITIONS

Terms in this document, for which definitions are not provided in the text or may not be self-evident or for which usage at ACC may differ to that in other higher education institutions are as follows:

**Appeal:** A formal communication of objection to an academic outcome or decision.

**External Assessors:** Designated associates of the College who have been given responsibility for assessing student learning outcomes (knowledge and skills), be it a written or oral assessment or clinical practice based.

**Grievance:** Informal (usually verbal) or formal (usually in writing) communication of dissatisfaction with an academic or other student matter which is not an Appeal (as defined above).

**Independent External Review or Appeal:** Avenues of Appeal that are external to, and independent of the College.

**Internal Processes:** Refers to those processes (in this instance Appeal processes) conducted by the ACC staff, the Student Academic Appeals Committee and or, where relevant, the Finance Audit and Risk Committee (FARC) or the Academic Board (AcB).

**Program Exclusion (or Program Dismissal):** Termination of the student's enrolment. After a specified period, the student may apply again for admission, in accordance with the ACC's *Recruitment, Admission and Orientation Policy*.

~~**External Assessors:** Designated associates of the College who have been given responsibility for assessing student learning outcomes (knowledge and skills), be it a written or oral assessment or clinical practice based.~~

~~**External and Independent Appeal:** Avenues of Appeal that are external to, and independent of the College.~~

~~**Internal Processes:** Refers to those processes (in this instance Appeal processes) conducted by the ACC staff and/or its Boards.~~

### PURPOSE

The purpose of these procedures is to document ACC's approach to the handling of student grievances and appeals. These Procedures detail the informal and formal sections of the process and the escalation of grievances and appeals through internal processes and to independent external review.

Student grievances and appeals include all manner of student dissatisfaction including academic appeals under the *Assessment of Coursework Policy and Procedures, Grades and Results Policy and Procedures, Academic Progress Policies and Procedures and Academic Integrity Policies and Procedures, Attendance Policy and Procedures* and any other academic related matter. Student grievances also include dissatisfaction with admission and/or enrolment, appeals against finding from an investigation under the *Sexual Assault and Sexual Harassment Policy* or the *Code of Conduct* or any other non-academic matter.

~~In an effort to maintain full accountability, fairness and academic transparency, the ACC has established an Academic Appeals Committee of the Academic Board. This Committee is available as a formal avenue for review of all manner of student academic issues including review of grade, academic progress and academic misconduct. A full outline of the Appeals Committee functions, responsibilities and membership can be found within the Appeals Committee Terms of Reference within the ACC Governance Charter.~~

The ~~Appeals-Student Grievance and Appeals~~ Procedures provide clear disclosure of the appropriate processes that are to take place to ensure that all students are treated in a fair equitable and confidential manner.

## SCOPE

~~This policy and related procedures apply to all students (domestic and international), both already enrolled and who have applied for admission to studies at the ACC, who may have a non-academic grievance.~~

~~They also apply to staff of the College, including local and international agents engaged by the ACC to provide recruitment and admission services, or third parties (in Australia or overseas) through which an arrangement is made by the ACC to deliver some or all of its higher education course(s) that lead to the award of the ACC's Bachelor of Chiropractic or other regulated higher education qualification.~~

~~The procedures apply to all enrolled ACC students.~~

## PROCEDURES

### 1. Grievances

~~A grievance can be in relation to an academic or other matter that is not specifically an appeal in relation to an outcome or decision.~~

~~Grievances can be raised informally (usually verbally and/or off the record) or formally (usually written and on the record).~~

~~Grievances may include but are not limited to:~~

- ~~• \_\_\_\_\_~~

### 1.2. Grounds for **Academic Appeal**

A student has the right to make a formal academic appeal in the following circumstances:

- An application for grade review was denied / unsuccessful;
- Failure to follow due process;
- New or differing grounds for appeal have been identified;
- Unit, Subject or Program exclusion or dismissal as a result of failure to meet academic progress requirements;
- Unit, SubjectStream, Program exclusion or dismissal on grounds of academic misconduct.

