

SGA Student Complaints and Appeals Policy and Procedure

1. Policy Statement and Purpose

Study Group Australia Pty Limited (SGA) is committed to providing a high quality education and training service for all Students. In the context of continuous quality improvement, students may raise Grievances, Complaints and Appeals that need to be respectfully managed. This policy provides for the effective and efficient management of student academic and non-academic grievances, complaints and appeals.

SGA is committed to providing a consistent, fair and equitable framework that is without reprisal for resolving student academic or non-academic grievances, complaints and appeals. This Policy and Procedure outlines the procedure followed at SGA and the phases involved to enable a grievance, complaint or an appeal to be managed in an appropriate and timely manner. It also reflects the expectations and responsibilities of SGA staff and students.

2. Scope

This policy and procedure applies to academic and non-academic complaints and appeals of intending and current students of a High School, Foundation, ELICOS or Higher Education course delivered and awarded by a SGA College listed in the footer of this document and staff of these colleges. The complaint and appeal process is inclusive of any complaint or appeal the student makes regarding his or her dealings with SGA, SGA's education agents or any related party SGA has an arrangement with to deliver the student's course or related services.

Note: *Students seeking a Grade Review should first use the Grade Review process set out in the SGA Student Assessment Policy and Procedure. Students who remain dissatisfied with the outcome of their review may then use the policy and procedures herein (see Phases 2 – 4).*

3. Definitions

In the context of this policy, the following apply:

Appeal is the action taken by a student who is dissatisfied with a decision made by the College, he/she has twenty-eight days from the date stated in the written notification in which to lodge an Appeal to have the case reviewed.

Appropriate Confidentiality refers to situations when a Senior Officer of the College may disclose to another relevant person only as much information as is necessary for the explicit purposes of clarification or assistance to enable the Grievances or Complaints process to be facilitated.

Academic Director means the lead senior academic staff member for the College (or their delegate). May also be referred to as Director Academic Programs, Dean, Head of College, Program(s) Manager or College program lead.

Complaint means a statement or expression that something is unsatisfactory or unacceptable. A formal Complaint takes place if a Grievance cannot be resolved informally (for example, the affected parties discussing the matter), and is written down for official processing.

Complaint/Grievance - Academic is a concern about academic matters, academic situation or academic process provided by the College which the Student brings to the attention of the College in an informal way, that is, it is spoken about, not written. Examples include, but are not limited to matters related to:

- academic progress decisions;
- attendance procedures, where relevant;
- application for credit transfer or recognition of prior learning (RPL);
- assessment issues;
- a decision of a member of academic staff that affects a student or a group of students;
- content or structure of education and training programs or quality of teaching;
- issues related to authorship or intellectual property.

Complaint/Grievance - Non-Academic is a concern about non-academic matters, perceived discrimination, a situation, a process, a person or people, a facility or a support service provided by the College which the Student brings to the attention of the College in an informal way, that is, it is spoken about, not written down. Examples include, but are not limited to matters related to:

- provision of Student support services such as those associated with the application and enrolment process, and amenities;
- suspension or cancellation of enrolment for non-academic matters;
- use or misuse of personal information that the provider holds in relation to the Student;
- exclusions from events and facilities;
- job placement assistance;
- perceived discrimination[^];
- unfairness and injustice;
- bullying[^];
- sexual harassment[^]; and
- other forms of harassment[^].

[^]Note: Matters relating to discrimination, bullying, sexual harassment and other forms of harassment are considered serious matters and fall also into SGA's Critical Incidents Involving Students Policy and Procedure. For matters concerning tuition fee refunds or HELP remittances and reviews and appeals of related decisions please refer to SGA's Cancellation and Refund Policy.

Head of College means the most senior staff member for the College (or their delegate). May also be referred to as Centre Director, Principal, or Campus Director. For Martin College/Martin Higher Education the most senior staff member for the College is the Operations Director (or their delegate) and the most senior academic staff member is the Head of College.

