

# Academic Administrative Appeals by Students Procedure

## Section 1 - Purpose and Scope

- (1) This Procedure supports the [Academic Administrative Appeals by Students Policy](#) ('Policy').
- (2) This Procedure sets out the jurisdiction of the Student Academic Administrative Appeals Committee (SAAAC), the requirements for students to appeal to the SAAAC, and The University of Queensland's (UQ) approach to managing these appeals.
- (3) This Procedure applies to all UQ students, members of the SAAAC and UQ staff involved in managing or responding to appeals to the SAAAC.
- (4) Appeals to the SAAAC are only considered after the matter has been considered by the initial decision-maker prescribed in the relevant policy and a decision has been provided to the student.
- (5) Appeals to the SAAAC are administered in accordance with this Procedure to meet operational and legislative requirements.

## Section 2 - Process and Key Controls

### Principles

- (6) Appeals to the SAAAC will be managed in accordance with the following principles:
- a. Procedural fairness and natural justice:
    - i. the SAAAC must act impartially and without bias;
    - ii. all information deemed relevant by the SAAAC must be considered, and irrelevant matters must not be taken into account; and
    - iii. the appeal must be considered and finalised in a timely manner.
  - b. Transparency:
    - i. The student must be advised in writing of the decision and the basis for the decision, including what information was considered by the SAAAC.
  - c. No reprisal:
    - i. A student will not suffer any reprisal due to lodging an appeal to the SAAAC.

### Jurisdiction

- (7) The SAAAC considers student appeals of administrative decisions on academic matters directly affecting the student appealing, including but not limited to:
- a. decisions on admission to programs not governed by the [Admission Policy](#) and procedure;

- b. administrative decisions on assessment matters under the [Assessment Policy](#) and [Assessment Procedure](#);
- c. decisions on academic progression matters under the [Academic Progression Procedure](#);
- d. decisions made by the President of the Academic Board relating to changes to a finalised grade under the [Assessment Policy](#) and [Assessment Procedure](#);
- e. any other administrative decision on an academic matter made by an Executive Dean (or their nominee);
- f. any administrative decisions made by the Dean, Graduate School (or their nominee) relating to the enrolment and progression of students in Higher Degree by Research (HDR) programs and program completion;
- g. decisions to cancel a Vice-Chancellor's Scholarship, a UQ Excellence Scholarship or a Merit Scholarship; and
- h. appeals relating to revocation of a UQ higher education award conferred upon certification of program completion (unless the revocation of the reward is the result of, or related to, a disciplinary matter).

(8) For clarity, the SAAAC does not consider student appeals on the following matters:

- a. the academic merit of any work or the grade assigned to it;
- b. administrative decisions which do not relate to academic matters, such as requests to submit an application outside the maximum timeframe prescribed in the relevant university rules, policy or procedure for any academic or administrative process;
- c. the academic assessment of qualifications or calculation of grade point average (GPA) or admission/entry ranks in relation to admission to a program;
- d. decisions on disciplinary (student misconduct) matters, or any other matter governed by the [Student Integrity and Misconduct Policy](#). Where an appeal submitted to the SAAAC includes allegations of misconduct against another student, the pertinent information will be provided to the Academic Registrar for management and referral under the [Student Integrity and Misconduct Policy](#); and
- e. allegations of staff misconduct. Where an appeal submitted to the SAAAC includes allegations of misconduct against a member of staff, the matter will be referred for consideration in accordance with [The University of Queensland Enterprise Agreement](#).

## Section 3 - Key Requirements

### Students

#### Submitting an Appeal

(9) Appeals should be submitted online via the [Grievance resolution process \(students\)](#) page in my.UQ.

(10) The decision being appealed along with the grounds for appeal should be explained clearly.

(11) An appeal must be brought within 28 calendar days of the decision unless:

- a. a different timeframe is specified in the notice of decision from the initial decision-maker; or
- b. the appeal is against a decision to refuse enrolment and/or in respect of conditions attached to enrolment following submission of a Progression Improvement Plan, in which case, students have 10 business days to lodge an appeal;

however, students are encouraged to submit an appeal as soon as possible so the matter can be resolved in a timely manner.