### 3. Grievance and Appeal Stages

~~Grievances and appeals are managed and escalated through the following stages:~~

- ~~• Informal consideration~~
- ~~• Formal consideration~~

- Stage 1 – Student Academic Appeals Committee (SAAC), for academic appeals or grievances, or the Finance, Audit and Risk Committee (FARC), for non-academic appeals or grievances - Review or Appeal
- Stage 2 – Academic Board (AcB) or Board of Directors (BoD) Review or Appeal
- Stage 3 – Independent External Review or Appeal.

#### **4. Informal consideration**

Students can raise any grievance or appeal on an informal basis with the Marketing and Student Engagement Manager. The grievance or appeal can be raised verbally or in writing.

The Marketing and Student Engagement Manager will arrange a meeting with the student to discuss the grievance or the basis of their appeal.

The student is responsible to determine if they are satisfied that their grievance is resolved or if their basis of appeal is valid or invalid.

Where the student remains dissatisfied they are responsible to escalate the matter for formal consideration.

#### **5. Formal consideration – Stage 1**

##### Lodging a Grievance

- Students lodge an academic grievance for consideration under Stage 1 of the formal consideration process by providing a letter to the SAAC. This letter must include details of the grievance and have any available evidence in support of the grievance attached. The academic grievance letter is provided via email to College Administration at admin@acc.sa.edu.au.
- Students lodge a non-academic grievance for consideration under Stage 1 of the formal consideration process by providing a letter to the FARC. This letter must include details of the grievance and have any available evidence in support of the grievance attached. The grievance letter is provided via email to College Administration at admin@acc.sa.edu.au.

##### Lodging an Academic Appeal

- All applications for appeal must be received in writing by the College Administration, via email to admin@acc.sa.edu.au, as soon as possible and no later than fifteen (15) working days after notification of the initial determination.
- Appeal applications must be made using the ACC Appeal Application Form and contain the following:
  - Student's full name, student identification number, date of birth, address and contact details;
  - Documentation surrounding the nature of the appeal, previously handed down decisions, basis for the current appeal;
  - Name and details of a support person that can advocate for the student and attend an appeals hearing; and
  - Any other relevant documents.

##### Acceptance of the Grievance or Appeal

- Within 10 working days of receipt of the Grievance Letter or the ~~the~~ Appeal Application, the ~~Student Academic Appeals Committee~~ SAAC/FARC will meet to review and consider the

letter/application and decide whether the grievance/appeal should be accepted, in whole or in part, or should be dismissed.

- Appeals-Grievances or appeals maybe dismissed on the following grounds:
  - No reasonable grounds for grievance/appeal;
  - Insufficient evidence demonstrating a lack of due process;
  - No new or different grounds for appeal have been demonstrated than those previously considered by the initial decision maker;
  - The appeal is lodged outside the allocated timeline.
- Where a grievance/appeal ~~is denied~~ has been dismissed, the student will be notified in writing via e-mail, the result of the application consideration and the reasons for dismissal.
- Where a grievance/~~a~~ appeal is accepted, in whole or in part, the student will be notified in writing, via e-mail, and will be provided with information on which elements of the grievance/appeal have been accepted or denied and on what grounds they have been accepted or denied.
- On those occasions where the result of an appeal relates to the student's continued enrolment, the College shall maintain enrolment whilst all internal and external appeal processes are taking place.

#### Meetings of the SAAC/FARC

- Responsibility for the orderly and just running of the appeal meeting lies with the Chair of the SAAC/FARC Appeals Committee.
- The Academic Dean, SubjectStream/Unit Coordinator, relevant teaching staff and external assessors must be present in cases where an academic appeal relates to a review of grade.
- The President may also be present at the hearing meeting academic appeal meetings of SAAC.
- ~~If required by the Appeals Committee, the student may be required to attend the meeting. In line with~~ The student will be invited to the meeting of SAAC/FARC to state their case. An advocate/support person of their choosing will also be invited to attend to assist the student. Whilst this is a specific requirement for international student under Standard 10 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018), ACC provides the option for attendance with or without an advocate/support person to all students. all overseas students will be invited to attend the hearing meeting to state their case. A support person of their choosing will also be invited to attend to assist the student.
- A request for adjournment may be presented by any party at the hearing, prior to the final determination. This request will be considered by the SAAC/FARC Committee in cases the

nature of the case being heard is deemed to warrant it, and/or to ensure fair and just proceeding.