Responsible Officer means the SGA staff member or delegate with responsibility for handling the Grievance, Complaint or Appeal. A Responsible Officer must not review a decision they were involved in making and must occupy a position that is senior to that occupied by any person involved in making the original decision (see *Table A: Responsible Officers - SGA Colleges* below).

Student refers to a person enrolled or seeking to enrol in any course or unit of study at SGA. A student or a potential student can be a domestic or overseas student and is entitled to access the Complaints and Appeals Policy regardless of the location of the College at which the Grievance, Complaint or Appeal has arisen, their place of residence, or the mode(s) in which they study. However, the College is unlikely to consider a Grievance, Complaint or Appeal from a former Student whose enrolment ceased six (6) months or more prior to the time of lodging the Complaint or Appeal, unless special circumstances apply.

Support Person refers to a person who is not directly involved in the Grievance or Complaint such as a friend, counsellor or family member. A support person should not be a legal representative.

Table A: Responsible Officers - SGA Colleges

Phase	Responsible Officer in SGA Academic Complaints	Responsible Officer in SGA Non-Academic Complaints	Contact Details/Location
1	Teacher/academic staff member with whom the complainant has the grievance/complaint as applicable	Staff member with whom the complainant has the grievance/complaint or Student Services Manager (or delegate) as applicable	Located at the College where the student is studying or applying to enrol or email: ANU College: complaintsandappeals@anucollege.edu.au Flinders International Study Centre (FISC): complaintsandappeals-fisc@studygroup.com Taylors College Sydney: complaintsandappeals-sydney@taylorscollege.edu.au Taylors College Perth: complaintsandappeals-perth@taylorscollege.edu.au Martin Higher Education: complaints@studygroup.com (as applicable)
2	Relevant Course Coordinator, Academic Director, Head of College, or their delegate as applicable	Student Services Manager, Head of College)/Operations Director MHE, or their delegate as applicable	Located at the College where the student is studying or applying to enrol or email: ANU College: complaintsandappeals@anucollege.edu.au Flinders International Study Centre (FISC): complaintsandappeals-fisc@studygroup.com Taylors College Sydney: complaintsandappeals-sydney@taylorscollege.edu.au Taylors College Perth: complaintsandappeals-perth@taylorscollege.edu.au Martin Higher Education: complaints@studygroup.com (as applicable)
3	For courses (other than higher education courses) - relevant Academic Director, Head of College, or their delegate (as applicable). For higher education courses the Academic Appeals Committee of the SGA Academic Board.	Head of College)/Operations Director MHE, Director of Business Operations/Managing Director ANZ, or their delegate as applicable	Located at the College where the student is studying or applying to enrol or email: ANU College: complaintsandappeals@anucollege.edu.au Flinders International Study Centre (FISC): complaintsandappeals-fisc@studygroup.com Taylors College Sydney: complaintsandappeals-sydney@taylorscollege.edu.au Taylors College Perth: complaintsandappeals-perth@taylorscollege.edu.au Martin Higher Education: complaints@studygroup.com (as applicable)
4	External Appeal	External Appeal	Refer to External appeal details herein for contact options

4. Policy Provisions

The SGA Student Complaints and Appeals Policy and Procedure is underpinned by a set of principles that apply to all Grievances and Complaints managed by SGA, either informally or formally. The following principles will apply to all Grievances, Complaints and Appeals managed by the College, either informally or formally.

4.1 Opportunity to appeal and further appeal an unfavourable decision

There are four (4) phases/stages in the SGA Student Complaints and Appeals procedure which is set out herein these being:

Phase 1: Informal Discussion

Phase 2: Formal Complaint

Phase 3: Internal Appeal

Phase 4: External Review.

All students or potential students can access each of the four phases of the SGA Student Complaints and Appeals Policy at any time. However, it is strongly recommended that each phase of the policy is completed before escalating to the next phase.

4.2 Availability

This policy is freely available to all students. All students are entitled to access the Complaints and Appeals procedures set out in this policy regardless of the Campus or the College at which the Grievance or Complaint has arisen.

