



Student Appeals policy

Section 1 - Preamble

- (1) This Policy is effective from 23 November 2021.
- (2) This Policy is pursuant to the [Academic Board Regulations](#).

Section 2 - Purpose

(3) This Policy provides a framework for the University to respond to student appeals in a way that reflects the University's commitment to principles of equity and social justice, and ensures that appeal processes are transparent, consistent and fair.

Section 3 - Scope

- (4) This Policy applies to all student appeals.

Section 4 - Policy

Principles

(5) The University is committed to providing transparent, equitable, and consistent mechanisms for students to appeal against specified decisions of the University.

(6) In accordance with regulation 31 of the [Academic Board Regulations](#) student appeals will be conducted using the following principles:

- a. actions shall be fair and just, and comply with natural justice;
- b. the rights and interests of all University members, visitors and the University's partners and stakeholders are to be respected, as well as those of individual students;
- c. investigations will be impartial, timely and transparent;
- d. decision-making will be carried out in accordance with appropriate levels of responsibility within the University;
- e. outcomes imposed shall be appropriate and proportionate;
- f. there shall be no unlawful discrimination; and
- g. confidentiality and privacy will be respected as far as possible, given legal requirements and obligations such as the requirement to investigate matters, accord natural justice, report matters to the police or other regulatory bodies, and keep records.

Appealable decisions

(7) A student may appeal decisions regarding:

- a. academic integrity;
- b. research integrity;
- c. academic progress;
- d. re-admission after exclusion due to unsatisfactory academic progress;
- e. examination outcome in a Higher Degree by Research; and
- f. student misconduct.

Grounds for appeal

(8) Student appeals may be made on one or more of the grounds set out in regulation 36.3 of the [Academic Board Regulations](#).

(9) The relevant grounds for each appealable decision are set out in the [Student Appeals procedure](#).

Limitations

(10) Failure to read and act upon a notice or correspondence sent to the student University email account is not grounds for an appeal.

(11) Group appeals will not be accepted.

(12) Decisions based on academic judgement by the Higher Degrees by Research Thesis Examination Committee are not appealable.

University Appeals Committee

(13) The Academic Board will establish a University Appeals Committee to hear and determine student appeals in accordance with the powers set out in regulation 36 of the [Academic Board Regulations](#).

(14) The University Appeals Committee will conduct its business subject to the [Standing orders for the Academic Board and its committees](#) and in accordance with the functions, rules of operation and composition set out in the [University Appeals Committee Terms of Reference](#).

(15) Students may seek an external review of an appeal process or decision by an appropriate, independent external body such as the [Victorian Ombudsman](#).

Reporting

(16) The University Appeals Committee will report to the Academic Board as follows:

- a. trimester reports on outcomes of appeals (de-identified); and
- b. an annual trend report on student appeals.

Responsibilities

(17) Roles and Responsibilities:

Role	Responsibility
Academic Board	Establish a University Appeals Committee to hear and determine student appeals
University Appeals Committee	Hear and determine student appeals Report appeal outcomes and trends to Academic Board

Role	Responsibility
Dean of Students	Oversee operational management of student appeals Approve information and communication on student appeals for current and prospective students

Section 5 - Procedure

(18) The [Student Appeals procedure](#) documents how to comply with this Policy.

Section 6 - Definitions

(19) For the purpose of this Policy:

- a. natural justice: a legal concept embodying the idea that ‘procedural fairness’ be observed by decision-making bodies in the consideration of a case. Natural justice requires that:
 - i. the person affected by a disputed matter be given the opportunity to present their case including the opportunity to be heard, be provided with adequate notice of the allegations and the procedures to be used, and
 - ii. members of the decision-making body be free of bias and perceived bias or other personal interest in the outcome; and that these principles are incorporated within a clearly defined procedural framework.
- b. student: has the meaning given in the [Deakin University Act](#) and includes a person who was a student at the time the relevant conduct occurred (whether or not deferred, intermitted or on leave of absence) as defined in the [Academic Board Regulations](#). Student includes:
 - i. a person enrolled in a course or unit in the University pursuant to Part 5 - Admission, Selection and Enrolment of the [Academic Board Regulations](#);
 - ii. a student of another higher education institution to whom Deakin grants rights of access to University premises and facilities;
 - iii. a candidate for an award of the University whose work has been examined or assessed but on whom the award has not been conferred;
 - iv. a person who was a student at the time the relevant conduct occurred;
 - v. a person who is on leave of absence from or who has intermitted or deferred enrolment in a unit or course of the University; and
 - vi. a person designated as a student by Council.
- c. student appeal: appeals by students against decisions or outcomes where a right of appeal is specified in a University regulation or University policy or procedure as defined in the [Academic Board Regulations](#).

Status and Details

Status	Current
Effective Date	23rd November 2021
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Approval Date	17th November 2021
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Responsible Executive	Judy Currey Chair, Academic Board
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