#### Stage 1 Decision

- ~~The result of the all appeals shall be provided in writing to the following:~~
  - ~~Appeal Committee Members;~~
  - ~~Student responsible for the appeal;~~
  - ~~College President;~~
  - ~~College Admissions and Administration for student record management and storage within the relevant student's files;~~
  - ~~Academic Staff involved within the appeal;~~
  - ~~The Academic Board through general reporting;~~
  - ~~Any other relevant parties that maybe affected by the result.~~
- Notification of result outcome will be e-mailed to the student with formal written statement(s) issued to the address provided in the appeal application within 5 days of the decision.
- All notifications will include the written decision of the Student Academic Appeals Committee SAAC/FARC along with reasons for the decision and advice of their right to escalate their appeal internally through to the Academic Board (for SAAC decisions) or the Board of Directors (for FARC decisions).

#### 2.6. Other avenues of appeal Formal consideration – Stage 2

- Should the complainant student wish to appeal the decision of the Student Academic Appeals Committee SAAC/FARC, they have the right to escalate the appeal to a hearing by the full Academic Board (in relation to decisions of SAAC) or the Board of Directors (in relation to decisions of FARC). The complainant student must submit, in writing, to the ~~ACC Academic Dean and the ACC President~~ an application for review by the Academic Board/Board of Directors within 5 days of the decision notification.
- ~~The Academic Board~~/Board of Directors will consider the original application and the decision of the Academic Appeals Committee SAAC/FARC and make a determination to uphold the decision, overturn the decision in favour of the appellant or make an alternative decision.
- The Academic Board/Board of Directors must make a decision within 10 days of the appeal escalation and formally notify the student within 5 days of the decision. The notification to the student will also refer them to this Policy for escalation to Independent External Review or Appeal.~~The notification~~

#### 7. Independent External Review or Appeal

- ~~If the student is still unsatisfied with the outcome of the grievance/appeal, the student may request that an external arbiter is appointed. The Academic Board~~/Board of Directors will nominate and approve an appropriately qualified, experienced and independent external arbiter to hear and consider the academic review/appeal. The arbiter will have the necessary academic qualifications and experience in higher education academic governance. ACC will notify the student of the details of the external arbiter

and the timeline for the decision. The final findings of the external arbiter must be communicated to the Academic Board/Board of Directors within 21 working days. The Academic Board/Board of Directors will notify the student within 5 days of the final outcome.

- ~~In the event that a student, having exhausted all internal processes, is still dissatisfied with the Appeal review/appeal process outcome, that student may wish to seek an opinion or assistance from one of the following bodies, as appropriate, and /or assistance from the Office of the Commonwealth Ombudsman or any other suitable external expert source for external and independent Appeal review or appeal.~~
  - Office of the State Ombudsman of South Australia.  
<http://www.ombudsman.sa.gov.au>
  - Office of the Commonwealth Ombudsman  
<https://www.ombudsman.gov.au>
  - TEQSA  
<https://teqsa.gov.au>
  - Equal Opportunity Commission of South Australia  
<http://www.eoc.sa.gov.au>
  - Australian Human Rights Commission  
<http://www.hreoc.gov.au>
- The ~~Board~~Academic Board/Board of Directors will also advise the student that in most cases the purpose of the external review is to consider whether the registered provider has followed its policies and procedures, rather than make a decision in place of the institution.
- ~~In the event that a domestic student, having exhausted all internal processes, is still dissatisfied with the Appeal process outcome, the student may wish to seek an opinion and /or assistance from South Australian State Ombudsman or other suitable expert source for external and independent Appeal.~~
- The College will only report an overseas student for unsatisfactory course progress in PRISMS after:
  - the internal and external complaints processes have been completed and the breach has been upheld; or
  - the overseas student has chosen not to access the internal complaints and appeals process within a twenty (20) working day period;
  - the overseas student has chosen not to access the external complaints and appeals process; or
  - the overseas student withdraws from the internal or external appeals process, by notifying the registered provider in writing.
- In line with Standard 10 of the National Code 2018, if the internal or any external complaints handling or appeal process results in a decision or recommendation in favour of any student, ACC does not limit this to overseas students only, the College will immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision, and advise the overseas student of that action.

## 8. Record Management

The General Manager is responsible for lodging and maintaining a record of all documents that pertain to a grievance/appeals process including ensuring that the appeal application and the outcome documents are securely recorded in the student file, and in a manner that preserves the confidentiality of the process.