(12) If the appeal is submitted late the student must explain the delay and, if possible, attach documentary evidence.

(13) Students should make every effort to support their appeal with documentary evidence. Examples:

- a. if the student was sick, they must provide a medical certificate;
- b. if the student received correspondence (e.g., letter or email) that is relevant to the appeal, they must provide a copy.

(14) It is normally not sufficient for an appellant to assert the existence of certain circumstances or performance of certain actions, or a change of circumstances, without the provision of supporting evidence which substantiates the assertions.

### **Grounds for Appeal**

(15) An appeal hearing about a decision will be conducted by the SAAAC where the student has:

- a. supplied new information to support their case that was not previously available, and there are reasonable grounds to believe that the new information may impact the correctness or fairness of the decision; or
- b. made assertions, based on reasonable grounds, that the decision:
  - i. did not comply with UQ policies, rules or procedures;
  - ii. involved improper, irregular, or negligent conduct;
  - iii. involved discrimination, prejudice, or bias against the student; or
  - iv. was demonstrably unfair or unjust in the circumstances, regardless of the fact that it was made in accordance with the relevant rule or policy.

(16) When submitting an appeal against the application of a rule or policy pursuant to clause 15(b)(iv), students must:

- a. explain why they think the rule or policy was applied unfairly in their case; and
- b. give reasons why they think the decision should be reviewed.

### **Withdrawing an Appeal**

(17) Students may withdraw an appeal at any time during the resolution process.

(18) Where a student has withdrawn their appeal, UQ reserves the right to continue to investigate the matter.

### **Student Support**

(19) Students are advised to consult Student Advocacy and Support at The University of Queensland's [Student Union](#), who can help with the preparation of the appeal.

(20) Students who have an ongoing therapeutic relationship through counselling services at [Student Support Services](#) can request alternative supporting documentation related to past student counselling sessions to support their appeal.

(21) Students who are experiencing stress, anxiety, depression, or other problems, are encouraged to contact Student Support and Wellbeing Services for confidential and free online or face-to-face counselling.

### **Enrolment**

(22) Where a student is appealing a refusal of enrolment to the SAAAC, they may enrol provisionally in accordance with UQ's [Enrolment Procedure](#) until the appeal is finalised. However, this does not entitle a student to enrol in courses or programs for which they are not eligible (for example, where the student does not meet the required prerequisites).

### **Review and Investigation**

## **Initial Review by Secretary**

(23) The Secretary will determine whether the appeal has been submitted within the required timeframe and will refer late appeals to the Chairperson for consideration.

(24) All appeals submitted to the SAAAC will be reviewed by the Secretary in the first instance to provide advice to the SAAAC on whether it has the jurisdiction to hear the appeal and whether it meets the grounds for appeal listed in clauses 15-16 ('Grounds for Appeal' provisions).

(25) If upon initial review, the Secretary determines that the student has provided insufficient information to determine whether the SAAAC has the jurisdiction to hear the appeal or whether it meets the grounds for appeal listed in clauses 15-16 ('Grounds for Appeal' provisions), the Secretary may request further information from the student. The student must provide the requested supplementary information as soon as practicable.

(26) Where the Secretary is satisfied that the SAAAC has the jurisdiction to hear the appeal, it meets the grounds for appeal listed in clauses 15-16 ('Grounds for Appeal' provisions), and sufficient information has been provided by the student, the Secretary will set the matter down and will compile all applicable information for consideration by the SAAAC, which may also include, where relevant, further information from UQ records, such as SI-net studies report, enrolment history, SI-net activity log, the student's enquiry, history and previous applications, and submissions on related matters.

## **Consideration of Late Appeals**

(27) Where an appeal has been submitted outside the required timeframe, in extenuating circumstances, the Chairperson may accept a late appeal if the student can explain or demonstrate, with supporting documentation, that it was not possible for them to submit their appeal within the required timeframe.

