

Definitions

Please refer to the University's Glossary of Terms for policies and procedures.

1. Purpose of procedures

1.1 This document contains procedures for requesting Reviews and applications for Appeals from students seeking to resolve a grievance consistent with the principles and requirements in the Student Grievance Resolution – Governing Policy. This policy should be read before any action is taken under these procedures.

1.2 These procedures address Stages 2, 3 and 4 of the Student Grievance Resolution process and should be read in conjunction with the Student Grievance Resolution – Procedures, which provide more details on Stage 1.

1.3 The procedures are designed to ensure that requests for Review and Appeal applications are dealt with in a fair, just and timely manner, without victimisation or intimidation of anyone connected with the grievance during the resolution process.

1.4 Reviews and appeals relating to University decisions made under the Student Conduct – Governing Policy and Student General Misconduct – Procedures are outside the scope of these procedures.

2. Student support

2.1 Students are encouraged to consult the USC Student Guild for advice prior to presentation of their grounds and supporting evidence for Review or Appeal. Student Services and Engagement may assist students to address issues that have impacted on their academic performance and to develop strategies intended to improve their performance in the future.

2.2 Contact with the USC Student Guild or Student Services and Engagement must be scheduled with adequate notice ahead of the specified deadlines for submission of applications for Review or Appeal.

2.3 The University does not apply any charge with respect to students who lodge a formal grievance, including requests for review or appeal.

3. Stage 2 - Reviews

3.1 If a student is not satisfied with a Stage 1 decision for resolving a grievance (see Student Grievance Resolution - Procedures), or the way in which it was handled, or has been asked to show cause in accordance with the University's policies on academic matters such as academic progress and assessment, the student may submit a request for review of the decision. Refer to Schedule A of the Student Grievance Resolution – Governing Policy.

3.2 The decision being reviewed and the grounds for review should be explained clearly in writing by the student. For example, factors that the Stage 1 decision did not take into account, new information relevant to the matter and procedural errors should be specified. The request for review will be considered only if supporting evidence is provided. It will not be sufficient for students to assert circumstances, performance or changes to circumstance without some evidence to substantiate or support their claims.

3.3 A request for review must be submitted within 20 business days of the Stage 1 decision, except where otherwise prescribed in a policy or procedure.

APPROVAL AUTHORITY

Deputy Vice-Chancellor (Academic)

RESPONSIBLE OFFICER

Deputy Vice-Chancellor (Academic)

DESIGNATED OFFICER

Pro Vice-Chancellor (Students)

FIRST APPROVED

6 December 2016

LAST AMENDED

6 August 2019

EFFECTIVE START DATE

1 July 2019

REVIEW DATE

6 December 2021

STATUS

Active

RELATED DOCUMENTS

Anti-Discrimination and Freedom from Bullying and Harassment (Staff) - Governing Policy

Anti-Discrimination and Freedom from Bullying and Harassment (Students) - Governing Policy

Anti-Discrimination and Freedom from Bullying and Harassment (Students) - Procedures

Equity and Diversity - Governing Policy

Monitoring Academic Progress and Exclusion - Academic Policy

Monitoring Academic Progress and Exclusion - Procedures

Review of Assessment and Final Grade - Procedures

Sexual Harassment Prevention (Students) - Governing Policy

Student Conduct - Governing Policy

Student General Misconduct - Procedures

Student Grievance Resolution - Governing Policy

Student Grievance Resolution - Procedures

Student Ombudsman - Managerial Policy

SUPERSEDED DOCUMENTS

Student Complaints and Appeals - Procedures

RELATED LEGISLATION / STANDARDS

Education Services for Overseas Students Act 2000

Higher Education Standards Framework (Threshold Standards) 2015

National Code of Practice Providers of Education ...

Overseas Students

USC Student Charter

3.4 All relevant supporting documentation should be submitted, as per the instructions set out on the University's website at <https://www.usc.edu.au/learn/student-support/have-your-say/compliments-complaints-feedback-or-student-grievances>.

3.5 Where a request for review of a Stage 1 decision is being made later than the relevant specified deadline, the student must include a written explanation for any delay in lodging the review request and attach supporting evidence. Unless the relevant decision maker determines the delay is reasonable, the relevant decision maker may refuse to consider a late request for review.

