



# VET Academic Appeals

**Policy number: QD10**

**Version: 2.4**

**Policy Owner: General Manager, Organisational Services**

**Subject Expert: Director Quality and Development**

**Next review date: 25 September 2024**

---

## 1. PURPOSE

South Metropolitan TAFE (SM TAFE) is committed to providing quality assessment to students enrolled in vocational education and training programs. The College will ensure that students have a mechanism for lodging assessment appeals and a process to achieve a successful resolution in a timely manner.

There is no charge to the student for an informal or formal appeal.

Policy Objectives:

The objectives of this policy are to ensure that:

- student assessment appeals are dealt with to ensure the principles of natural justice and procedural fairness are adopted at every stage of the appeal process
- the VET Academic Appeal Policy and procedure is made publicly available
- if the appeal outcome is unsuccessful, then there is an opportunity for an independent external review
- decisions are impartial, transparent and capable of review
- assessment appeals are managed consistently within the requirements.

Where an appeal is made by an international student, the International Students Complaints and Appeals Policy by TAFE International Western Australia (TIWA) should be followed.

## 2. SCOPE

This policy applies to:

- all students undertaking assessments of vocational education and training programs at SM TAFE including training delivered by third party providers through contract arrangements
- academic and professional staff (including contracted and casual staff) with the responsibility of designing, administering and making decisions and undertaking reporting relating to assessment of vocational programs provided by the College.

## 3. POLICY GOVERNANCE

- Standards for Registered Training Organisations (2015)
- Complaints and Feedback Policy PL04 (SM TAFE)
- International Students Complaints and Appeals Policy TAFE International WA
- Australian Qualifications Framework (AQF)
- VET Fees and Charges Policy (Department Training and Workforce Development)



## VET Academic Appeals

### 4. KEY TERMS

Australian Qualifications Framework	The national policy for regulated qualifications in Australian education and training. It incorporates the qualifications from each education and training sector into a single comprehensive national qualifications framework.
Natural justice and procedural fairness	<p>Requires that a fair and proper procedure to be used when making a decision. It requires:</p> <ul style="list-style-type: none"> <li>• There is an inquiry into matters in dispute;</li> <li>• There is a lack of bias;</li> <li>• Decision makers act fairly and provide reasons for decisions;</li> <li>• The person affected is given a fair hearing appropriate to the circumstances;</li> <li>• All parties to a matter have the opportunity to present their case;</li> <li>• All relevant arguments are considered; and</li> </ul> <p>The decision, the reasons for the decision and the evidence upon which the decision is made, are explained and are capable of review.</p>
Record	A written, printed or electronic document providing evidence that activities have been performed.
Third party	<p>Any party that provides services on behalf of SM TAFE including auspicing arrangements</p> <p>(TS07) includes any entity (person or corporate) who:</p> <ul style="list-style-type: none"> <li>• is not an enrolled SMTAFE student directly involved in the provision of labour in the live work activity and;</li> <li>• is not an SMTAFE employee directly involved in the supervision or management of the 'live work' activity; and,</li> <li>• may provide goods, premises or intellectual property for an activity involving enrolled SMTAFE students where there is a contractually agreed obligation to reimburse the college for the cost of materials used in the activity; or,</li> </ul> <p>may be a recipient of a personal service provided by a college activity</p>

### 5. PRINCIPLES

**5.1** Prior to commencing a formal appeal, a student should meet with the lecturer, and/or course/unit coordinator or portfolio manager for an informal review and to discuss concerns.

**5.2** Students have the right to challenge an assessment decision if they have reason to believe that an assessment result or outcome is incorrect.



