

Student Appeals Policy and Procedure

Purpose.....	2
Scope.....	2
Policy	2
Principles.....	2
Procedure	3
Internal Appeals	3
Outcomes of Grievance and Appeals Processes	4
Further Action.....	4
Enrolment Status.....	5
Record Keeping and Confidentiality.....	5
Approval Publication and Training	5
Reporting	5
Responsibilities	5
Definitions	5
Version History.....	6
Additional Information	6

Purpose

This Policy and Procedure outlines the principles and processes for how Australia Institute of Future Education (**AIFE**) manages internal and external appeals by students lodged in relation to the outcome of a grievance, or against a decision made by AIFE.

Scope

This Policy and Procedure applies to

- Currently enrolled students of AIFE
- Graduates of AIFE whose enrolment ended no more than six months before the appeal was lodged,
- Decisions made by AIFE in relation to students, including in relation to the outcomes of a student grievance, and
- Decisions made by AIFE in relation to admissions by prospective students.

Policy

Principles

The management of appeals at AIFE is guided by the following principles:

- Procedural fairness and natural justice
- Consistency and equity
- Respect for all parties
- Transparency
- Timely and effective processes.

AIFE ensures that all student appeal processes enable:

- Appellants an opportunity to formally appeal a decision of AIFE
- Appellants to be accompanied and assisted by a support person at any relevant meetings
- A written explanation for decisions and actions taken by AIFE to be provided to the appellant
- Corrective and preventative action to be implemented where relevant if an appeals process results in a decision that supports the appellant
- No disadvantage to be borne by the appellant for commencing an appeals process
- Costs for accessing external appeals mechanisms are reasonable and minimised.

Procedure

Internal Appeals

Grounds for Appeal

If a student is dissatisfied with the outcome of a grievance managed under the provisions of the *Student Grievance Policy and Procedure*, they may lodge an appeal.

Students also have the right to appeal a decision made by AIFE under other policies and procedures under the following conditions:

- Where the student considers that AIFE has not followed its own processes as set out in an approved policy or procedure
- Where a decision by AIFE may have resulted in a different outcome if relevant information that could not be reported at the time due to compelling reasons was taken into account
- The student considers that AIFE has not considered all relevant documentation or information
- The student considers that a decision reflects bias or discrimination against them.

Lodging an Appeal

All appeals must be lodged with the Administration Manager within 20 working days of the decision or outcome which is the subject of the appeal.

Appeal Assessment and Findings

The Administration Manager will acknowledge receipt of the appeal and commence assessment within ten (10) working days as follows:

- The Administration Manager may review the outcome of a minor grievance or a decision made under other AIFE procedures provided they were not involved in the original decision and have the expertise and knowledge to assess the appeal;
- All other appeals must be referred to an Appeals Panel convened by the Administration Manager.

An Appeals Panel will normally consist of the following members but membership may be adjusted depending on the issue being appealed based on requisite expertise and training needs:

- An external member of the Academic Board
- An external member of the Board of Directors
- One academic staff member
- One senior professional staff member of AIFE

The Chair of the Panel will be either the Academic Board or Board of Directors member, depending on the nature of the decision being appealed.

Information deemed necessary to determine the appeal will be collected. Where relevant this may include consultations with relevant parties. A support person (excluding legal representatives) can be present if required.

After consideration of all relevant information, a written report will be developed with the findings, key information and artefacts considered and a decision/ and or recommendation.

The letter will be sent to the appellant advising the further steps to be taken to address the grievance or original decision, and the reasons for the decision, within ten (10) working days. The letter will further advise the appellant of their right to access the external appeals process if they are not satisfied with the outcome of their internal appeal.

External appeal

All appellants have the right to seek external avenues of appeal if they are dissatisfied with the outcome of internal appeals processes at AIFE. If any appellant is dissatisfied with the outcome of an appeal a written request to AIFE should be made within 20 days of the outcome of the internal appeal.

A number of external appeal avenues exist for students depending on the nature of the issue. These include:

- The [Resolution Institute](#) which is an external body specialising in dispute resolution by mediation or arbitration. Where a student elects to utilise this service AIFE will agree with the student a reasonable contribution of costs.
- Where relevant, and by mutual agreement with the student, AIFE may nominate an independent external mediator to manage an external appeal process.

Where a student elects to utilise the above services AIFE will agree with the student a reasonable contribution of costs ensuring that the cost to students is not prohibitive and is minimal.

Students also have the option of seeking a mediator or legal advice at their own expense.

Following the outcome of the mediation, a report including any recommendations arising, will be reported to the student and to the Chief Executive Officer of AIFE. AIFE will respond to the student in writing within ten (10) working days following receipt of the external appeal including agreed actions.

AIFE agrees to be bound by agreed recommendations arising from the external appeal with any necessary actions implemented within 20 working days of receipt of the external mediator's report.

Outcomes of Grievance and Appeals Processes

Where the outcome of any internal and external appeals process results in necessary improvements or modifications to AIFE's processes, AIFE will implement any corrective action as soon as possible and advise the student accordingly.

Further Action

The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this Policy and Procedure limits the rights of individuals to take action under

Australia's Consumer Protection laws. Also, these procedures do not circumscribe an individual's rights to pursue other legal remedies.

Enrolment Status

Where a student chooses to access any provisions under this Policy and Procedure, AIFE will maintain the student's enrolment while the appeal process is ongoing.

Record Keeping and Confidentiality

A written record of all appeals handled under this Policy and Procedure and their outcomes shall be maintained for a period of at least five (5) years in the *Student Grievance and Appeals Register*. All parties may seek appropriate access to these records upon written request to the CEO.

All records relating to appeals will be treated as confidential.

Approval Publication and Training

This Policy and Procedure:

- Will be available to students (current and prospective) through publication in the Student Handbook and on the AIFE website
- Will form part of the student orientation and the staff induction process.

Reporting

The Administration Manager will prepare a report each year analysing data from the *Student Grievance and Appeals Register* for submission to the Board of Directors. The report will include any recommendations for improvements to AIFE's services and operations on the basis of any identified trends.

The Board of Directors will approve recommendations as appropriate and allocate any necessary budget and responsibility for implementation.

Responsibilities

The CEO is responsible for:

- Considering requests for internal appeals
- Maintaining the *Student Grievance and Appeals Register*, and
- Reviewing/preparing written documentation to appellants.

The Board of Directors is responsible for ensuring that any systemic issues arising from observed trends in grievances and appeals are addressed and monitored.

Definitions

For the purposes of this Policy and Procedure, the following terms are defined as follows:

Student appeal	An application to AIFE where a student has a right to challenge the outcome of a grievance or a decision made by AIFE in defined circumstances.
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Appellant	A student who has lodged an appeal against the outcome of a grievance or a decision made by AIFE
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Version History

Version #	Changes	Approval Body	Approval Date
1.0	New Policy	Board of Directors	14 June 2022

Additional Information

Policy Status	Approved
Policy Owner	CEO
Next Review Date	3 years from Approval Date
Related Internal Documents	Student Grievance Policy and Procedure Records Management Policy and Procedure
Higher Education Standards Framework (Threshold Standards) 2022	Standards 2.4.1 to 2.4.5
Other legislative or regulatory instruments	Nil

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