

Appendix A: The Appeal Form

This form is to be used in respect of all Griffith College appeals. Persons involved should also read the Appeals Procedure (QAE E15) and the notes attached herewith. The appeal form must be submitted to the Quality Assurance and Enhancement Office within 10 working days of receiving notification of the decision that is being appealed against. In the case of appeals relating to the late submission of assessed work, this period is reduced to 1 working day.

Section 1: LEARNER PERSONAL DETAILS

Learner Number:

Surname: _____ Forenames: _____

Study Mode: Full-time Part-time

Home Address Line 1: _____

Line 2: _____

Faculty: _____ Daytime Telephone Number _____

Date: ___ / ___ / _____ Email: _____

Section 2: TYPE OF APPEAL *(Please refer to the Appeal Form Notes Attached)*

Please tick (✓) as appropriate the decision being appealed

Decision	<input checked="" type="checkbox"/>
Admission	<input type="checkbox"/>
Recognition of Prior Learning	<input type="checkbox"/>
Late submission of Assessed Work	<input type="checkbox"/>
Deferral	<input type="checkbox"/>
Learner Disciplinary	<input type="checkbox"/>
Academic Misconduct	<input type="checkbox"/>
Exam Board Deliberation	<input type="checkbox"/>
Desk Based Review	<input type="checkbox"/>
Decision of Appeal Board	<input type="checkbox"/>

Section 3: CLAIMED GROUNDS FOR APPEAL.

Please state your grounds for appeal: _____

Please tick (✓) as appropriate under which grounds your appeal falls *(see notes attached where permitted grounds are listed for each appeal situation)*

Grounds 1 Grounds 2 Grounds 3 Grounds 4

Additional Documentation Attached: Tick (✓) as appropriate: Yes No

Section 4: PRESIDENTIAL APPEAL

Is this an appeal to the President's Appeal Committee? *(See notes attached)* Yes No

If 'Yes', an additional copy of this form should be submitted to the President's Office

Section 5: LEARNER DECLARATION

The Rights of Learners or Applicants at Disciplinary and Appeal Hearings

1. To be given 10 days' advance notice of the appeal hearing (or less if agreed by all parties) in order to ensure that he/she can attend and, should he/she wish, organise representation
2. A learner who is the subject of disciplinary proceedings or a disciplinary hearing in relation to academic misconduct is entitled to a clear statement of the alleged offence or alleged academic misconduct. In the case of any offence or misconduct that could lead to the expulsion of the learner from the College or him or her being withdrawn from a programme within the College the statement must be given 10 days in advance. In all cases where a learner is presented with a statement of the alleged offence or alleged academic misconduct on the date of the hearing the learner shall be entitled to request adjournment of the hearing to prepare his or her defence.
3. The right to attend the hearing. If a learner fails to attend the hearing, the hearing shall proceed in the absence of the learner.
4. The right to be represented at a hearing by a fellow learner, a staff member, a relative, a friend, an adviser or a legal representative. A learner who chooses not to be represented shall be requested at the hearing to confirm in writing that he/she has been informed of his/her right of representation and has declined to exercise it
5. The right to request sight prior to the meeting of evidence to be presented at the relevant hearing, to hear and see the evidence presented, to challenge the evidence on cross-examination and to present his/her own evidence.

Learner Declaration:

I have read the rights listed in brief above and the full rights attached and I understand them.

I wish / do not wish (delete as appropriate) to be represented at the meeting.

Learner Signature: _____

Date: ____ / ____ / ____

For Office Use Only

Date Received by Quality Assurance and Enhancement Office: ____ / ____ / ____

Outcome of Desk-based review: **Appeal Valid** **Appeal Invalid**

Learner Informed of Desk Review Outcome:

Action Followed: _____

Copy Forwarded to:

Admissions Officer/Registration Manager (Admissions or RPL)

Relevant Programme Director (Late submission of Assessed Work)

Director of Academic Programmes (Deferrals, Disciplinary and Academic Misconduct)

Examinations Office (Examination Board)

Relevant Appeal Panel

President's Office (President's Appeal Panel)

Appeal Upheld **Appeal Dismissed**

Learner Informed of Appeal Outcome

Any other comments: _____

Quality Assurance and Enhancement Officer Signature: _____

Date: ____ / ____ / ____

/____

APPEAL FORM NOTES

Section 2: TYPE OF APPEAL:

A learner is permitted to appeal the outcome of the following procedures in operation in the College:

Recognition of Prior Learning Procedure (QAEC3)

Procedure for extensions on Deadlines for the Submission of Assessed Work and Late Submission Penalties (QAE7)

Deferrals Procedure (QAEC4)

Learner Disciplinary Procedure (QAEJ5)

Academic Misconduct Procedure (QAE J6)

Exam Board Procedure (QAE14)

Desk-Based Review (QAE15)

Appeals procedure (QAE15)

All of these procedures can be found in the Griffith College QAE manual. It is necessary that the procedure relating to your case be read in conjunction with the appeals procedure prior to proceeding with your appeal.

