

## Appeals Policy

### 1. Overview

A student who considers that a decision not made in compliance with UC International College's policies may appeal that decision. UCIC policies are published on the UCIC website at: <https://www.ucic.ac.nz/policies>

An appeal is a formal request for a review of a decision. This is separate to a complaint or grievance which is covered by UCIC's Student Complaints Policy.

### 2. Scope

Any current or prospective student of UCIC who believes that they have received an incorrect or unfair decision is entitled to appeal that decision. Specific grounds for appeal are indicated in Section 5.

### 3. Definitions

Term or Acronym	Definition
Appeal	A formal request for a review of a decision.
Appellant	A person who submits an appeal.
Academic Progress and Discipline Committee	(APDC). A Committee whose functions include the consideration of allegations of any serious act of academic misconduct and the review of programme progress of students who have not met, or are at risk of not meeting, UCIC's academic progress and attendance requirements.
Appeals and Grievance Committee	(AGC). The final appeals body at UCIC which considers appeals from students against any decision by UCIC. In some cases final appeals may be considered by an Appeal Assessor, such as an alternative committee with relevant jurisdiction.
Appeal Assessor	Person or committee which considers an appeal. In most cases this will be the Appeals and Grievance Committee, although in some circumstances a senior staff member or other committee may be responsible for making a decision on an appeal.
The Code	The Education (Pastoral Care of International Students) Code of Practice 2016 and amendments, established under section 238F of the Education Act 1989.

## 4. Policy Principles

The principles which underpin this policy are as follows and relate to all stages of the internal appeals process:

- Where possible every effort will be made to resolve the issue at early stages of the process.
- The appeal will be considered by independent and unbiased decision-makers.
- The final decision will be based on relevant evidence and within the scope of the appeal being made.
- Appeals will be considered in a timely manner and within the timeframes published in accordance with applicable policy.
- UCIC will deal with each appeal in accordance with UCIC policy, legislation or internal regulations.
- When appealing a decision made in accordance with a UCIC Policy or regulation, students should refer to the specific guidelines outlined in the applicable policy.
- All outcomes of appeals will be formally notified to students and sent to their UClive email accounts.
- Students should follow any processes of internal appeal or review, prior to accessing an external appeals body.
- Where an appeal relates to termination of enrolment, students will maintain their enrolled status while awaiting the outcome of the internal appeal, as long as they have a current visa.
- If, at any time during the internal or external complaints process, a decision is made which upholds the appeal, UCIC will immediately implement the decision and advise the appellant of the outcome.
- There is no cost associated with any stage of the internal appeals process.

## 5. Formal Appeals Process

An appellant may appeal on the following grounds:

- The appellant believes that the decision made by UCIC was not made in accordance with the applicable UCIC policy or procedures. The appellant must state what UCIC policy or procedure was not followed.
- The appellant wishes to submit key new information that was not known or not available at the time the initial decision was made. The appellant must provide reasons or evidence why this information was not provided at the time the initial decision was made. (For example, if information was not submitted to the Academic Progress and Discipline Committee during a review of enrolment process, a reason why must be stated).

Appeals should be submitted on the official UC International College Appeal Form, available from the front desk or by emailing [student\\_services@ucic.ac.nz](mailto:student_services@ucic.ac.nz).

Appeals which are not submitted to the Quality and Compliance Coordinator within specified timeframes will not be considered by the Appeal Assessor. The due date/time will be specified on the outcome notice. General guidelines are outlined below.

Students who require support during this process may contact UCIC's Student Welfare Officer, a UCSA Advocate or access UC support services.

**Table 1: Assessors of Appeals and timeframes for appeal**

Policy	Original decision maker	Appeal Assessor	Timeframe to submit appeal after original decision notification	Subsequent appeals body
Satisfactory Programme Progress Policy	Academic Progress and Discipline Committee	Appeals and Grievance Committee	Within 5 working days	External

Attendance Policy	Academic Manager	Appeals and Grievance Committee	Within 5 working days	External
Academic Integrity Policy	Academic Manager Or Academic Progress and Discipline Committee	Appeals and Grievance Committee	Within 5 working days	External
Assessment Policy:				
Special Consideration Decisions	Academic Manager	Appeals and Grievance Committee	Within 5 working days	External
Review of Assessment or Final Grade	Academic Manager	Appeals and Grievance Committee	Within 5 working days	External
Student Code of Conduct Policy	Academic Manager (or nominee)	Appeals and Grievance Committee	Within 5 working days	External
Refund Policy	College Director and Principal	Appeals and Grievance Committee	Within 5 working days	External
Credit Recognition and Transfer Policy	Admissions Manager	Admissions Committee	Within 5 working days	External
Entry Requirements Policy	Admissions Manager	Admissions Committee	Within 5 working days	External
Deferral and Withdrawal Policy	Pre enrolment: Marketing and Admissions Director (or nominee) Post enrolment: Academic Manager (or nominee)	Appeals and Grievance Committee Appeals and Grievance Committee	Within 5 working days Within 5 working days	External External
Complaints Policy	Applicable senior staff member	Appeals and Grievance Committee	Within 5 working days	External
Harassment and Discrimination Claim Management Policy	Academic Manager	Appeals and Grievance Committee	Within 5 working days	External

The Appeal Assessor will determine the outcome of the appeal.

