Student Appeals Procedure

1 Purpose

To provide a timely and consistent approach for Students to Appeal academic and administrative Decisions.

2 Scope

This procedure applies to Stage 3 Appeals lodged by Students under the Student Grievance Resolution Procedure and to findings in relation to Student General Misconduct and Student Academic Misconduct.

3 Procedure Overview

Under this Procedure, Students may lodge an Appeal against any Decision made pursuant to a Stage 2 review under section 4.4 of the Student Grievance Resolution Procedure, including Exclusion Decisions following an unsuccessful Show Cause submission, or against any Decision made in relation to Student General Misconduct or Student Academic Misconduct, subject only to the terms of any other applicable Policy Instrument.

University Members will uphold the principles of Procedural Fairness throughout the Appeal process.

This Procedure aligns with the:

- *Higher Education Standards Framework (Threshold Standards) 2021:* Standard 2.4 Student Grievances and Complaints
- *National Code of Practice for Providers of Education and Training to Overseas Students (2018):* Standard 10: Complaints and Appeals

4 Procedure

4.1 Grounds for Appeal

An application must set out one or more of the following grounds of Appeal:

- The existence of substantial new evidence relating to the original Student Grievance that

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was not reasonably available during the Stage 2 Review and would likely have resulted in a different Decision.

- There was a misapplication of Policy or Procedure resulting in some real disadvantage to the Student.
- The Decision was manifestly incorrect or unjust, or the penalty, where applicable, was disproportionate to the nature of the Student conduct the subject of the Decision.
- There was a failure on the part of the Decision-maker to afford the Student Procedural Fairness.

4.2 Lodging an application

An Appeal application must be submitted within 20 University Business Days of notification of the relevant Decision, except where otherwise prescribed in a Policy Instrument, or in the event of Special Circumstances.

Students must submit their application and all relevant supporting documentation online, in accordance with the instructions set out on the University's webpage.

The Student may request assistance from the Student Guild Advocacy Team to prepare an Appeal application. The Student Guild is independent of the University.

Appeal applications should clearly set out the grounds of Appeal (refer to Section 4.1) and contain as much detail as possible, including:

- the chronology of events relevant to the Appeal;
- what action has been taken to resolve the Student Grievance to date;
- the evidence (including substantial new evidence, where relevant to the grounds for Appeal) available to support the Appeal;
- the outcome the Student is seeking; and
- where applicable, additional supporting material or evidence relating to the original Decision that was not reasonably available during the Stage 2 review, or Show Cause or a misconduct process and would likely have affected the outcome.

Appeal applications will be acknowledged by the Student Grievance Resolution Unit within five (5) University Business Days of receipt.

All Appeal applications will be administratively reviewed in the first instance to provide advice to the relevant responsible officer or committee Chairperson on whether they have jurisdiction to

hear the Appeal, the Appeal satisfies one or more of the grounds set out in Section 4.1 and, where applicable, includes sufficient evidence to support the application. The Tables of Decision-makers attached to the Student Grievance Resolution Procedures set out the relevant responsible officer or committee.

If the Student's initial application does not provide sufficient information to determine whether the relevant responsible officer or committee has the jurisdiction to hear the Appeal, the Appeal satisfies one or more of the grounds and, where applicable, includes sufficient evidence to support the application, the Student will be given 10 University Business Days to provide the requested additional information.

After having allowed the Student 10 University Business Days (or such later date as may be permitted by reason of Special Circumstances) to provide the requested additional information, all applicable information will be compiled and provided to the relevant responsible officer or committee Chairperson for consideration.

In addition, advice will be provided on whether the responsible officer or committee has the jurisdiction to hear the Appeal, whether it satisfies one or more of the grounds for Appeal listed in Section 4.1 and, where applicable, whether sufficient evidence to support the grounds for Appeal has been provided by the Student.

4.3 Applications referred to a responsible officer

The relevant responsible officer will commence consideration of the Appeal normally within 10 University Business Days of receipt of the application.

In consideration of the advice received, if the responsible officer determines that the Appeal is not within their jurisdiction, does not satisfy any grounds for Appeal as listed in Section 4.1 or there is insufficient evidence to make these determinations, the responsible officer may dismiss the Appeal without further consideration.

If the responsible officer determines that one or more grounds for Appeal are satisfied and the application contains sufficient evidence to proceed, a copy of the Appeal application will be sent to the original Decision-maker for a response. The original Decision-maker will consider any new evidence or specific matters raised in the Appeal and provide a response for consideration by the responsible officer.