Section 3: GROUNDS FOR APPEAL

There are several grounds upon which an appeal may be granted. For each of the procedures above these grounds differ slightly and are listed below. Please note that in the absence of grounds for appeal and supplying evidence where appropriate, the appeal will be rejected.

Grounds for Appeal Quick Reference

Grounds for Appeal	Applied to Procedure
The applicant believes there was a procedural irregularity	Admission Recognition of Prior Learning Procedure/ (QAEC3) Procedure for extensions on Deadlines for the Submission of Assessed Work and Late Submission Penalties(QAE E7) Deferrals Procedure (QAEC4) Learner Disciplinary Procedure (QAEJ5) Academic Misconduct Procedure (QAEJ6) Exam Board Procedure (QAE14) Desk-based Review (QAE15) Appeals Procedure (QAE15)
The applicant wishes to appeal against the College's admission criteria or RPL criteria.	Admission Recognition of Prior Learning Procedure/ (QAEC3)
The learner believes the decision is manifestly unreasonable	Procedure for extensions on Deadlines for the Submission of Assessed Work and Late Submission Penalties(QAE E7) Deferrals Procedure (QAEC4) Desk-based Review (QAE15)
That the penalty imposed was too severe given the circumstances of the case	Learner Disciplinary Procedure (QAEJ5) Appeals Procedure (QAE15) Academic Misconduct Procedure (QAEJ6)

Grounds for Appeal	Applied to Procedure
The learner wishes to appeal on the grounds of academic misconduct	Academic Misconduct Procedure (QAEJ6)
The learner wishes to present additional documentation / evidence or information	Admission Recognition of Prior Learning Procedure/ (QAEC3) Procedure for extensions on Deadlines for the Submission of Assessed Work and Late Submission Penalties(QAE E7) Deferrals Procedure (QAEC4) Learner Disciplinary Procedure (QAEJ5) Academic Misconduct Procedure (QAEJ6) Exam Board Procedure (QAE14) Desk-based Review (QAE15) Appeals Procedure (QAE15)
The applicant wishes to appeal against the manner in which the admissions or RPL criteria were applied.	Admission Recognition of Prior Learning Procedure/ (QAEC3)
The learner believes there was a breach of natural justice	Admission Recognition of Prior Learning Procedure/ (QAEC3) Procedure for extensions on Deadlines for the Submission of Assessed Work and Late Submission Penalties(QAE E7) Deferrals Procedure (QAEC4) Learner Disciplinary Procedure (QAEJ5) Academic Misconduct Procedure (QAEJ6) Exam Board Procedure (QAE14) Desk-based Review (QAE15) Appeals Procedure (QAE15)

For more detailed grounds please refer to the table ‘Grounds by Procedure’ below

GROUND BY PROCEDURE

There are several grounds upon which an appeal may be granted. For each of the procedures above these grounds differ slightly and are listed below. Please note that in the absence of grounds for appeal and supplying evidence where appropriate, the appeal will be rejected.

Procedure	Grounds for Appeal 1	Grounds for Appeal 2	Grounds for Appeal 3	Grounds for Appeal 4	Grounds for appeal 5
Admission Appeal Procedure (QAEC2) Recognition of Prior Learning Procedure/ (QAEC3)	The applicant believes there was an irregularity in the manner in which a query or an application for admission was considered or in which prior learning was evaluated.	The applicant wishes to appeal against the College’s admission criteria or RPL criteria.	The applicant wishes to present additional documentation in support of his/her original admission or RPL application. In this case the applicant must also show good reason why such documentation could not have been made available previously.	The applicant wishes to appeal against the manner in which the admissions or RPL criteria were applied.	There is a breach of natural justice