## VET Academic Appeals

- 5.3** Students are to be informed of their right to appeal an assessment decision.
- 5.4** Students have a right to have an advocate such as a family member, friend, or counsellor present at any meetings during the appeals process.
- 5.5** Students have a period of four weeks (20 working days) from notification of their assessment result to lodge an appeal.
- 5.6** Requests for appeal must be acknowledged in writing and finalised as soon as practicable but within 20 working days.
- 5.7** A student has the right to seek guidance, advice, and support from an appropriate source. The student has the right to present their case and provide evidence.
- 5.8** No student will experience discrimination as a consequence of appealing an outcome.
- 5.9** The College will ensure that the process for lodging an appeal is clear, does not disadvantage the student and explains what will happen.
- 5.10** Where the College considers more than 20 working days are required to process the appeal:
- the appellant is informed, in writing, including reasons why more than 20 working day are required and
  - the appellant is regularly updated on the progress of the matter.
- 5.11** The College will ensure the principles of natural justice and procedural fairness are adopted at every stage of the appeal process.
- 5.12** If the student making the appeal is unsatisfied with the outcome of the informal process (with lecturer / HOP / PM), the student can lodge a Formal Academic Appeal for a VET Academic Appeals Committee to review.
- 5.13** If the student remains unsatisfied with the outcome after review and determination by the VET Academic Appeals Committee, SM TAFE will refer the student to the office of the Ombudsman WA.
- 5.14** If the grievance is related to a Commonwealth VET Student Loan, and the student remains unsatisfied after review by the VET Academic Appeals Committee, the student may further appeal this decision by lodging an appeal with the Administrative Appeals Tribunal within 28 working days from SM TAFE's written notice.
- 5.15** If the grievance is related to an International student, and the student remains unsatisfied after review by the VET Academic Appeals Committee, the matter will be referred to the Manager, Student Services and Compliance at TAFE International Western Australia.
- 5.16** The College will securely maintain records of all appeals and their outcomes.
- SM TAFE VET Academic Appeals Committee (VET AAC)
- 5.17** Where a formal appeal is submitted, the Director Quality and Development (Chair) will convene a review for the SM TAFE VET Academic Appeals Committee within 15 days of the receipt of the written appeal, The Director Quality Development shall:
- (I) notify the student of receipt of the appeal within five working days
  - (II) convene and state the time, date and location of the VET Academic Appeals Committee (VET AAC)
  - (III) request the student to provide any further evidence to support their appeal (if required)
  - (IV) notify the student that they may have an advocate



## VET Academic Appeals

- (V) provide a written statement of the appeal outcome, including the Committee's reasons for the decision.
- (VI) advise the student of the outcome of their appeal within 20 working days of lodging the formal appeal
- (VII) advise the student that there is no cost to lodge an appeal.

**5.18** The following applies to the SM TAFE VET Academic Appeals Committee:

- (I) committee members will have no previous involvement with the matter under appeal
- (II) the Committee membership will comprise a minimum of three members including the Chair

## 6. DOCUMENTS SUPPORTING THIS POLICY

### 6.1 Policies

- PC01 Staff Code of Conduct Policy
- PL04 Complaints and Feedback Policy

### 6.2 Procedures

- QD1001 VET Academic Appeals Procedure

### 6.3 Forms

- QD100102 Formal VET Academic Appeal Outcome Form
- QD100103 Informal VET Academic Appeal Form

### 6.4 Other

- Guidelines SM TAFE and Independent VET Academic Appeal Committees
- VET Student Loans Rules 2016

## 7. POLICY REVIEW AND COMMUNICATION

All staff will be notified of new policies and policy changes and the documents will be available on the QMS.

## 8. POLICY APPROVAL

Approved and Endorsed:

Terry Durant

Managing Director

Date: 8/02/2017

## 9. DOCUMENT HISTORY AND VERSION CONTROL



## VET Academic Appeals

Version	Date Approved	Approved by	Brief Description
V1.0	8/02/2017	Managing Director	VET Academic Appeals
V1.0	N/A	N/A	Policy was reviewed 15/03/2018 by subject expert. No major or minor changes were made.
V1.1	26/09/2019	General Manager Organisational Services	Updates to Policy Objectives and 5.12. 5.4,5.13, 5.14 and 5.15 added.
V2.0	25/09/2020	General Manager Organisational Services	Full policy set review with minor updates to the policy.
V2.1	23/02/2021	Director Quality and Development	QD1002 flowchart amalgamated with QD1001 VET Academic Appeals procedure
V2.2	27/04/2021	Director Quality and Development	Minor updates in the procedure: Informal Academic Appeal – Step 1.9
V2.3	11/05/2022	Managing Director	6.1 updated – Directorate title change, Human Resources to People and Culture
V2.4	19/12/2022	Director Quality and Development	Full policy set review – minor updates made

•