

Student Appeals Procedure

Purpose and Scope

Provide the procedure and responsibilities for the management of appeals of decisions relating to a student.

This procedure applies to prospective and current students, and employees.

This procedure will not apply where a student seeks to appeal a decision relating to elections, parking, authorship attribution or employee conduct.

Overarching Policy

[Complaints Policy](#)

Procedure

Definitions

1. In this procedure, the following terms have the following meanings:
 - 1.1. “Cancelled” is defined as ‘cancellation’ in the [Enrolment Procedure](#).
 - 1.2. “Excluded” is defined as ‘exclusion’ in the [Student Integrity Regulations](#).
 - 1.3. “Expelled” is defined in the [Student Integrity Regulations](#).
 - 1.4. “Gender-based Violence” is defined in the [Gender-based Violence Prevention and Response Policy](#).
 - 1.5. “General Misconduct” is explained in the [Student Behavioural Integrity Policy](#), [Student General Misconduct Guidelines](#) and the [Gender-based Violence Prevention and Response Policy](#).
 - 1.6. “Immediately Excluded” means ‘immediate exclusion’ as explained in the [Student Integrity Regulations](#).
 - 1.7. “Person-centred” is defined in the [Complaints Policy](#).
 - 1.8. “Policy Document” is defined in the [Policy Governance and Management Policy](#).
 - 1.9. “Suspension” is defined in the [Student Integrity Regulations](#).
 - 1.10. “Terminated” is defined as ‘termination’ in the [Graduate Research Degrees Regulations](#).

- 1.11. "Trauma-informed" is defined in the [Complaints Policy](#).
- 1.12. "University Legislation" is defined in the [Policy Governance and Management Policy](#).
- 1.13. "Working Day" is defined in [Statute No. 8 – Interpretation](#).

General

- 2. Decisions may be appealed on the grounds that there is evidence that the student was disadvantaged through:
 - 2.1. relevant University Legislation or Policy Documents not being followed, or
 - 2.2. incorrect information being provided by the University in relation to the decision.
- 3. An appeal will be categorised as:
 - 3.1. administrative
 - 3.2. academic, and/or
 - 3.3. General Misconduct, if the submission has any connection to General Misconduct.
- 4. Information about how to make an appeal, including due dates, will be publicly available.
 - 4.1. Appeals may be made via multiple channels, for example, by phone, email or in-person.
- 5. Information provided through an appeal will be:
 - 5.1. collected, held and handled securely
 - 5.2. reviewed for completeness
 - 5.3. de-identified unless it is necessary for the recipient to know the identity of a person to fulfill a responsibility
 - 5.4. shared only if necessary to undertake the process.
- 6. Making an appeal is free of charge.
- 7. A student:
 - 7.1. may only appeal a decision once unless otherwise permitted
 - 7.2. may withdraw a submission at any time
 - 7.3. cannot have another person make an appeal on their behalf.
- 8. Before making an appeal, a student is encouraged to:
 - 8.1. contact the original decision-maker, their manager, or area that managed the case to resolve the matter informally
 - 8.2. follow any available review process outlined in a Policy Document
 - 8.3. engage with the Murdoch University Guild of Students or Murdoch University Postgraduate Student Association.
- 9. Information will be provided about any potential impact of:

- 9.1. providing de-identified information
- 9.2. placing restrictions on the sharing of information
- 9.3. ceasing involvement in the process.
10. An appeal categorised as:
 - 10.1. administrative or academic will be finalised as soon as practicable and within 30 Working Days of receipt of a submission, unless an extension is approved
 - 10.2. General Misconduct will be finalised as soon as practicable and within 20 Working Days of receipt of a submission, unless an extension is approved.
11. Employees and student representatives in a role responsible for managing or resolving the University's response to an appeal will undertake appropriate training in accordance with regulatory requirements and expectations.
 - 11.1. This training will be reviewed at least every three years.
12. A student's enrolment during an appeal may continue pending the outcome of the appeal, unless:
 - 12.1. the student has been Expelled, Excluded, or Immediately Excluded
 - 12.2. the decision relates to a work integrated learning placement.

Support and Wellbeing

13. An appeal will be:
 - 13.1. met with compassion, not judgement or blame
 - 13.2. taken seriously.
14. Students will be provided with information about confidentiality and support services.
15. Students may obtain independent professional advice and advocacy services.
16. Prior to taking action or making a decision, the preferences of those involved will be considered.
17. The number of times and depth of detail to which a person is asked to recount a potentially traumatic experience will be minimised.
18. A person who has witnessed or experienced General Misconduct may cease their involvement in an appeal at any time.
19. Where the appeal is related to Gender-based Violence, support will be provided and risks monitored and managed in accordance with the [Gender-based Violence Response Procedure](#).
20. Any person may be accompanied by a support person whenever they are asked about matters which are the subject of an appeal.
 - 20.1. The support person cannot act as a legal representative.
21. The transfer of appeals casework between employees will be minimised.
22. At any stage in the process any person may identify a need for consultation to ensure a practice is culturally safe, Trauma-informed or Person-centred.