3.6 Review requests must be acknowledged in writing by the designated decision maker within five (5) business days of receipt. A decision regarding the review request must be issued by the decision maker within 10 business days of receipt, setting out the process of investigation followed by the decision maker, the reasons for the decision as well as the details to whom the student may address an appeal.

3.7 If the relevant decision maker can demonstrate reasonable grounds, the Pro Vice-Chancellor (Students) may approve an application to extend a decision deadline for the resolution of a grievance. The complainant must be notified by the decision maker in writing of any extension granted to a deadline.

4. Stage 3 - Internal Appeals

4.1 If a student is not satisfied with a Review decision (Stage 2 decision) for resolving a grievance, or the way in which the Review was handled, the student may lodge an appeal, subject to any limitations in policies and procedures. Refer to Schedule A of the Student Grievance Resolution – Governing Policy.

4.2 The decision being appealed and the grounds for appeal should be explained in writing clearly by the student. For example, factors that the review decision did not take into account, new information relevant to the matter or procedural errors should be specified. It will not be sufficient for students to assert circumstances, performance or changes to circumstance without some evidence to substantiate or support their claims.

4.3 Internal appeals must be lodged within 10 business days of the review decision, except where otherwise prescribed in policies or procedures.

4.4 All relevant supporting documentation should be submitted, as per the instructions set out on the University's website at <https://www.usc.edu.au/learn/student-support/have-your-say/compliments-complaints-feedback-or-student-grievances>.

4.5 The student must include a written explanation for any delay in lodging the appeal and attach supporting evidence. Unless the relevant decision maker or Chairperson of the Student Academic Appeals Committee determines the delay is reasonable, they may refuse to consider the appeal application.

4.6 Appeal applications must be acknowledged in writing by the designated decision maker within five (5) business days of receipt. Except for the Student Academic Appeals Committee, a decision regarding the appeal must be issued by the decision maker within 10 business days of receipt, setting out the process of investigation followed by the decision maker, the reasons for the decision as well as the details to whom the student may address an external appeal.

4.7 If the relevant decision maker demonstrates reasonable grounds, the Pro Vice-Chancellor (Students) may approve an application to extend a decision deadline for the resolution of a grievance. The complainant must be notified by the decision maker in writing of any extension granted to a deadline.

5. Matters to be considered by the Student Academic Appeals Committee

5.1 The Student Academic Appeals Committee is a standing committee of Academic Board, with Terms of Reference and Composition approved by Academic Board.

5.2 The Chairperson of Academic Board will appoint a Secretary to support the Chairperson of the Committee.

5.3 The Chairperson may invite suitably qualified professional assistance if required to clarify procedural matters.

5.4 The Student Academic Appeals Committee will only consider appeals relating to academic matters, including, but not limited to the following matters:

- Unsatisfactory academic progress for –coursework students
- Unsatisfactory progression of higher degree by research (HDR) candidature
- Review of final grades
- Granting of credit transfer
- Award of Honours
- Late withdrawal without academic penalty
- Student Academic Misconduct
- Breaches of responsible research conduct by HDR students

5.5 The Chairperson of the Student Academic Appeals Committee will consider whether an appeal has grounds as set out in section 4.2 above. If convinced that the appeal does not have grounds, the Chairperson will report to the Committee which may dismiss the appeal without further hearing.

5.6 When an appeal is referred to the Student Academic Appeals Committee for consideration, the Committee and the student will be provided with a full copy of the student's appeal, the response provided by the decision-maker whose decision is contested and the student's

counter response and all other relevant material. The student's academic record will be made available to the Committee and the Committee may call for and consider any additional material. However, the Committee must ensure the student is given an opportunity to comment on all material relevant to the subject matter of the appeal. The student's written comments will be made available to the Committee for consideration.

5.7 When considering a matter regarding an assessment result (including higher degree theses), granting of credit or admission to a program, the grounds for appeal are limited to:

- (a) improper, irregular, or negligent conduct by a person involved; or
- (b) discrimination, prejudice, or bias against a student; or
- (c) failure to adhere to relevant published policies and procedures.