Prior to a Decision being made in relation to the Appeal, the Student must be given access to or the opportunity to inspect any material they have not previously seen that may be relied upon in determining the Appeal and afforded a reasonable opportunity to provide any additional written submissions in relation to that new material. If the Student wishes to provide a reply, they must do so within five (5) University Business Days of receiving a copy of the relevant material. The Student's written response will be made available to the responsible officer.

The Student Grievance Resolution Unit will provide updates to the Student as the Appeal application progresses.

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4.4 Applications referred to the Student Academic Appeals Committee

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

The Committee will consider Appeals relating to academic matters including, but not limited to:

- unsatisfactory Academic Progress for Coursework Students, including denial of a readmission application following a period of Exclusion
- unsatisfactory progression of Higher Degree by Research (HDR) candidature or Exclusion from Enrolment
- discontinuation or termination of HDR candidature
- Final Grades
- Credit and Exemption assessments
- award of Honours.

The Chairperson of the Committee will consider whether an application sets out one or more of the grounds for Appeal and provides sufficient evidence to proceed. If the Chairperson is not satisfied that the application sets out one or more of the grounds for Appeal and provides sufficient evidence to proceed, the Chairperson will refer the Appeal application to the Committee for further consideration.

If the Committee determines there are no grounds for Appeal or there is insufficient evidence to proceed, the Student will be notified, normally within 10 University Business Days of the receipt of the application by the Chairperson, and advised of reasons for the Decision to dismiss the Appeal and options for external review.

If the Chairperson or the Committee is satisfied that the application sets out one or more of the grounds for Appeal and provides sufficient evidence to proceed, the Committee will meet in accordance with its Terms of Reference to hear the appeal.

The Committee will consider:

- the Student's Appeal application
- relevant supporting material
- relevant and available information from the original Decision-maker that details the process that was followed and how the original Decision was reached

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- where the original Decision has been reviewed in accordance with the Student Grievance Resolution Procedure, relevant and available information from the reviewing Decision-maker that details the process that was followed and how the review outcome was reached.

Any information provided by the Decision-maker/s in response to the Appeal will be shared with the Student. The Student will be given an opportunity to provide a response to the information provided. If a response is not received from either the Decision-maker/s or the Student within the specified time limit, the Committee will proceed with their consideration of the Appeal.

The Committee will be provided with a full copy of the Student's Appeal application, the response provided by the Decision-maker whose Decision is being appealed and the Student's counter response, and all other relevant material. The Committee may call for and consider any additional material, however, the Committee must ensure that the Student is given an opportunity to comment on all material considered by the Committee and relevant to the subject matter of the Appeal. The Student's written comments will be made available to the Committee for consideration.

Students do not normally attend meetings of the Committee however, if the Chairperson determines it is necessary, such as where the case is considered sufficiently complex, the reason will be recorded and the Student may be invited to attend. The Student will be advised of their right to be accompanied by a Student Support Person.

4.5 Applications referred to the Student Academic Misconduct Appeals Committee and Student General Misconduct Appeals Committee

The Chairperson of the relevant Misconduct Appeals Committee will consider whether an application sets out one or more of the grounds for Appeal listed in Section 4.1 and whether sufficient evidence to proceed has been provided by the Student. If the Chairperson is not satisfied that the application sets out one or more grounds for Appeal and provides sufficient evidence to proceed, the Chairperson will refer the Appeal application to the Committee for further consideration.

If the Committee determines there are no grounds for Appeal or there is insufficient evidence to proceed, the Student will be notified, normally within 10 University Business Days of the receipt of the application by the Chairperson, and advised of the reasons for the Decision to dismiss the Appeal and options for external review.

If the Chairperson or the Committee is satisfied that the application sets out one or more of the grounds for Appeal and provides sufficient evidence to proceed, the Committee will meet in accordance with its Terms of Reference to hear the Appeal.

Prior to the Committee meeting, the Committee Secretary will contact the Decision-maker or reviewing officer whose Decision is being appealed and invite them to submit a response to the Student's Appeal application, including any information and documentation relevant to the Appeal, within the time limit set by the Chairperson.

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Any information provided by the Decision-maker or reviewing officer in response to the Committee's invitation will be shared with the Student. The Student will be given an opportunity to provide a response to the information provided. If no response is received from the Decision-maker, reviewing officer or the Student within the specified time limit, the Committee will proceed with their consideration of the Appeal.