4.3 Timeliness

All Grievances, Complaints and Appeals should be resolved as quickly as possible. Timeframes prescribed in these procedures should be followed, unless there are exceptional circumstances.

If the timeframe is to be exceeded by staff, the student must always be informed of the length of, and the reason for, the delay.

4.4 Appropriate Confidentiality

All Grievances, Complaints and Appeals must be treated with appropriate confidentiality at all phases in the procedures. Access to information must be strictly limited to those staff members who have a 'need to know' in order to deal with the Grievance, Complaint and/or Appeal.

4.5 Without Disadvantage and without Reprisal

If a Student lodges a Grievance, a Complaint or an Appeal under this policy and its procedures, they should feel confident they will not be disadvantaged, in any way especially by way of subsequent victimisation, and/or discrimination.

4.6 Procedural Fairness

Procedural fairness, also referred to as natural justice processes, is concerned with the procedures used by the Responsible Officer or decision-maker, rather than the decision reached. It requires a fair and transparent procedure be used when making a decision. The parties involved in a Grievance, a Complaint or an Appeal must be given the right to be heard; the right to be treated without bias; and for a decision that is based on evidence.

In practice, procedural fairness involves (but is not limited to):

- ensuring that there is proper investigation of the facts and information available;
- informing relevant parties of any allegations made against them, as appropriate;
- ensuring that the parties are informed of the procedures under which the grievance, complaint or appeal are being handled and are given a copy of the relevant policy and guidelines;
- ensuring that the parties are heard and those who have had complaints or grievances made against them are given an opportunity to respond to reply in a way that is appropriate for the circumstances before a decision is made;
- ensuring that the parties are not victimised or discriminated against during the grievance, complaint and appeal procedure;
- ensuring that all relevant submissions and any mitigating factors are given due and proper consideration before any conclusions are reached or any action is taken;

- advising the parties that if the grievance or complaint is of such a serious nature that disciplinary action may result, then the facts revealed during an investigation into the grievance or complaint may be used in any subsequent disciplinary proceedings;
- ensuring that there is appropriate evidence to support a decision;
- ensuring impartiality on the part of the investigator and/or decision maker, which means the investigator/decision maker, must exclude themselves if there is any bias or conflict of interest.

These procedures usually require that the person raising a grievance, complaint and/or appeal must be willing to be identified, unless the facts of the matter are not in dispute, or the matter involves allegations of corruption, mal-administration, serious waste or child abuse. If in doubt about the requirements of procedural fairness, advice should be sought from the Managing Director ANZ or delegate.

On any occasion when the grievance, complaint or appeal is to be discussed, staff (both student and/or respondent) may choose to be accompanied by a non-legal support person.

If the allegations have been made in writing, a copy will be given to the parties against whom the allegations have been made (unless the allegations relate to corruption, mal-administration and serious waste or child abuse where legislation provides otherwise).

4.7 Support

The College's complaints-handling and appeals processes for formal complaints include provision for confidentiality, independent professional advice, advocacy and other support for the complainant or appellant. Any person involved in this process who is disadvantaged in any way in the ability to present his/her case should be allowed the professional and independent support and advice needed to participate effectively. While a conciliatory approach is preferred and encouraged under these procedures, it may be appropriate in some circumstances, that the Student or staff member has another person speak on his or her behalf.

4.8 Access

Students have a right of supervised access to all documents concerning their Appeal. This right does not apply to any documents for which the College claims legal professional privilege.

4.9 Continuation of learning opportunities

While the College will maintain a student's enrolment, as described above, the College reserves the right to decide whether or not to continue to offer learning opportunities to the student throughout the internal or external grievances, complaints and appeals process on a case by case basis (for example, decide, case by case, whether or not the student will be permitted to continue to attend classes, be excluded from attending classes but permitted to continue to undertake and complete class work outside of the classroom environment, etc.).

The College recognises that decisions to deny learning opportunities to a student, whether a domestic or international student, throughout the formal grievance, complaint and appeals process may disadvantage the student in their subsequent studies should the appeals process find in the student's favour, and will normally only undertake such action if determined necessary to maintain the College's duty of care to its students, staff and other stakeholders.

