

University Appeals Committee Constitution

Committee of Academic Committee established by Council: 7 April 2015.

As per the Academic Committee constitution, the Academic Committee has the authority to approve changes to the constitutions of its sub-committees.

Previous version approved by Academic Committee: 05/2023 (16 November), 2023/0000327.

Current version approved by Academic Committee: 01/2024 (21 March), 2024/0000777.

Interpretation

1. In this constitution, references to academic elements and academic management positions are as defined in the Structure and Governance of Academic Groups of the University.
2. In this constitution, any reference to 'the Committee' means the University Appeals Committee.

Role

3. The University Appeals Committee is the body within the University responsible for making a determination following the lodgment of specified appeals by students under the University's Student Review and Appeals Policy and Student Review and Appeals Procedures.
4. In undertaking its role, the Committee contributes to the University meeting the requirements of the following Standards of the Higher Education Standards Framework (Threshold Standards) 2021 (HESF 2021):
 - a) Domain 2 Learning Environment
 - Standard 2.4
 - b) Domain 4 Research and Research Training
 - Standard 4.2
 - c) Domain 5 Institutional Quality Assurance
 - Standard 5.2
 - d) Domain 6 Governance and Accountability
 - Standard 6.2

Functions

5. The Committee is responsible for making determinations on student appeals in relation to the following academic and administrative decisions at the University:
 - a) Exclusion for unsatisfactory progress.
 - b) Restricting a student's participation or completion of required professional practice.
 - c) Imposing an involuntary leave of absence due to an Unfit to Study finding. Penalties and findings of academic or serious general misconduct for undergraduate and postgraduate coursework students.
 - d) Penalties for, and findings of, academic or serious general misconduct against Higher Degree Research students.
 - e) Honours classification or the grade awarded for the dissertation in Bachelor Honours

degrees.

- f) Termination of enrolment in a professional program due to restriction against the student undertaking professional practice.
 - g) Termination of enrolment due to an Unfit to Study finding.
 - h) Termination of Honours candidature.
 - i) Termination of Higher Degree Research candidature.
 - j) Eligibility to graduate.
 - k) In the case of graduates whose award had been revoked for academic misconduct, graduates may also bring appeals against the revocation decision to this Committee.
6. The Chair of the Committee may act executively on behalf of the Committee in performing the above functions. The Chair's executive decisions are reported to the next meeting of the Appeals Committee for ratification. The Chair has the authority to constitute the membership of the Appeals Committee for any meeting of the Committee.

Membership

7. The University Appeals Committee comprises six members, appointed by the Vice Chancellor, as follows:
- a) A senior academic staff member as Chair.
 - b) Two academic staff members.
 - c) Two students, one of whom is to be a postgraduate student, appointed by the Vice Chancellor from an expression of interest process.
 - d) A member, who is not a student or staff member, that may or may not be a member of Council.
8. The role of the members is to assist the Chair in carrying out the functions of the Committee on occasions when the Committee is convened.
9. The Committee will also have the following reserve members, any of whom may participate in the University Appeals Committee whenever a member must step aside or is not available:
- a) Academic staff members, or external qualified members, appointed by the Vice Chancellor as reserve members.
 - b) Student members, appointed by the Vice Chancellor from an expression of interest process as reserve members.
10. One of the academic staff members appointed under section 7(b) is appointed as Reserve Chair to act in the role of the Chair in appeals where the Chair must step aside or is not available.

Terms of Office

11. All members of the Committee shall normally serve for a period of 2 years, up to 31 December.
12. All members will be eligible for reappointment.

Conflicts of Interest

13. A Committee member who has a conflict of interest must declare the conflict of interest immediately upon becoming aware of it in accordance with the University's *Conflict of Interest Policy*.

14. Where a member of the Committee (including the Chair) has a direct or indirect interest in an appeal, the member must advise the Secretary of the Committee. In this event, a reserve member is called upon.

Secretary

15. The Registrar may nominate a Secretary to the Committee who will have rights of audience and debate.
16. The Secretary's functions include, but are not limited to:
- Calling meetings of the committee, including preparing the agenda for each meeting in consultation with the Chairperson.
 - Keeping minutes of each meeting and recording apologies.
 - Preparing the minutes for distribution post-meeting.
 - Maintaining the register of members of the Committee.

Meeting Procedures

17. The Committee will be convened as required.
18. In determining the outcome of an appeal, the Committee has the power to take the following actions:
- Deem the appeal to be invalid.
 - Dismiss the appeal and affirm the decision in its original form.
 - Uphold the appeal and set aside, substitute or vary the decision or penalty.
 - Find that the appeal presented by the student constitutes sufficient justification to require the original Decision-maker to take certain actions in order to review the original decision and report back to the Committee. In this case, the appeal is held over to a future meeting of the Committee, and the student must first be given access or an opportunity to inspect all further documents before the Committee and a reasonable opportunity to provide any written response.
 - Request further information from the student, the Dean (Learning and Teaching), the Dean (Research), Deputy Registrar or other relevant person. In this case, the appeal is held over to a future meeting of the Committee, and the student must first be given access or an opportunity to inspect all further documents before the Committee and a reasonable opportunity to provide any written response.
 - Take such other action which, in the opinion of the University Appeals Committee, will assist the resolution of the appeal.
19. The Chair of the University Appeals Committee, in acting executively on behalf of the Committee, has the power to take any of the above actions. The Chair may decide to refer the student's appeal to the Committee where necessary.
20. The outcome of the Committee's deliberations will be a report setting out the appeal decision, the modifications to the original decision where appropriate, and the reasons for the decision.
21. The decisions of the Committee are final, and there is no further recourse to appeal within the University.

Quorum

22. The quorum for a meeting of the University Appeals Committee will be three persons, including one student.



23. As far as reasonably practicable, the postgraduate student member should be present when the University Appeals Committee is considering an appeal from a postgraduate student.

Annual Report

24. The University Appeals Committee will prepare an Annual Report, which will include a statistical summary of its business at the end of each financial year, for consideration by the Academic Committee.