The Student will be provided with the opportunity to attend the meeting, in person or by electronic means. The Student may be accompanied and assisted by a Student Support Person, noting legal representation is not permitted.

The Committee Secretary will notify the Student in writing at least 10 University Business Days prior to the relevant committee meeting, confirming:

- names of committee members
- the committee's role and responsibilities
- time and location of the meeting
- information regarding the Student's right to address the committee
- information regarding the Student's right to be accompanied by a Student Support Person.

Students who are not able to attend may make written submissions.

If the Student chooses not to attend or participate in the meeting, the Committee will make a determination in the absence of the Student.

At the discretion of the Chairperson, individuals relevant to the Appeal may be invited to attend the meeting in order to clarify information. The Committee Secretary must notify the Student at least five (5) University Business Days prior to the meeting of the names of any individuals the Committee has invited to speak. In the event that those invitees are likely to present new evidence, the Student must be advised of the substance of such evidence (if available) and afforded a reasonable opportunity to respond.

The Student may, through the Chairperson, ask questions of any person invited to speak to the meeting. The Student may invite persons relevant to the Appeal, subject to the Chairperson's approval, and must notify the Committee at least three (3) University Business Days prior to the hearing of the names and contact details of the invited people.

The Student and, where applicable, the Student Support Person may remain in the meeting during the presentation of all evidence to the Committee but must leave the meeting when the Committee is deliberating.

The Student may notify the Committee Secretary prior to the meeting that they plan to attend.

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However, the Student is not obliged to attend the meeting or to notify the Committee Secretary of their intention to attend or otherwise.

4.6 Appeal outcomes

At the end of the proceedings, the responsible officer or the relevant Appeals Committee may make one of the following Decisions:

- dismiss the Appeal
- uphold the Appeal and set aside the original Decision or penalty
- uphold the Appeal, set aside the original Decision and refer it back to the original Decision-maker to make a new Assessment
- uphold the Appeal, set aside the original Decision and substitute a different Decision or penalty.

Circumstances where it will not be possible or appropriate to remit the matter to the original Decision-maker include:

- when a bias or Conflict of Interest has been identified by the relevant Appeals Committee; or
- if the original decision-maker is no longer employed by the University, in which case the Committee Chairperson must refer the matter to another Decision-maker with appropriate authority.

Where the matter is referred back to the original Decision-maker, they must review the findings of the responsible officer or those of the relevant Appeals committee and reconsider their Decision in the light of those findings within 10 University Business Days. The original Decision-maker may reverse or change their initial Decision based on the information provided in the Appeal application.

Where the initial Decision-maker reverses or changes the Decision, the responsible officer or the relevant Committee Chairperson will be advised and will determine if any further investigation or review is warranted.

Once a Decision relating to an Appeal is made, the Grievance Resolution Unit will advise the Student in writing of the outcome, normally within 10 University Business Days. The Decision letter will set out:

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- the reasons for the Decision
- any implications for International Students (e.g. visa considerations)
- that there is no further right of Appeal within the University and, if the Student is not satisfied with the outcome, advise on avenues of external review
- support services available to the Student.

If the Appeal results in a Decision that supports the Student, the University will implement any required corrective or preventive measure immediately. The Decision-maker must advise the Grievance Resolution Unit once the action is completed.

The responsible officer may draw to the attention of the original Decision-maker any apparent problems arising from the administration of relevant University Policies and Procedures or other operational processes in order to facilitate quality improvement activities.

4.7 Application to external agencies

A Student who has exhausted the University's internal resolution processes may apply to external agencies, such as the National Student Ombudsman, for an external review.

The University will fully cooperate with external agencies investigating any matters however the University is committed at all times to facilitating the resolution of Student Grievances without the need to have recourse to external agencies.

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

4.7.1 International Students seeking external review of Decisions affecting their Enrolment

International Students studying in Australia on a Student visa who have been Excluded under the Student Academic Progress Procedure may lodge a request for an external review of the Decision, once the University's internal resolution process has been exhausted. Students must provide evidence of the lodgement of a request for an external review, including the name of the external agency, within 20 University Business Days from the date of the notification of the internal Appeal outcome. Where evidence of a request for an external review has been provided, Students will be permitted to enrol in Courses until the conclusion of the external review.

