

# Appeals Procedure (CC)

Colleges of Business and Technology (WA) Pty Ltd  
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## Document

<b>Document Name</b>	Appeals Procedure (CC)
<b>Brief Description</b>	This procedure has been developed to ensure all current and prospective students of Curtin College or any partner provider are given access to a free, effective and fair appeals process.
<b>Responsibility</b>	Academic Director
<b>Initial Issue Date</b>	9 August 2023

## Version Control

Date	Version No.	Summary of Changes	Reviewer Name and Department/Office
9/8/2023	3.0	The Appeals procedure has been extracted from the Appeals Policy.	Quality & Compliance Manager

## Related Documents

Name	Location
Access, Diversity, Equity & Inclusion Policy	Curtin College 'H' Drive and <a href="#">website</a>
Appeals Policy	Curtin College 'H' Drive and <a href="#">website</a>
Student Code of Conduct	Curtin College 'H' Drive and <a href="#">website</a>
Complaints Policy	Curtin College 'H' Drive and <a href="#">website</a>
Privacy Policy	Curtin College <a href="#">website</a>
Progress and Intervention Policy	Curtin College 'H' Drive and <a href="#">website</a>

## 1 Purpose and Scope

- 1.1. This procedure has been developed to ensure all current and prospective students of Curtin College or any partner provider are given access to a free, effective and fair appeals process.
- 1.2. These procedures apply to members of the Appeals Committee and all current and prospective students at Curtin College or its partner provider.

## 2 Assessments (not including final exam)

Upon notification of the mark awarded for an assessment item, a student who believes that their result is incorrect or unfair may submit an appeal against their mark. Students must be aware that when submitting an appeal, the results can be changed either upward or downward. There is a four-step process for appealing:

### 2.1. Informal Appeal of Result

Students may request a review of marks by completing the Application for an Informal Appeal of a Result form. Applications must be submitted to their relevant teacher or Unit Coordinator of the Unit by email within 10 working days of the publication of the marks for the assessment item in question. All parts of the form must be completed and submitted along with the assessment piece that is to be re-evaluated. Refer to *Section 3* for details on how to review Final Marks.

The Informal Appeal of Result will be reviewed by the relevant teacher or Unit Coordinator (respondent). The respondent is to write their decision in the space provided on the form and the appellant will be advised of the outcome by email to the student's Curtin College email account within 10 working days of receipt of the Informal Appeal of Result. The appeal will either be upheld, with the mark revised accordingly, or will be provided with an explanation of why the marks awarded are correct and fair, in that case the mark will not be changed.

### 2.2. Formal Appeal of Result

If the appellant is dissatisfied with the outcome from the Informal Appeal of Result (2.1 above), they may apply for a formal appeal by completing an Application for Formal Appeal of Results form. Applications must be submitted within 10 working days of receiving feedback from the Informal Appeal of Result process. All applications for a formal review of result must be submitted to Curtin College Reception or via a prescribed electronic method. Appellants will be issued with a receipt for their application.

The application must include an explanation as to why the student wishes to appeal the result. The application must include the completed "Informal Appeal of Results" form with the respondent's decision and signature.

In cases where students have been unable to undertake an Informal Appeal of Results, a student must provide evidence that they have made a serious attempt to contact their relevant teacher or Unit Coordinator but were unable to do so. This must be supported with a printout of email or messages from the Curtin College Student Portal email account.

The Formal Appeal will be reviewed by the Program Manager or nominee (respondent). The respondent is to write their decision in the space provided on the form and the appellant will be advised of the outcome by email to the student email account within 10 working days of receipt of the Formal Appeal.

To avoid any conflict of interest, where the Program Manager or nominee has been responsible for the decision being appealed or has been involved in the outcome of step 2 above, they must nominate another senior staff member to review the appeal.

Note: The appellant is entitled to view their marked exam paper and if deemed appropriate, have the assessment remarked by an independent marker.