(28) The decision of the Chairperson on the matter of late appeals is final and not subject to further review by UQ.

## **Initial Review by the SAAAC**

(29) In consideration of the Secretary's advice, if the SAAAC determines that the appeal is not within its jurisdiction or does not constitute a grounds for appeal as listed in clauses 15-16 ('Grounds for Appeal' provisions), or if there is insufficient information to make these determinations, the SAAAC may refuse to hear the appeal and the matter will be dismissed.

## **Administrative Withdrawal of Appeal**

(30) If the student has submitted an appeal to SAAAC prior to receiving an initial decision, the appeal to the SAAAC will be administratively withdrawn as an appealable decision has not been made, and the student will be referred to the appropriate decision maker and process.

## **Initial Decision-maker's Response, other Relevant Information, and the Student's Reply**

(31) A copy of the appeal will be sent to the initial decision-maker for response and to seek any other relevant information from the initial decision-maker.

(32) The initial decision-maker will consider any new information or specific matters raised in the appeal, and provide a response for consideration by the SAAAC.

(33) A copy of the initial decision-maker's response, plus any other relevant materials obtained by the Secretary, will be provided to the student to give the student an opportunity to provide a reply. If the student wishes to provide a reply, they must do so within 7 calendar days of receiving the initial-decision maker's response.

(34) The initial decision-maker may review and reverse or change their initial decision based on the information

provided in the appeal.

(35) Where the initial decision-maker has reversed or changed the decision, the SAAAC will be advised and will determine if any further investigation or review is warranted.

### **Subcommittee**

(36) The Chairperson may appoint a subcommittee to consider urgent appeals.

(37) The subcommittee will consider the appeal and will make a decision.

(38) The subcommittee will notify the SAAAC of its decision at the next available meeting.

### **Timeframe**

(39) The SAAAC will endeavour to make a decision regarding an appeal within 30 days of accepting the student's appeal.

### **Multiple Appeals**

(40) Where an appeal submitted to the SAAAC includes several matters, the Secretary will make a determination on whether the matters will be handled as a single appeal to the SAAAC or whether some aspects of the appeal should be considered by the SAAAC and others referred to other decision makers.

### **Nature of Appeal**

(41) The SAAAC will determine the correct and preferable decision based on the merits of an appeal.

(42) In determining the merits of an appeal, the SAAAC may consider and rely on:

- a. the first instance material;
- b. the decision;
- c. the appeal application and supporting materials provided by the student;
- d. the response from the initial decision-maker;
- e. the student's reply to the initial decision-maker's response;
- f. any further documents, material or evidence the initial-decision maker has provided to the student; and
- g. any documents, material and evidence that has been obtained after the initial decision-maker's decision and provided to the SAAAC.

(43) The SAAAC's jurisdiction to decide an appeal is not affected by any error by the initial-decision maker. Any error made by the initial-decision maker can be corrected by the SAAAC.

### **Powers and Discretion**

(44) When considering an appeal, the SAAAC may exercise all the powers and discretions which were available to the initial decision-maker, including upholding, varying, or rescinding the decision.

(45) Where a decision has been made in accordance with the relevant policy and procedures but there are exceptional circumstances that mean that the outcome for the student is manifestly unjust or unfair, the SAAAC may consider factors outside the policy or procedure requirements or criteria that applied to the initial decision-maker(s) to achieve a decision that is nevertheless consistent with the intent of the relevant policy.

(46) When the SAAAC exercises the additional powers set out at clause 45 of this Procedure, this should be identified

in the meeting notes.

## Notice of Appeal Decision

(47) As soon as practicable after the SAAAC makes a decision, the SAAAC must give the student a written notice of the decision.

(48) The notice must state:

- a. the decision;
- b. the reasons for the decision;
- c. that the decision is final and cannot be appealed within UQ; and
- d. that if the student remains dissatisfied with the outcome of the appeal, the student may lodge a complaint with the [National Student Ombudsman](#).