4.10 Resolution

Given the nature of many grievances and complaints, the College expects that most concerns will be resolved at an informal level (Phase 1). This form of resolution provides an ideal opportunity for open and direct discussion between the relevant parties. Additionally, informal resolution normally provides the most time effective mechanism for resolving non-academic Grievances.

4.11 Cost

All internal phases of the SGA Student Complaints and Appeals Procedure shall be free of charge to the student. Students have access to external review at minimal or no cost. For details on external review agencies please refer to Phase 4: External Appeal (5.4).

4.12 Withdrawing a grievance, complaint or appeal

A student may withdraw a grievance, complaint or internal appeal at any phase by giving written notice to the Responsible Officer or delegate who is currently handling the procedure.

5 Procedures

5.1 Phase 1: Informal Discussion

Overview:

- a. The Student is encouraged to raise the Grievance directly with person/s involved. For example, if the Grievance is about fees, the concern should be discussed in the first instance with the College Finance Officer. A Grievance about an assessment task should be discussed in the first instance with the unit teacher.
- b. An informal discussion should take place directly between the relevant person(s) as soon as possible. The Student may choose to be accompanied or assisted by a Support Person during the informal discussion phase.
- c. If the Student has attempted to resolve the issue directly with the relevant person(s) and is not satisfied with the outcome or does not wish to directly approach the person(s) concerned, the Student should discuss the Grievance with the Responsible Officer as soon as possible.
- d. The Responsible Officer will consider the issue and may suggest a course of action to resolve the issue, or attempt to mediate between the Student and the person(s) concerned.
- e. The Student and other person(s) directly involved will be advised in writing of the detailed reasons for the outcome of the internal appeal normally within ten (10) working days from the time the Grievance was raised with the Responsible Officer.
- f. A record of the discussion and the detailed reasons for the outcome of the internal appeal will be placed on the SGA Complaints Register for their College by the Responsible Officer.
- g. If the Student is not satisfied with the outcome, the Student can escalate their Grievance to Phase 2 under this policy.

5.2 Phase 2: Formal Complaint

Within the second phase, the informal discussion (i.e. Phase 1) escalates to a formal process. The Complaint involves the Student lodging a written Complaint. The Complaint will be investigated by the Responsible Officer.

Overview:

- a. The Student completes the Complaint Form, (available from Student Services or from the College's website) or submits a letter to the Responsible Officer at the College where the Student is studying or applying to enrol.
- b. The Student receives written acknowledgment of the Complaint within ten (10) working days of the Complaint lodgement.
- c. The Responsible Officer investigates the Complaint and seeks to resolve it within twenty (20) working days of it being received by the Responsible Officer.
- d. The Student receives written notification of the detailed reasons for the outcome of the internal appeal within five (5) working days of finalising the investigation of the Complaint.
- e. If the Student is not satisfied with the outcome, the Student can escalate the Complaint to Phase 3 under this policy.

To proceed to Phase 2, the Student MUST provide the following information in writing:

- details of the Complaint;
- supporting information that the Student wishes to have considered;
- an explanation of the steps already taken to try to resolve the issue informally and why the responses received are not considered satisfactory; and
- what the Student thinks needs to be done to address his/her concerns.

As part of investigation process, the Responsible Officer will discuss the issues with the person(s) concerned, and if required, may discuss it with relevant staff observing the principle of Appropriate Confidentiality. A meeting with the Student may be arranged to enable the Student to formally present their Complaint. The Student may be accompanied or assisted by a Support Person at any such meeting.

If the Responsible Officer considers that the Complaint should be upheld, then relevant staff will be notified immediately to implement the actions required to resolve the Complaint. The Student will be provided with a written report of the steps taken to address the Complaint within twenty-five (25) working days of the commencement of the Complaint process.

If the Complaint is not upheld, then the Student will be given a written report on the reasons for the decision. The student will be advised of the further internal phase 3 avenue of appeal where the student could benefit. The student will also be advised of his/her right to access this avenue if not satisfied with the outcome of the formal Complaint and lodge this further appeal within twenty-eight (28) working days of the Phase 2 decision.