5.8 A judgement regarding the academic merit of any work or the equivalency of academic content, does not fall within the jurisdiction of the Student Academic Appeals Committee. However, if the Student Academic Appeals Committee does find that the grounds for appeal set out in 5.7 above are met, based on this decision, the Committee may refer the evaluation of the academic merit of any work or the equivalency of any academic content back to the original or an independent decision maker for reconsideration.

5.9 The Student Academic Appeals Committee will hear the appeal in accordance with the principles of natural justice. The committee will:

- (a) disqualify any member who has been involved in any previous grievance-handling in relation to the substantive matters connected with the student's appeal, or may have any other real or perceived conflict of interest
- (b) consider all relevant material related to the student's appeal
- (c) interview any respondent/s and any other parties relevant to the appeal, subject to their agreement to be interviewed.

5.10 In the case of appeals relating to student academic misconduct or breaches of responsible research conduct, students will be provided with the opportunity to attend the hearing. The Secretary will notify the student accordingly at least five (5) business days prior to the hearing. Students who are invited to attend may be accompanied by a support person in any appeal hearing, noting that the student is not entitled to legal representation. A support person may confer with the student but cannot act as an advocate.

5.11 Students invited to the hearing may remain in the hearing for the presentation of all evidence to the Committee, except when the Committee is deliberating. The Secretary must notify the student at least three (3) business days prior to the hearing of the names of any witnesses the Committee has invited to speak. The student may, through the Chairperson, question any witnesses speaking to the Committee. The student may invite witnesses with the Chairperson's approval, after notifying the Secretary at least three (3) business days prior to the hearing of the names and contacts for the invited witnesses.

5.12 The student may notify the Secretary three business (3) days prior to the meeting that they plan to attend the Committee. However, the student is not obliged to attend a meeting or to notify the Secretary if they intend to do so.

5.13 The Student Academic Appeals Committee may make a determination to:

- (a) uphold the previous decision,
- (b) uphold the previous decision but amend one or more of the outcomes, or
- (c) set aside the previous decision and substitute a different decision.

5.14 Within five business days of the Committee's decision, The Chairperson will issue a notice of final determination on the appeal to the student, providing the student with written reasons for the decision and an avenue for external appeal.

5.15 The Committee may draw attention to any apparent problems arising from the administration of relevant University policies and procedures.

6. Stage 4 - External Appeal

6.1 If a student is not satisfied with the University's final decision, having exhausted all relevant stages available for resolving a grievance, the student may lodge an appeal to an external agency in accordance with its procedures. Refer to Schedule A of the Student Grievance Resolution – Governing Policy.

6.2 Queensland Ombudsman: Information on how to make a complaint can be found at the Queensland Ombudsman site <http://www.ombudsman.qld.gov.au>

6.3 International students may contact the Australian Department of Education which will only intervene where the University's appeals process was not conducted correctly or if the University did not make the appeals process available to the student.

6.4 If any external complaint handling process results in a decision that supports a student, the University will implement any corrective or preventive measure immediately and advise the student of the outcome.

6.5 If excluded for unsatisfactory academic progress under the Monitoring Academic Progress and Exclusion – Procedures, a student who chooses to access an external appeal process, must advise the University of lodgement of an external appeal within 10 business days of receipt

of the University's determination at Stage 3. Should one or more external appeals be lodged, the University will maintain the student's enrolment as active until at least one external appeal process is completed.

7. Records Management

7.1 The University will maintain complete records of the review and appeal processes including:

- (a) copies of all correspondence with the student, including email, concerning grievances or appeals and received from the student including all documentation;
- (b) a written record of the outcome of any review or internal appeal process, including the reasons for any decisions reached; and
- (c) evidence of any action taken by the University in response to the review or internal appeal.

Student Forms and Guidelines

See: <https://www.usc.edu.au/learn/student-support/have-your-say/compliments-complaints-feedback-or-student-grievances>

Staff Guidelines

Staff guidelines and templates are available on MyUSC (staff login required).

<https://my.usc.edu.au/student-success/about-students/evaluation-and-feedback/student-grievance-resolution>

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