If an International Student studying in Australia on a Student visa does not provide evidence of lodgement of a request for an external review within 20 University Business Days, the Exclusion will be reported to the relevant government department and may affect the end date of the Student's Confirmation of Enrolment.

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Where an International Student studying in Australia on a Student visa has been Excluded under the Student Academic Progress Procedure and has exhausted all internal and external resolution processes, the Exclusion will be reported to the relevant government department and may affect the end date of the Student's Confirmation of Enrolment.

4.8 Other matters

4.8.1 Withdrawal of Student Appeals

At any stage during the Appeal process, a Student may withdraw an Appeal by following the instructions set out on the University's website. In most instances, the University will then deem the matter resolved unless the seriousness of the matters raised warrants the University continuing to review the matter.

4.8.2 Confidentiality and privacy

Appeals must be treated by all parties as strictly confidential. This means that information about the Appeal will only be discussed with, or made available to, a person who:

- is a party to the Appeal;
- is or has been legitimately involved in the management of the Appeal; or
- has a formal management role in following up the consequences or implications of the Appeal.

Relevant parties to the Appeal, Student Support Persons or any other observers must refrain from discussing the Appeal with each other or with other parties unless those discussions have been ordered or approved by the person managing the Appeal.

5 References

Nil.

6 Schedules

This procedure must be read in conjunction with its subordinate schedules as provided in the table below.

7 Procedure Information

Accountable Officer	Deputy Vice-Chancellor (Students and Education)

Responsible Officer	Dean (Students)
Policy Type	University Procedure
Policy Suite	Student Grievance Resolution Policy
Subordinate Schedules	
Approved Date	14/10/2026
Effective Date	14/10/2026
Review Date	15/11/2026
Relevant Legislation	*Education Services for Overseas Students Act 2000* *Education Services for Overseas Students Regulations 2001* Higher Education Administrative Information for Providers *Higher Education Support Act 2003* *Human Rights Act 2019* National Code of Practice for Providers of Education and Training to Overseas Students 2018
Policy Exceptions	Policy Exceptions Register
Related Policies	Accountable Advances Policy Admissions, Enrolment and Graduations Policy Enterprise Risk Management Policy Fraud and Corruption Risk Management Policy Handling Personal Student Information Policy and Procedure Marketing and Brand Policy Privacy Policy Records and Information Management Policy Refund of Student Fees Policy and Procedure Right to Information Policy Scholarships, Bursaries and Prizes Policy

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	Student Communication Policy Student General Conduct Policy
Related Procedures	Accountable Advances Procedure Admissions Procedure Enrolment Procedure Higher Degree by Research Student Admissions and Enrolments Procedure Privacy Procedure Right to Information Procedure Student Academic Progress Procedure Student Communication Procedure Student Debt Management Procedure Student Discrimination, Bullying, Harassment and Sexual Misconduct Response Procedure Website Procedure Work Integrated Learning Activities Procedure
Related forms, publications and websites	Australian Department of Education, Skills and Employment (DESE) Feedback, Complaints and Appeals National Student Ombudsman Study Abroad and Exchange Outbound website Tables of Decision-Makers
Definitions	**Terms defined in the Definitions Dictionary**
	Academic Appeal A formal, written request made by a Student to the Academic Appeals Committee to have a Decision, in relation to an academic matter, overturned. Academic Misconduct

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Academic Misconduct encompasses all behaviours, including doing as well as attempting to do, any of the acts, omissions or activities that constitute Academic Misconduct: involving the misrepresentation of academic achievement; or undermining the core values (honesty, trust, fairness and respect) of Academic Integrity; or breaching Academic Integrity; whether intentional or unintentional. Academic Misconduct includes, but is not limited to the following: Plagiarism and Self-plagiarism; using (including for Assessment or review) the work prepared by another person or software, including generative artificial intelligence, as their own without appropriate attribution; Collusion, such as any unauthorised collaboration in preparation or presentation of work, including knowingly allowing personal work to be copied by others; all forms of Cheating in examinations and other Assessment tasks; Contract Cheating; Promoting ways to breach Academic Integrity or using University resources to support others in breaching Academic Integrity; offering or accepting bribes (money or other favours), e.g. for Admission or for Marks/Grades; and fabrication or falsification of information or Student identity (TEQSA Guidance Note: Academic Integrity, Version 1.2, 28 March 2019).

Appeal

A formal, written request made by a Student or Employee to a higher authority to have a Decision overturned.