The Responsible Officer will file a written record of the Complaint and the detailed reasons for the outcome of the internal appeal in the SGA Complaints Register for their College.

5.3 Phase 3: Internal Appeal

If the Student is not satisfied with the outcome from Phase 2, the Student can escalate the Complaint to Phase 3 under this policy. This phase is referred to as an Internal Appeal and it will be investigated through a formal process at no cost to the Student.

The Internal Appeal will be investigated by the Responsible Officer in accordance with Table under Section 5 Responsible Officer definition.

Overview:

- a) The Student submits a written request for an Internal Appeal using an Appeal Request Form, available from Student Services, or submits a letter to the Responsible Officer within 20 working days of receipt of the written report from Phase 2.
- b) The Responsible Officer may:
 - make a determination based on the information already provided;
 - decide that there are insufficient grounds to take any further action, thus concluding the consideration of the matter under this Internal Appeal Phase; or\if a non-academic appeal or non-higher education course related academic appeal establish a College level Internal Appeal Review Panel to advise the responsible officer; or
 - if an academic appeal in connection with a higher education course refer the matter to the Academic Appeals Committee of the SGA Academic Board.
- c) If the decision has been referred to an Appeal Review Panel or Academic Appeals Committee, the Responsible Officer is responsible for ensuring a Panel is convened within 10 working days of receipt of the Appeal Request Form.
- d) The Appeal Review Panel/ Academic Appeals Committee meets within 20 working days of receipt of the Appeal Request Form.

- e) The Student is given at least 5 working days of notice in advance of the Internal Appeal Review Panel / Academic Appeals Committee meeting. The student may attend the meeting to formally present their case.
- f) The Student may attend the meeting and be accompanied by a support person who may speak on the Student's behalf. If the Complaint that is the subject of the Appeal involves other person(s), they may also be invited to present their case to the Panel. A written record of the meeting must be taken.
- g) The Internal Appeal Process will consider all relevant information.
- h) The Student will be notified in writing within five (5) working days of the decision.
- i) The College will immediately implement any decision and/or action required.
- j) If the complainants appeal is not upheld, the Student will be given a written report including the detailed reasons for the outcome of the internal appeal decision. The student will be advised within 10 working days of concluding the internal review of the further External Review avenues of appeal where they exist and where the student could benefit. The student will be advised of their right to access an external complaints handling and appeals process at minimal or no cost.
- k) If the Student is not satisfied with the outcome, the Student can escalate the appeal to Phase 4 under this policy.
- l) The Responsible Officer will file a written record of the Complaint and the detailed reasons for the outcome of the internal appeal in the SGA Complaints Register for their College.

5.4 Phase 4: External Appeal

The external review process should only be used when the provider's Internal Appeals processes have been exhausted.

If a student is not satisfied with the internal appeal decision outcome, they may appeal the matter externally. The External Appeal will be formally investigated by an agent external to SGA, such as the external regulator or there may be a recommendation to involve other agencies, including legal agencies. The most relevant external agents are listed below.

- **International Student Visa Holders** may lodge an external appeal to the Overseas Students Ombudsman (OSO) at <https://www.ombudsman.gov.au/making-a-complaint/overseas-students>. The service offered by the Overseas Students Ombudsman (OSO) is free. Students can make a complaint to OSO by using the online complaint form available on the OSO website: <https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=oco-complaint-form> or by phone on 1300 362 072 (in Australia) or +61 2 6276 0111 (from outside Australia). Further information, including in other languages, is available on the OSO website: <http://www.ombudsman.gov.au/How-we-can-help/overseas-students/tools-and-resources>. International student visa holders are required to continue to meet their course progress and attendance requirements while the external appeal case is being reviewed.
- **Domestic students** may lodge an application for external review to the Resolution Institute, Student Mediation Scheme, at www.resolution.institute/membership-information/student-mediation-scheme. The cost of the application fee to the Resolution Institute will be covered by SGA.