### 2.3. Appeals Committee

Where the appellant is unsatisfied with the outcome of the ' above and believes that:

- they did not have sufficient opportunity to present their case to the decision-maker; or
- the process was not carried out in accordance with Curtin College policy or procedures; or
- the decision was made contrary to the evidence provided;

the appellant can lodge a written appeal to the Appeals Committee via the relevant campus appeals email address (refer section 6.1). This statement should be lodged within 10 working days of receiving the written notification of the outcome of step 2.2 above. The appeal should include a copy of the **Application for an Informal Appeal of Result form** and the **Application for a Formal Appeal of Result form**.

To avoid any conflict of interest, where the Program Manager or a nominee has been responsible for the decision being appealed or has been involved in the outcome of step 2.1 or 2.2, they must nominate another senior staff member to stand in their place on the Appeals Committee.

The appellant will be advised of the outcome by email to the student email account within 10 working days of receipt of the Appeal.

### 2.4. External Appeal

Where the appellant is unsatisfied with the outcome of step 2.3, they may lodge an appeal with an external body in accordance with section 8.

## 3 Final Result Appeal (including final exam/assessment)

Upon notification of the final result, students who believe that their result is incorrect or unfair may submit an appeal against their mark.

There is a three-step process for appealing the Final Result:

### 3.1. Formal Appeal

Students who believe that their final result is incorrect or unfair may apply for a formal appeal by completing an **Application for Formal Appeal of Results** form. Applications must be submitted within 10 working days of publication of the final results. All applications for a Formal Appeal of Results must be submitted to Curtin College Reception or via a prescribed electronic method.

The application must include an explanation as to why the student wishes to appeal the final result. All parts of the form must be completed, including relevant evidence such as marking keys for all assessments undertaken, and the form must be signed by the student.

Students should not contact their relevant teacher or Unit Coordinator to discuss their final result.

The Formal Appeal will be reviewed by the Program Manager or nominee (respondent). The respondent is to write their decision in the space provided on the form and the appellant will be advised of the outcome by email to the student email account within 10 working days of receipt of the Formal Appeal.

To avoid any conflict of interest, where the Program Manager or nominee has been responsible for the decision being appealed, they must nominate another senior staff member to review the appeal.

### 3.2. Appeals Committee

Where the appellant is unsatisfied with the outcome of the step 3.1 and believes that:

- they did not have sufficient opportunity to present their case to the decision-maker; or
- the process was not carried out in accordance with Curtin College policy or procedures; or
- the decision was made contrary to the evidence provided;

the appellant can lodge a written appeal to the Appeals Committee via the relevant campus appeals email address (refer section 6.1). Appeals can only be accepted from the student email account. This statement should be lodged within 10 working days of receiving the written notification of the outcome of the Formal Appeal (step 3.1). The appeal should include a copy of the Application for a Formal Appeal of Result form.

To avoid any conflict of interest, where the Program Manager or nominee has been responsible for the decision being appealed or has been involved in the outcome of step 3, they must nominate another senior staff member to stand in their place on the Appeals Committee.

The appellant will be advised of the outcome by email to the student email account within 10 working days of receipt of the appeal.

### 3.3. External Appeal

Where the appellant is unsatisfied with the outcome of the Appeals Committee, they may lodge an appeal with an External Appeal body in accordance with section 8.

## 4 Appeals against Termination or Conditional Academic Status

There is a two-step process for appealing Termination or Conditional Status:

### 4.1 Appeals Committee

Following the release of results each study period students who are not achieving satisfactory academic progress are placed on Conditional Academic status in accordance with the College's Progress and Intervention Policy.

International students whose academic status is Terminated may also be in breach of Student Visa Condition 8202 'Achieving Satisfactory Course Progress' and subsequently may be reported to Immigration (Intent to Report) in accordance with the relevant legislation. Visa conditions or subclasses may change from time to time, and where the student is enrolled at a campus outside of Australia, local regulations will apply.

Once a student has received notification of their Terminated academic status and potential Intent to Report to Immigration (if on a student visa), they may appeal this decision with the Curtin College Appeals Committee. Appeals must be lodged in writing within 20 working days from the date of the formal notification of their academic status using the "Curtin College - Application for Formal Appeal against Termination and Progress" form.