- The result of all grievances/appeals will be provided in writing to the following:
  - Student Academic Appeal Committee Members/Finance, Audit and Risk Committee;
  - Student who lodged the grievance/appeal;
  - College President;
  - Academic Staff involved within the appeal;
  - General Manager for student record management and storage within the relevant student's file and inclusion in the Academic Grievance and Appeals Register
  - The Academic Board and Board of Directors as per the reporting requirements below;
  - Any other relevant parties that maybe affected by the result.

## 9. Reporting

### **Implementation**

It is the responsibility of the ACC Academic Dean to ensure the implementation of the resulting decision of the student Academic Appeals Committee and any appeal arising from that decision/grievance/appeal process.

It is the responsibility of the General Manager to ensure the implementation of the resulting decision of the student non-academic grievance/appeal process.

The Academic Appeals Committee reports to the Academic Board. All decisions made by the SAAC Academic Appeals Committee are reported to the Academic Board and in turn are reported to the Board of Directors. All decisions made by the Academic Board/FARC or an independent external review process are reported by the Academic Board (where relevant) in turn reports and to the Board of Directors.

### ~~3.1 Reporting~~

~~The Academic Appeals Committee reports to the Academic Board. All decisions made by the Academic Appeals Committee are reported to the Academic Board. The Academic Board in turn reports to the Board of Directors.~~

### **IMPLEMENTATION and MONITORING**

#### **9. Record Management**

The President is responsible for the implementation of these Procedures.

~~ACC administration will be responsible for lodging and maintaining a record of all documents that pertain to an Appeals process including ensuring that the appeal application and the outcome documents are securely recorded in the student file, and in a manner that preserves the confidentiality of the Appeals process.~~

### **POLICY REVIEW**

The ACC's *Student Academic Grievance and Appeals Procedures* is normally reviewed every three years. It is a policy of the ACC that any Policy or Procedure may be reviewed earlier as indicated by internal or external factors (including but not limited to such factors as changes in the guidelines of regulatory authorities, accreditation/registration requirements of the profession, or relevant legislation at state or federal level) as determined the Board of Directors and/or Academic Board.

### **RELATED POLICY DOCUMENTS**

- Student Grievance and Appeals Policy
- Student Academic Progress Policy and Procedures
- Student Support Policy and Procedures
- Assessment of Coursework Policy and Procedures
- Academic Moderation Policy and Procedures
- Review of Grades Policy and Procedures.

### **VERSION CONTROL**



<b>Document:</b> T005 Student <u>Academic Grievance and Appeals Procedures</u>		
<b>Responsible Officer:</b> <u>Academic Dean</u> <u>President</u>		
<b>Initially Approved by:</b> <u>Academic Board/Finance, Audit and Risk Committee</u>		<b>Date:</b> <u>15-October-2018</u> <u>February/March 2023</u>
<b>Reviewed and approved by:</b> <u>Academic Board</u> <u>General Manager</u>		<b>Date:</b> <u>2-September-2020</u> <u>March 2023</u>
<b>Version:</b> <u>V4.1</u> <u>V5.0</u>	<b>Replaces Version(s):</b> <u>V4.10</u>	<b>Next Review:</b> <u>September-2023</u> <u>March 2026</u>
<b>HESF</b>	<u>2.4 Student Grievances and Complaints</u>	
<b>Nature of Change</b>	<ul style="list-style-type: none"> <li>• Minor spelling, other text and formatting edits</li> <li>• <u>Addition of definitions</u></li> </ul> <p><u>February 2023</u></p> <ul style="list-style-type: none"> <li>• <u>Consolidated the student academic and non-Academic appeals procedures in line with the policy to Student Grievance and Appeals Policy</u></li> <li>• <u>Expand the procedures in line with the Policy to also include grievances</u></li> <li>• <u>Clarify the informal verses formal and internal verses external stages</u></li> <li>• <u>Reallocate responsibilities to ensure confidentiality is maintained</u></li> <li>• <u>Clarify responsibilities and reporting</u></li> <li>• <u>Allocation implementation responsibility to the President</u></li> <li>• <u>Include the HESF reference in the Version Control Table.</u></li> </ul>	