

# Pre-enrolment Appeal Procedure

**Policy Code: CG1961**

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## Purpose

This procedure provides a framework for Federation University Australia to respond to pre-enrolment appeals by applicants in a way that ensures integrity of selection and offers decisions within a learning environment that is consistent with the principles of fairness, equal opportunity and natural justice:

- All parties shall have the right to be heard
- All relevant submissions and evidence shall be considered
- Matters that are not relevant shall not be taken into account
- The decision-maker shall not be biased or appear to be biased.

## Scope

This procedure is applicable to unsuccessful applicants of Federation University Australia.

This procedure covers all programs and courses under The University's Statute 5.1, Schedule 5.1 and non-award courses.

Rights to appeal under this procedure do not apply to the University's assessment of applications for Streamlined Visa Processing (SVP) purposes).

## Legislative Context

- Federation University Act 2010

- [Statute 2.2 - Academic Board](#)
- Regulation 2.2 Appeals Committee
- Statute 5.1 – Academic Awards and Courses
- Schedule 5.1 Current Programs
- Statute 5.2 – Entry Quotas, Admissions and Enrolment
- Regulation 5.2 – Entry Quotas, Admissions and Enrolment
- [Statute 5.6 - Admission to and Granting of Academic Awards](#)
- Regulation 5.6 Admission to and Granting of Academic Awards
- Australian Qualifications Framework (AQF)
- Australian Skills Quality Authority (ASQA)
- Tertiary Education Quality Standards Agency (TEQSA) Threshold Standards 2011

## Definitions

A complete list of definitions relevant to this procedure is contained within the [Student Appeal Policy](#).

## Actions

### 1. Confidentiality and Privacy

Any pre-enrolment appeal received must be treated by all parties as strictly confidential – refer [Information Privacy Policy](#).

Information forming part of the pre-enrolment appeal shall only be discussed with, or made available to, a person who:

- Is a party to the appeal
- Is or has been legitimately involved in the management of that appeal; or
- Has a formal management role in following up the consequences or implications of the appeal

Parties must be aware of the consequences if there is a breach of confidentiality, which may include disciplinary action.

### 2. Handling a Complaint

	ACTIVITY	RESPONSIBILITY	STEPS
A.	Appeal against selection decision - verbal	All relevant staff	<ol style="list-style-type: none"> <li>1. If the issue cannot be resolved through initial discussion, the complainant shall be requested to formalise the matter in writing</li> <li>2. Verbal complaints/appeals from unsuccessful applicants against a selection decision will not be accepted nor acknowledged</li> </ol>

	ACTIVITY	RESPONSIBILITY	STEPS
B.	Written complaint received by staff member at local level	Staff member	<ol style="list-style-type: none"> <li>1. If a written complaint is received, the staff member will re-direct the complaint to the responsible Dean/Executive Director</li> <li>2. Acknowledge the complaint in writing within five working days of receipt</li> </ol>
C.	Complaints involving a Partner Provider	Centre for University Partnerships	<ol style="list-style-type: none"> <li>1. If an on-shore or off-shore written complaint is received, appropriate steps should be taken to avoid disadvantaging the applicant during the investigation and resolution process</li> <li>2. Advise the Partner Provider and involve representative/s of the organisation in the resolution process</li> <li>3. Acknowledge the complaint in writing within five working days of receipt</li> </ol>

## 3. Review the Complaint

	ACTIVITY	RESPONSIBILITY	STEPS
A.	Review the complaint	Dean /Executive Director or delegate	<ol style="list-style-type: none"> <li>1. An appeal against a selection decision by a prospective student may be dismissed as lacking in substance if the decision is consistent with the published selection criteria, or if the complainant meets the published selection criteria but was declined entry in favour of better qualified applicants</li> <li>2. Investigate the complaint, if required by conducting a full review of: <ul style="list-style-type: none"> <li>• The program selection criteria</li> <li>• The University's entry requirements</li> <li>• The Program entry requirements; and</li> <li>• The applicant's eligibility for the program</li> </ul> </li> </ol>

	ACTIVITY	RESPONSIBILITY	STEPS
			<ul style="list-style-type: none"> <li>The selection process</li> <li>Offers of admission made for the program</li> </ul>
			3. Record the findings
B.	Seek guidance	Dean /Executive Director or delegate	1. Seek guidance from Legal Office as required
C.	Report findings	Dean /Executive Director or delegate	1. Submit report to Academic Board Executive

## 4. Notify the Complainant

	ACTIVITY	RESPONSIBILITY	STEPS
A.	Notify complainant	Executive Officer responsible	<ol style="list-style-type: none"> <li>1. Notify the complainant in writing, of the outcome of the investigation undertaken</li> <li>2. If the outcome is not accepted, advise of other external mechanisms available, such as the Victorian Ombudsman</li> </ol>

## 5. Recording Outcome

	ACTIVITY	RESPONSIBILITY	STEPS
A.	Appeal record	Executive Officer responsible	<ol style="list-style-type: none"> <li>1. Record information about the applicant's complaint and outcome in the Legal Office register for such purpose</li> <li>2. Refer Records Management (below) for correct storage and destruction of individual documents in accordance with the Public Records Office Victoria's <i>Retention and Disposal Schedule for Higher and Further Education Institutions</i></li> </ol>

## 6. Process Improvement

	ACTIVITY	RESPONSIBILITY	STEPS
A.	Analysis of the issue	Dean /Executive Director or delegate	<ol style="list-style-type: none"> <li>1. Involve stakeholders in the root cause analysis</li> <li>2. Develop an improvement plan to address future occurrences of the issue</li> </ol>

	ACTIVITY	RESPONSIBILITY	STEPS
			3. Amend the relevant University procedure 4. Implement and monitor improvement plan every two years

## Supporting Documents

- [Student Appeal Policy](#)
- [Student Appeal Procedure](#)
- Application and Enrolment Policy (in draft)
- [Higher Education Admission: Selection and Offers Procedure](#) (in draft)
- [International Admissions Procedure](#)
- [VET Enrolment Procedure](#)
- [Learning and Teaching Policy](#)

## Responsibility

- Academic Board is responsible for monitoring the implementation, outcomes and scheduled review of this procedure.
- Chair, Academic Board is responsible for maintaining the content of this policy as delegated by Academic Board.
- Secretariat is responsible for the administration support for the maintenance of this policy as directed by the Chair, Academic Board.

## Promulgation

The [Pre-enrolment Appeal Procedure](#) will be communicated throughout the University community in the form of:

- An Announcement Notice via FedNews website and on the 'Recently Approved Documents' page on the 'Policies, Procedures and Forms @ the University' website to alert the University-wide community of the approved Procedure.
- Learning and Teaching Committee
- Staff Induction Program
- Academic Induction Program

## Implementation

The [Pre-enrolment Appeal Procedure](#) will be implemented throughout the University via:

- Information Sessions; and/or
- Training Sessions; and/or

## Records Management

Title	Location	Responsible Officer	Minimum Retention Period
Written appeal received from applicant	School or University's approved record keeping system	Dean /Executive Director or delegate	Destroy <b>one year</b> from the date received
Register item	University's approved record keeping system	Executive Officer to Director, Corporate Governance	<b>Permanent</b>
Investigative records	School or University's approved record keeping system	Dean /Executive Director or delegate	Destroy <b>one year</b> from the date of investigation
Report submitted to Academic Board Executive	University's approved record keeping system	Dean /Executive Director or delegate	<b>Permanent</b>
Response to complainant	University's approved record keeping system	Dean /Executive Director or delegate	Destroy <b>one year</b> from the date sent