23. Other Policy Documents, such as codes of conduct, provide protection against the risk of reprisal or victimisation for students and employees involved in an appeal.

Progress of an Appeal

24. An initial assessment of an appeal will be completed within seven Working Days.
 - 24.1. Appeals will be prioritised based on a risk assessment.
 - 24.2. An appeal will proceed where the grounds for appeal may potentially be met.
25. Within two Working Days of receipt of a submission by a person found to have acted with General Misconduct, written notice of the submission will be given to the person who originally shared information about their experience of that misconduct if they received notice of the original outcome.
 - 25.1. This notice will include information on potential outcomes of the appeal.
26. Written notice about whether an appeal will or will not proceed will be provided to the following on the same day:
 - 26.1. the student who made the appeal
 - 26.2. the original decision-maker and their line manager, or the area that managed the case
 - 26.3. the person who originally shared information about their experience of General Misconduct if they received notice of the original outcome,
 - 26.4. the person found to have acted with misconduct
 - 26.4.1. the person who originally shared information about their experience of the misconduct will be notified first.
27. Those involved will be kept informed about the progress of an appeal at agreed intervals, including any factors that may cause a delay.
28. An appeal may proceed alongside a related external process following consultation to assess and mitigate potential impacts.

Decision-makers

29. A decision-maker:
 - 29.1. will be selected in accordance with legislative requirements and expectations
 - 29.2. cannot have been involved in making the original decision.
30. Decision-makers and any person providing advice to decision-makers during an appeal cannot act as a support person for that appeal.
31. For panels:
 - 31.1. a quorum includes all members
 - 31.2. diversity of decision-makers will be demonstrated
 - 31.3. the final decision will be by majority vote.

Administrative Category

32. A single decision-maker will be selected.

Academic Category

33. Coursework panels and research panels will include the following voting members:
- 33.1. a chair
 - 33.2. a coursework or research pool member
 - 33.3. a Murdoch University Guild of Students or Murdoch University Postgraduate Student Association representative.
34. The chair, alternate chairs, and pool members will have a term of three years and no more than two consecutive terms.
35. The coursework and research pools will each include twelve academic employees with:
- 35.1. two from each College
 - 35.2. two from outside the Colleges.

General Misconduct Category

36. A General Misconduct appeal panel will include the following:
- 36.1. a minimum of three voting members:
 - 36.1.1. a chair
 - 36.1.2. representatives from:
 - 36.1.2.1. Chief Experience Office, for students
 - 36.1.2.2. Global Engagement portfolio, for students or Partner employees at transnational locations
 - 36.1.2.3. University Secretary Office, for those who are not students or employees
 - 36.1.2.4. General Misconduct pool
 - 36.1.2.5. external organisations, as needed
 - 36.2. a non-voting member:
 - 36.2.1. representative from Chief People Office, for employees.
37. For an appeal of a Gender-based Violence matter, appeal panel members must meet the panel capability requirements specified in the [Gender-based Violence Response Procedure](#).
38. The General Misconduct pool will include a minimum of three employees.

Consideration of the Appeal

39. Those responsible for managing or resolving an appeal will consult, as required, with:
- 39.1. subject matter experts

- 39.2. cultural advocates
- 39.3. a Trauma-informed and Person-centred practice advisor.
- 40. A discussion in relation to an appeal may be requested by the University or the student:
 - 40.1. reasonable notice will be given
 - 40.2. a discussion will include:
 - 40.2.1. the single decision-maker, or panel chair
 - 40.2.2. the student making the appeal
 - 40.2.3. a support person, if the student chooses to have one present
 - 40.3. a discussion will be recorded
 - 40.4. a written response may be made in place of taking part in a discussion.
- 41. All involved with an appeal will be given an opportunity to respond to matters relevant to them within a reasonable time frame.

Outcomes of an Appeal

- 42. An appeal will be successful where, based on the evidence, it is determined that it is more likely than not that the grounds for appeal has been met.
- 43. Where the appeal is successful, the single decision-maker or panel chair:
 - 43.1. will request that a role with delegated authority to make the original decision revisits the original decision which may include the reconsideration of outcomes
 - 43.2. may recommend that a role with delegated authority to make the original decision consider whether similar decisions made for other students require review
 - 43.3. may recommend an apology
 - 43.4. may recommend restorative engagement between the student and an appropriate University representative.
- 44. Within five Working Days of the decision, written notice will be provided to the student who made the appeal.
 - 44.1. If the appeal relates to General Misconduct, all parties to the case will be given the notice on the same day unless the person who originally shared information about their experience of that misconduct requests otherwise.
 - 44.2. The notice will include:
 - 44.2.1. the activities undertaken to manage the appeal
 - 44.2.2. the outcome, including reasons for the outcome
 - 44.2.3. any further avenue for review, including to the [National Student Ombudsman](#).
- 45. Any outcome in favour of a student will be implemented immediately and the student will be advised of the action taken.