(49) Where required for operational or administrative purposes, the SAAAC may convey to the appropriate UQ staff members, the SAAAC's decision and the comments or observations arising from its deliberation.

## External Complaints and Review Bodies

(50) A student may seek to pursue a complaint with an external complaints and review body in relation to the matters raised in their appeal.

(51) If a student initiates a complaint with an external complaints and review body prior to the SAAAC issuing a decision, the SAAAC may suspend consideration of the matter until the external complaints and review body has finalised its review or consideration of the matter.

(52) If UQ receives an inquiry from an external complaints and review body or a request to provide information, UQ will comply with the request, which may include the provision of information and documentation provided by the student.

# Section 4 - Roles, Responsibilities and Accountabilities

(53) The roles, responsibilities and accountabilities set out in the [Policy](#) also apply to this Procedure. Additional responsibilities are set out below.

## Vice-Chancellor

(54) The Vice-Chancellor is responsible for:

- a. the review of this Procedure every five years; and
- b. approving this Procedure and any future amendments to this Procedure.

## Chairperson

(55) The Chairperson is responsible for:

- a. determining if a late appeal will be accepted as set out in clauses 27-28 ('Consideration of Late Appeals' provisions).

## Secretary

(56) The Secretary is responsible for:

- a. determining if an appeal has been lodged within the required timeframe pursuant to clause 11;
- b. advising the SAAAC as to whether it has the jurisdiction to hear the appeal and whether it meets the grounds for appeal listed in clauses 15-16 ('Grounds for Appeal' provisions);
- c. requesting further information from the student if required pursuant to clause 25;
- d. in instances of multiple appeals, making a determination on whether the matters will be handled as a single appeal to the SAAAC or whether some aspects of the appeal should be considered by the SAAAC and others referred to other decision makers; and
- e. collating the relevant materials for the SAAAC in accordance with clause 26.

## Section 5 - Monitoring, Review and Assurance

(57) The Chairperson will provide an annual report on the activities of the SAAAC to the Vice-Chancellor, including but not limited to:

- a. an analysis of the number and types of appeals;
- b. the outcome of appeals; and
- c. recommendations for changes to this Procedure or any other relevant policy or procedure.

(58) The Vice-Chancellor will review the annual report from the Chairperson and make an assessment of the effectiveness of this Procedure and other relevant policies and procedures.

(59) If a deficiency in a UQ policy or procedure is identified, the Chairperson will advise the relevant policy owner and will do so on an ad-hoc basis.

## Section 6 - Recording and Reporting

(60) The Academic Registrar will maintain a central repository of appeals to the SAAAC and provide details of UQ decisions made under this Procedure to relevant external complaints and review bodies.

## Section 7 - Appendix

### Definitions

Term	Definition
Appeal	an application made by a student to have a decision reviewed.
Chairperson	the chairperson of the Student Academic Administrative Appeals Committee.
Decision	a decision reached by the initial decision-maker after an evaluation of facts in accordance with a UQ policy, procedure or rule.
External Complaints and Review Bodies	an external body authorised by Australian law to investigate complaints about UQ's actions and decisions, such as the Office of the <a href="#">National Student Ombudsman</a> , <a href="#">Australian Human Rights Commission</a> , <a href="#">Queensland Human Rights Commission</a> , and <a href="#">Administrative Review Tribunal</a> .
Initial Decision-maker	the officer or body authorised to make the decision.
Secretary	the secretary of the Student Academic Administrative Appeals Committee.





## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	1st June 2022
<b>Review Date</b>	1st June 2027
<b>Approval Authority</b>	Vice-Chancellor and President
<b>Approval Date</b>	1st June 2022
<b>Expiry Date</b>	Not Applicable
<b>Policy Owner</b>	Kathryn Blyth Director, Academic Services Division and Academic Registrar
<b>Enquiries Contact</b>	Academic Services Division