Assessment

The process of evaluating the extent to which Students have achieved the Learning Outcomes of a Course.

Conflict of Interest

If a University Member has an interest that conflicts or may conflict with the discharge of the University Member's duties the University Member should Declare the nature of the interest and the conflict to the University Member's Supervisor as soon as practicable after the relevant facts come to the University Member's knowledge and must not take action or further action relating to a matter that is or may be affected by the conflict until authorised. An Executive Leader may direct a University Member to resolve a conflict or possible conflict between an interest of the University Member and the University Member's duties. A reference to an interest or to a Conflict of Interest is a reference to those matters within their ordinary meaning under the general law, and, in relation to an interest, the definition in the Acts Interpretation Act 1954, Schedule 1, does not apply. A Conflict of Interest will arise when a University Member's Private Interests conflict with their duty to the University or to serve the public interest as a University Member. The risk of having a conflict of interest increases

where a University Member's responsibilities include the authority to make decisions. A conflict of interest may be potential, perceived or actual - when a University Member is in a role where future decision making may be influenced by their Private Interests if a certain condition is fulfilled, they have a potential conflict of interest; a perceived conflict of interest arises where it appears that decisions a University Member make in the course of their University employment may be influenced by their Private Interests, whether or not this is in fact the case; an actual conflict of interest exists where a University Member's actions could be unduly, improperly or excessively influenced by their Private Interests. Serious misconduct can occur when a conflict of interest is concealed, understated, mismanaged or abused.

Coursework

A method of teaching and learning that leads to the acquisition of skills and knowledge and does not include a major research component.

Credit

The number of units, up to a specified limit, granted towards a University Award on the basis of either previous Formal, Informal or Non-formal Learning. Credit reduces the number of Courses required to complete an Award Program.

Enrolment

The process of admitting Students to one or more Courses for the current Academic Year.

Exclusion

Prohibition from enrolling in a Course or program for a specified period due to unsatisfactory academic progress.

Exemption

The release from the requirement to complete a specific required Course but without reducing the overall number of Units required to complete the program.

Final Grade

A Final Grade is a code that normally represents the outcome of the Assessment of a Student's performance against the learning objectives of a Course but may reflect the outcome of an applicable

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administrative process.

General Misconduct

Behaviour or conduct which is contrary to expected Student conduct outlined in the Student General Conduct Policy.

Grievance

Typically defined as a concern or Complaint raised by an Employee against a process, action, omission or Decision within the responsibility and control of the University which relates to employment or related internal People Portfolio matters, which has or is likely to have an unreasonable negative impact on the ability of an Employee to undertake their duties, or similar impact on their career.

Higher Degree by Research (HDR) Student

A Student enrolled in an HDR program.

Policy

A high level strategic directive that establishes a principle based approach on a subject. Policy is operationalised through Procedures that give instructions and set out processes to implement a Policy.

Policy Instrument

A Policy Instrument refers to an instrument that is governed by the Policy framework. These include Policies, Procedures and Schedules.

Procedural Fairness

Has the meaning ascribed to it from time to time by the applicable common law of the State of Queensland.

Procedure

An operational instruction that sets out the process to operationalise a Policy.

Show Cause

The Show Cause process is a formal process that allows a Student to present their case as to why they should not be Excluded from their studies due to unsatisfactory Academic Progress.

	Special Circumstances Matters which are, in most cases, beyond the control of the Student and which will impact their capacity to progress with their planned program of study or meet a submission deadline. In some legislation, Special Circumstances are referred to as “compassionate and compelling circumstances”. Student A person who is enrolled in a UniSQ Upskill Course or who is admitted to an Award Program or Non-Award Program offered by the University and is: currently enrolled in one or more Courses or study units; or not currently enrolled but is on an approved Leave of Absence or whose admission has not been cancelled. University The term 'University' or 'UniSQ' means the University of Southern Queensland. University Business Days The days of Monday to Friday inclusive between 9am and 5pm Australian Eastern Standard Time (AEST), with the exclusion of gazetted Public Holidays for the relevant campus location, plus the closure of the University between 25 December and 1 January in the following year inclusive as specified in the Enterprise Agreement, as well as any closure of the University either at one or several campuses in accordance with a direction of the Crisis Management Team.
	Definitions that relate to this procedure only
Keywords	Appeal, Academic Appeal, General Misconduct, Academic Misconduct, Student Grievance
Record No	20/531PL

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