Evidence submitted in support of the appeal (e.g. Medical certificates) must be in English or accompanied by official English translations. Supporting evidence in languages other than English may not be accepted as part of the appeal.

The appellant will be advised of the outcome by email to the student email account within 10 working days of receipt of the appeal.

## 4.2 External Appeal

Where the appellant is unsatisfied with the outcome of the Appeals Committee, they may lodge an appeal with an external body in accordance with section 8.

## 5 Appeals against Assessments for units delivered by Curtin University (Service Taught units)

Refer to the Curtin University Assessment and Student Progression Manual and follow the process and complete the required forms as set out in the Appeals section of the manual.

## 6 Appeal Email Address

6.1 The following table contains the relevant email address for each Curtin College campus:

Campus/Location	Email Address
Bentley/Perth	<a href="mailto:appeals@curtincollege.edu.au">appeals@curtincollege.edu.au</a>
Singapore	<a href="mailto:appeals@curtin.edu.sg">appeals@curtin.edu.sg</a>

## 7 The Appeals Committee

The Appeals Committee shall be comprised of at least three members of the following:

- Academic Director (or nominee) – Chair
- Admissions Manager
- College Director and Principal (or nominee)
- Student and Academic Services Manager
- Program Manager
- Discipline Lead
- Student Counsellor
- Student Learning Advisor
- Quality and Compliance Manager
- or as nominated by the Chair

The Committee will review the appeal upon receipt of the written appeal within the timeframe as outlined in steps 2, 3 and 4, and will inform the appellant of the outcome of this decision in writing. The Committee may ask either the appellant or respondent (or both) to present their case in person to the Committee.

Appeals can be directed to the relevant campus Appeals Committee via email – refer Appeals Email address (section 6.1)

## 8 External Appeal

Where the appellant is unsatisfied with the outcome of a formal appeal to Curtin College Appeals Committee, they may seek an external appeal. The purpose of the external appeal process will be to consider whether the College has followed its policies and procedures. The external appeal will not make a decision in place of the College.

### 8.1 International Students enrolled at an Australian campus:

The *Commonwealth* Ombudsman can investigate complaints about action taken by private providers in connection with overseas students.

*If you wish to lodge an external appeal about the College Appeals Committee's decision, you can contact the Commonwealth Ombudsman. The Commonwealth Ombudsman offers a free and independent service for overseas students who want to lodge an external appeal about a decision made by their private education or training provider.*

Refer to the Commonwealth Ombudsman website [www.ombudsman.gov.au](http://www.ombudsman.gov.au) or phone 1300 362 072 for more information.

Appeals are to be lodged with the *Commonwealth Ombudsman* within 10 working days of the date of the outcome of an appeal to the College's Appeals Committee. The appellant must also notify the College of the lodgement of an external review. The external appeal agency may charge the appellant a fee for service to lodge an external appeal.

## 8.2 Domestic Students (Australia):

Domestic students can lodge an external appeal through:  
Department of Commerce – Consumer Protection  
Phone: 1300 304 054 or complete the online complaint form:  
<http://forms.commerce.wa.gov.au/consumer-protection/complaint>

The independent reviewer will review the processes (not the decision) undertaken in the case, seeking input from all parties before making recommendations to Curtin College.

## 8.3 Students enrolled at non-Australian campuses

A person may make a complaint to an independent external body or tribunal at any time. A person will be informed of these agencies upon receiving the outcome of a Formal Appeal.

## 9 Administrative procedures

9.1 This procedure is accessible through the Curtin College [website](#)

9.2 Review of Appeals - The Academic Director will conduct a review of the appeals register at the completion of each study period to identify trends and subsequently report on those trends to the College Leadership Team.

## 10 Definitions

Refer to the 'Glossary of Terms' on the Curtin College [website](#).

## 11 Review

This Procedure will be reviewed in line with the Quality and Continuous Improvement register.

## 12 Records Management

All records in relation to this document will be managed as follows:

Record type	Owner	Location	Retention	Disposal
Procedure	Academic Director	Policy HUB and College website	Permanently until reviewed and replaced	Archived in the Policy HUB's archive