If the external review process supports the Student, the College will immediately implement any recommendations and will advise the Student in writing as to the action taken. Where applicable, these recommendations will be incorporated into the College's policies and procedures for implementation ensuring the continuous improvement of service and quality education to Students.

If the Complaint is not upheld, the Student will be given a written explanation by the external reviewer. It will include the reasons for the decision.

It should be noted that 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.

6. Roles and responsibilities

The Student is responsible for:

Phase 1 - raising a Grievance, Complaint or Appeal with the persons concerned or with the relevant Responsible Officer or delegate;

Phase 2 - if unresolved above, lodging a written Complaint to the relevant Responsible Officer or delegate;

Phase 3 -if unresolved above, lodging an Internal Appeal request to the relevant Responsible Officer and attending the Appeal Review Panel, if convened; and

Phase 4 -if unresolved above, lodging a Complaint to the relevant external agency.

The Responsible Officer or delegate is responsible for:

Managing all Grievances, Complaints and Appeals raised by a Student in a timely manner and in line with this Policy and its Procedures and in accordance with the Principles identified in Appendix 1 of this Policy;

- providing a written response on the outcomes of investigations to the Student; and
- ensuring all relevant information is recorded and updated on the SGA Complaints Register for their College. This will include information relating to reported, resolved or any unresolved Grievances, Complaints and Appeals.

The Head of Compliance (or delegate) is responsible for:

- establishing a College level Internal Appeal Review Panel for appeals (other than higher education academic appeals), if required; and
- ensuring records of complaints and appeals and related written reports are collated and entered on the SGA Complaints Register for their College; and
- providing de-identified trend data on SGA complaints and appeals to senior management and relevant governing bodies and committees at least twice a year.

Executive and senior staff are responsible for ensuring their staff are aware of this policy and procedure and their responsibilities defined herein.

All staff are responsible for being aware of, and complying with this policy and procedure.

7. Records

In order to facilitate resolution of a student complaint, it is essential that College staff report and maintain appropriate records (through SGA's Complaints Register for their College) and documentation on the Student Management System once a grievance becomes a formal complaint. Staff members are advised to record notes of any related informal discussions with Students. Copies of documentation given to students should be kept, as well as a record of the date on which that information was supplied to students.

Records of grievances and complaints, applications for review of decisions and the outcomes of the process will be retained consistent with statutory requirements and stored securely on the SGA Complaints Register for their College, consistent with SGA’s Records Management Policy and Student Privacy Policy.

8. Policy Review

This policy is reviewed at a minimum of once every 5 years by the policy owner (or delegate) to ensure alignment to appropriate strategic direction and its continued relevance to current and planned operations. The next scheduled review of this document is listed in the document history section of this document.

9. Records Management

Records in association with this policy will be kept in accordance with SGA’s Records Management Policy. Confidential documents related to the implementation of the policy will be maintained according to relevant privacy requirements.

10. Related Documents

SGA Student Privacy Policy, SGA Records Management Policy, SGA Complaints Form, SGA Appeal Form. Policies and forms can be accessed from the College’s ‘Policy’ webpage.

11. Related Regulations

This policy has been developed in line with requirements set out in the: Education Services for Overseas Students (ESOS) Act 2000 (and its amendments); National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) which complements existing national quality assurance frameworks in education and training including the Higher Education Standards Framework (Threshold Standards), the English Language Intensive Courses for Overseas Students (ELICOS) Standards 2018, the National Standards for Foundation Programs, the NSW Education Act and related regulations for NSW Education Standards Authority (NESA) registered High Schools, the Australian Qualifications Framework (AQF), the Tuition Protection Service (TPS), and other Commonwealth and State legislation and regulatory frameworks and standards including the Privacy Act 1988, Corporations Act 2001; and Competition and Consumer Act 2010.