Procedure	Grounds for Appeal 1	Grounds for Appeal 2	Grounds for Appeal 3	Grounds for Appeal 4	Grounds for appeal 5
Procedure for extensions on Deadlines for the Submission of Assessed Work and Late Submission Penalties (QAE E7)	The learner believes that there was an irregularity in the manner in which the extension application was considered	The learner believes the decision regarding the extension application is manifestly unreasonable	The learner wishes to present additional documentation in support of his/her original grounds for application. In this case, the learner must also show good reason why such documentation could not have been made available previously.	There is a breach of natural justice	
Deferrals Procedure (QAE C4)	The learner or applicant believes that there was an irregularity in the manner in which the deferral application was considered	The learner or applicant believes the decision regarding the deferral application is manifestly unreasonable	The learner or applicant wishes to present additional documentation in support of his/her original grounds for application. In this case the learner or applicant must also show good reason why such documentation could not have been made available previously.	There is a breach of natural justice	
Learner Disciplinary Procedure (QAE J5)	A material procedural irregularity which, had it not occurred, might have impacted significantly on the validity of the original hearing and the subsequent penalty	That the penalty imposed by the disciplinary hearing was too severe bearing in mind the circumstances of the case	The learner wishes to present new evidence or information of mitigating circumstances which were not known to the Disciplinary Board. In this case the learner must also show good reason why such circumstances could not have been made known prior to or at the Disciplinary Hearing.	There is a breach of natural justice	
Academic Misconduct Procedure (QAE J6)	A material procedural irregularity which, had it not occurred, might have impacted significantly on the validity of the original hearing and the	The learner wishes to appeal against a decision to penalise him/her on the grounds of academic misconduct	The learner wishes to present information of mitigating circumstances which were not known to the Examination Board. In this case the learner must also show good reason why such circumstances could not have been made known prior to or at the	That the penalty imposed by the Examination Board was too severe bearing in mind the circumstances of the case.	There is a breach of natural justice

Procedure	Grounds for Appeal 1	Grounds for Appeal 2	Grounds for Appeal 3	Grounds for Appeal 4	Grounds for appeal 5
	subsequent penalty		Examination Board meeting		
Exam Board Procedure (QAE14)	The learner believes that there was a non-academic irregularity in the manner in which his/her assessments were conducted		The learner wishes to present information of mitigating circumstances which were not known to the Examination Board. In this case the learner must also show good reason why such circumstances could not have been made known prior to or at the Examination Board meeting.	There is a breach of natural justice	
Desk-based Review (QAE15)	A material procedural irregularity which, had it not occurred, might have impacted significantly on the validity of the desk-based review	A Learner may appeal the decision of the desk based review on the grounds that the decision is manifestly unreasonable.	That the appellant would be reasonably entitled to an appeal on the merits of his/her case	The learner wishes to present information of mitigating circumstances which were not known to the desk-based reviewer. In this case the learner must also show good reason why such circumstances could not have been made known prior to or at the desk-based review.	There is a breach of natural justice
Appeals Procedure (QAE15)	A material procedural irregularity which, had it not occurred, might have impacted significantly on the validity of the original hearing and the subsequent penalty	That the penalty imposed by the disciplinary or appeal hearing was too severe bearing in mind the circumstances of the case	The learner wishes to present information of mitigating circumstances which were not known to the relevant Appeal Board. In this case the learner must also show good reason why such circumstances could not have been made known prior to or at the Appeal Board or in any previous correspondences made in respect of the Appeal.	There is a breach of natural justice	

Section 4: Presidential Appeal.

In cases of appeals that propose a penalty of expulsion, withdrawal from a course, or are regarded as gross academic misconduct, there is a final option of appeal to the Presidential Appeals Committee.

Section 5: Learner Declaration

The Rights of Learners or Applicants at Disciplinary and Appeal Hearings

Right of Attendance & Representation

Learners or applicants shall have the following rights in relation to disciplinary and appeal hearings:

(1) To be given 10 days advance notice of the appeal hearing (or less if agreed by all parties) in order to ensure that he/she can attend and, should he/she wish, organise representation. The notice shall state the time and venue of the hearing and shall specify the learner's rights in relation to the hearing.

(2) A learner who is the subject of disciplinary proceedings or a disciplinary hearing in relation to academic misconduct is entitled to a clear statement of the alleged offence or alleged academic misconduct. In the case of any offence or misconduct that could lead to the expulsion of the learner from the College or him or her being compelled to withdraw from a programme within the College, this statement shall be given to the learner at least 10 days (or such shorter notice as shall be agreed by the learner and the disciplinary board) in advance of the disciplinary hearing. In all other cases the statement must be given on or before the commencement of the disciplinary hearing. In all cases where a learner is presented with a statement of the alleged offence or alleged academic misconduct on the date of the hearing the learner shall be entitled to request adjournment of the hearing to prepare his or her defence.

(3) The right to attend the hearing. If a learner fails to attend the hearing, the hearing shall proceed in the absence of the learner.

(4) The right to be represented at a hearing by a fellow learner, a staff member, a relative, a friend, an adviser or a legal representative. A learner may choose to be accompanied by a translator. Any costs associated with legal representation or translation of the learner or applicant shall be borne by the learner or applicant unless the Disciplinary or Appeal Board otherwise determines. A representative may speak on behalf of the learner. A learner who chooses not to be represented shall be requested at the hearing to confirm in writing that he/she has been informed of his/her right of representation and has declined to exercise it.

(5) The right to request sight prior to the meeting of evidence to be presented at the relevant hearing, to hear and see the evidence presented, to challenge the evidence on cross-examination and to present his/her own evidence.