Monitoring, Review and Improvement

46. Students and employees involved in an appeal process will be invited to provide feedback to inform improvements.
47. De-identified appeals data will be analysed at least once every six months to inform improvements.
48. A report containing high level, de-identified information will be:
 - 48.1. provided to the Senior Leadership Team, Student Experience Committee and People, Safety and Culture Committee every six months
 - 48.2. made publicly available each year.

Responsibilities

Role	Responsibility
Senior Leadership Team	• Promotes a culture that prioritises management of student appeals. • Reviews appeal themes and opportunities for improvement to inform consideration and responses to risks and actions.
Vice Chancellor	• Appoints a single decision maker for administrative category appeals where no suitable role with authority is available.
Academic Council	• Appoints a chair and two alternate chairs for coursework academic category appeals. • Appoints a chair and two alternate chairs for research academic category appeals.
University Secretary	• Oversees the management of student appeals. • Ensures student appeal processes: ○ meet regulatory requirements and expectations ○ are advertised, accessible, publicly available and communicated in plain English. • Determines how risk assessments are undertaken. • Determines: ○ category of appeal ○ whether an appeal will proceed ○ if a decision may be appealed more than once. • Selects: ○ decision-maker for administrative category appeals ○ panel members for academic and General Misconduct category appeals. • Appoints individuals to the General Misconduct category pool. • Ensures information is provided in accordance with this procedure. • Approves an extension of time taken to finalise an appeal.

	○ Reports the reason for an extension of time to finalise a General Misconduct appeal relating to Gender-based Violence to the Vice Chancellor. • Ensures those in a role who resolve or manage an appeal have completed required training. • Ensures training is reviewed. • Ensures appeal outcomes are recorded and implemented in accordance with this procedure. • Ensures appeals data is analysed. • Ensures barriers to appeal submission are identified and addressed. • Provides: ○ reports to committees ○ publicly available reports. • May approve an exemption to this procedure.
Pro Vice Chancellor Equity Diversity and Inclusion	• Determines whether cultural advocates, other than First Nations advocates, must be consulted. • May be the chair for General Misconduct category appeals.
Chief Experience Officer	• May be the: ○ decision-maker for administrative category appeals ○ chair for General Misconduct category appeals.
Director Student Administration	• May be the: ○ decision-maker for administrative category appeals ○ chair for General Misconduct category appeals.
Director Student Experience	• May be the: ○ decision-maker for administrative category appeals ○ chair for General Misconduct category appeals.
Pro Vice Chancellor Transnational Education	• May be the: ○ decision-maker for administrative category appeals ○ chair for General Misconduct category appeals. • Advises on transnational regulatory requirements.
Deputy Vice Chancellor Research and Innovation	• May be the decision-maker for administrative category appeals.
Pro Vice Chancellor International	• May be the decision-maker for administrative category appeals.
Director Learning, Teaching and Technology	• May be the decision-maker for administrative category appeals.
President Academic Council	• Appoints pool members for academic category appeals.
Director Student Wellbeing	• Provides advice to ensure practices are Trauma-informed and Person-centred. • Ensures support services are available to a student when needed.

Pro Vice Chancellor First Nations	Determines whether First Nations cultural advocates must be consulted.
Student	- Provides complete, accurate and defensible evidence and other information relevant to the appeal within specified timeframes. - Must advise if a support person is a legal representative.

Governance

Approval Authority	Senior Leadership Team
Owner	Vice Chancellor
Legislation mandating compliance	<i>Higher Education Standards Framework (Threshold Standards) 2021</i> <i>Higher Education Support Act 2003</i> <i>Education Services for Overseas Students Act 2000</i> and supporting legislative instruments including the <i>National Code of Practice for Providers of Education and Training to Overseas Students 2018</i> <i>Freedom of Information Act 1992</i> <i>Privacy and Responsible Information Sharing Act 2024</i>
Category	Combination of academic and management
Related University Legislation and Policy Documents	<i>Authorship Attribution and Dispute Resolution Procedure</i> <i>Complaints Procedure</i> <i>Conflict of Interest Procedure</i> <i>Delegations and Authorisations Policy</i> <i>Delegations and Authorisations Procedure</i> <i>Guild Election Regulations</i> <i>Murdoch University Recordkeeping Plan 2024</i> <i>Privacy Procedure</i> <i>Psychological Safety and Wellbeing Procedure</i> <i>Staff Code of Conduct</i> <i>Student Code of Conduct</i> <i>Support for Students Policy</i>
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