Document Approval

Document ID	SGA Student Complaints and Appeals Policy and Procedure		
Policy Owner(s)	Director of Operations and Head of Governance, Quality and Compliance		
Approved by	SGA Board of Directors	Date Approved	6 September 2018
		Date Commencing	15 September 2018

Document History

Commencing Date	Summary of Changes	Next Review Date
19 August 2015	v1.0 Establishment of policy by SGA Board	August 2020
December 2017	v1.3 Administrative amendments	August 2020
15 September 2018	v2.0 Review and minor amendment to maintain regulatory and business currency v2.1 Extension of scope to include Martin College/Martin Higher Education. Replaces HE Division harmonised Complaints and Appeals Policy – International; HE Division harmonised Grievance Policy – Domestic Students - Higher	September 2023

	Education. (Authorised by COO-ANZ. Effective from 22 November 2018)	
2 April 2019	v2.2 Minor administrative amendment to maintain currency	September 2023
7 June 2019	v2.3 Minor administrative amendment to maintain currency. Extension of scope to include University of Sydney Foundation Program (CRICOS Course Code: 022310D) delivered by SGA's Taylors College (Sydney campus) on behalf of the University of Sydney (CRICOS Provider code 00026A). (Authorised by COO-ANZ. Effective from 7 June 2019)	September 2023
18 September 2019	v2.4 Administrative amendments to maintain business currency. Adjustment to the external appeal process to ensure compliance with the National Code (Standard 10, 10.3, 10.4)	September 2023
6 November 2019	v2.5 Administrative amendments to maintain business and regulatory currency. Adjustment to the external appeal process to remove references to the Office of the Training Advocate.	September 2023

APPENDIX 1: College Internal Appeal Review Panel – Terms of Reference

1.0 Role

A College level Internal Appeal Review Panel may be formed by the College Principal/Centre Director/Operational Director (or delegate) at Phase 3/Stage 3 of the internal appeals procedure, except in connection with Higher Education students/courses where Phase 3/Stage 3 appeals may be referred to the Academic Appeals Committee of the SGA Academic Board.

Student appeals must be made to the College in writing consistent with phase three internal appeal requirements (which proceed the phase four external appeal processes) in the College's complaints/grievances and appeals policy and procedures.

1.1 Functions

The College level Internal Appeal Review Panel 's functional authorities and responsibilities are as follows:

The Appeals Panel will:

- a) Investigate, hear, consider and make determinations on appeals made by students against decisions made by the College concerning a Phase 3 avenue of appeal for students in relation to complaints or appeals (other than Phase 3 higher education academic appeals).
This may include consideration of:
 - i. written appeals and submissions;
 - ii. examination of the relevant academic records, and/or
 - iii. advice from the Responsible Officer, Academic Director, administrative staff, academic staff or others where the Committee considers this appropriate.
- b) Promote and ensure the application of the principles of procedural fairness and confidentiality in relation to all Panel matters;
- c) Permit the student involved to attend any hearing held by the Panel to consider the case and/or to be assisted by a layperson nominated by the student, for example, a family member or friend;
- d) Promote quality improvement in policies and procedures related to student complaints and appeals;
- e) Ensure appeal decision outcomes make clear whether it has been decided to:
 - i. confirm the original decision; or
 - ii. vary the original decision, stating the details of the variance; or
 - iii. set the decision aside and substitute a new decision, stating the new decision.
- f) Determine procedures to govern its own operations.

1.3 Reporting

The Committee will provide brief, de-identified reports on its proceedings to the Campus Director/Director of Operations and Managing Director-ANZ noting the general nature of the complaint, which was the subject of the appeal, and whether or not the appeal was upheld.

1.4 Membership

The membership of the Panel shall comprise:

- Centre Director/ Principal (or delegate) of the College of the complainant (Chair);
- Centre Director/ Principal / Head of College (or delegate) from a SGA College other than the one in which the student is enrolled, invited by the Chair; and
- A senior member of College staff who has not been previously involved in the complaint, invited by the Chair.

Any member of this Committee shall be obliged to declare any interest in any matter before the Committee, and may then be required to withdraw from that meeting at the request of other members of the Committee.

In the event of a member withdrawing, the Chair may appoint an appropriate replacement.

1.5 Frequency of Meetings

The Internal Appeals Panel meets as required.