

Policy/Legislation Link	<i>Higher Education Standards Framework (Threshold Standards) 2021</i>			
Responsible Officer	Dean of Students			
Contact Officer	The Registrar			
Superseded Documents	Non-Academic Grievance Policy (in part)			
Associated Documents	Admissions Policy Debt Collection Procedure Privacy Policy Refund and Re-Credit Policy for Domestic Students Refund Policy for International Students Sexual Assault and Sexual Harassment Policy Student Academic Misconduct Policy Student Code of Conduct Student Handbook Student Wellbeing Policy			
Review Date	March 2027			
Version	Endorsed By	Approved By	Approval Date	Effective Date
3.0	The Principal	Governing Board	24/03/2022	24/03/2022

1. PURPOSE

This policy establishes the principles for hearing and determining non-academic appeals in a fair, equitable and transparent manner.

2. BACKGROUND

This policy is required under the *Higher Education Standards Framework (Threshold Standards) 2021* Section 2.4, *Higher Education Support Act 2003* Sections 19-45 – 19-55 and the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* Standard 10.

3. SCOPE

The policy applies to all students enrolled in the accredited courses of Moore College (the College) and to those seeking to enrol in a course of study.

4. DEFINITIONS

This section sets out definitions for key terms and acronyms referred to in the Policy.

Term	Definition
Complainant	A complainant is a student of the College or a prospective student who has lodged a non-academic appeal
Review Officer	A review officer of a higher education provider is a person, or a person included in a class of persons, whom: (a) the chief executive officer of the provider; or (b) a delegate of the chief executive officer of the provider; has appointed to be a review officer of the provider for the purposes of reviewing decisions made by the provider. ¹

¹ *Higher Education Support Act 2003*. Compilation 79, 12 July 2021. Section 19–50.

5. NON-ACADEMIC APPEAL

A non-academic appeal arises from an event occurring in the life of the College, or a decision made by the College, in which the complainant perceives lack of procedural fairness and/or negative discrimination and/or an affront to person or conscience, which does not arise from the complainant's academic performance or potential.

6. POLICY STATEMENT

6.1 Procedural Fairness

All staff and faculty involved in resolving a non-academic appeal by a student or prospective student have a duty to observe the principles of procedural fairness, which include the following elements:

- (i) students and prospective students have access to the policy and procedures on the College website
- (ii) the right of the student or prospective student to a fair hearing and the right of all parties involved to be heard
- (iii) that all complaints and appeals are dealt with in confidence at all times
- (iv) that all complaints and appeals are dealt with in a timely manner
- (v) the right not to be discriminated against at any stage during the initial complaint or appeals process
- (vi) that if an appeal escalates, it cannot be dealt with by any person previously involved with the appeal
- (vii) the right of the student or prospective student to be accompanied by a support person, provided that person is not a practising solicitor or barrister
- (viii) all parties must have full knowledge of the nature and substance of the appeal
- (ix) the right to an independent decision maker
- (x) the decision is based solely on the relevant evidence with all submissions considered

6.2 Fees

No fees are charged by the College for non-academic appeals. Any other costs, such as attending a hearing, are borne by the complainant.

6.3 Appeal Resolution

- (i) The College will provide two escalating levels for the resolution of non-academic appeals, one internal and one external:
 - the non-academic appeals committee, which will consist of the Dean of Students, the Academic Dean, the Chief Operating Officer (or their respective delegates);
 - the external Review Officer.
- (ii) International students may appeal to the external Review Officer or the Overseas Students Ombudsman www.ombudsman.gov.au
- (iii) In relation to FEE-HELP matters complainants will be informed of their right to apply to the Administrative Appeals Tribunal should they seek a further review of the decision.

6.4 Reporting

All reviews and their outcomes undertaken by the external Review Officer under this policy are reported annually to the Principal.

Additional information necessary for carrying out or complying with this Policy is detailed in a separate Procedure.

7. LEGAL FRAMEWORK

This section identifies the legal and policy context within which this Policy operates and with which the Policy must conform.

- *Higher Education Standards Framework (Threshold Standards) 2021*
- *Higher Education Support Act 2003*
- *National Code of Practice for Providers of Education and Training to Overseas Students (the National Code 2018).*

8. IMPLEMENTATION

The Dean of Students is responsible for the implementation of this policy.

9. ACKNOWLEDGEMENTS

The following documents are acknowledged in the review of this policy.

University of Adelaide College. *Non-academic Grievance Policy*. Version 3.2. January 2018.

10. REVIEW AND HISTORY

Version	Approved By	Approval Date	Effective Date	Sections modified
[1.0]	College Council	05/08/2004	05/08/2004	New policy and procedure
[2.0]	Governing Board	26/07/2011	26/07/2011	Added Overseas Students Ombudsman and contact details.
3.0	Governing Board	24/03/2022	24/03/2022	1. Reformatted and procedure removed to a separate document. 2. Reviewed against revised <i>Threshold Standards 2021</i> .