The Appeal Assessor may ask the appellant present his/her case in person. Where an appellant attends an appeals meeting, they may be accompanied by a support person.

To avoid any conflict of interest, an alternative senior staff member will replace any Committee member who has been involved in the decision being appealed.

If the appeal is successful (in favour of the appellant), the outcome of the appeal will be reflected in the student's results or enrolment as soon as practically possible.

If the appeal is unsuccessful (UCIC's decision or outcome is upheld), the student will be advised of his/her right to appeal to an external body.

Where possible, the Appeal Assessor will respond in writing to the complainant within five (5) working days of the appeal due date. At a minimum, this will consist of a written acknowledgement of the appeal.

## **6. External Appeals**

Where the complainant is not satisfied with the outcome of their internal appeal and believes that UCIC has not acted in accordance with the Code, they may refer the matter to the New Zealand Qualifications Authority (NZQA).

Complainants can lodge their complaint with the NZQA via a complaint form available on the NZQA website.

Further information about making a complaint about a provider's compliance with the Code of Practice can be found at: <https://www.nzqa.govt.nz/about-us/make-a-complaint/make-a-complaint-about-a-provider/>

For financial or contractual disputes, complainants should contact iStudent Complaints: [www.istudent.org.nz](http://www.istudent.org.nz)  
There is no cost associated with having a case heard by the NZQA or iStudent Complaints.

Prior to making an external complaint, students should first have followed UCIC's Internal Complaints process.

## **7. Administrative Procedures**

This policy is accessible through the UCIC policy library on its website.

Records of appeals will be kept for an initial period of seven (7) years. If no external appeal has occurred during this period, the records will normally be destroyed. These records will be held under the responsibility of the Quality and Compliance Coordinator.

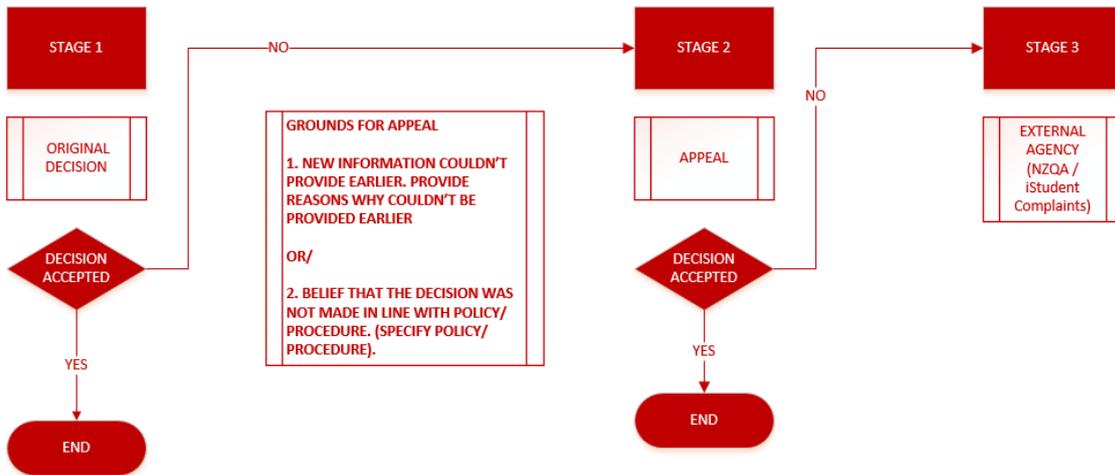
These records will be confidential and filed separately from student files. Disclosure and access should be limited to those employees who need to have access for official purposes. UCIC may share information with appropriate staff members if they have concerns regarding the welfare of the appellant or respondent.

Recommendations arising from any external review of the Appeals Policy or related procedures should be implemented as soon as practically possible.

## **8. Related Policies**

This policy should be read in conjunction with UC International College policies as relevant.

## Appendix 1 – Appeals Process



<b>Policy Title</b>	Appeals Policy	
<b>Policy Owners</b>	College Director and Principal	
<b>Contact Person(s)</b>	Quality and Compliance Coordinator	
<b>Key Stakeholders</b>	UCIC Students	
<b>Approval Authority</b>	UCIC Executive Committee	<b>Meeting date approved</b> 11/10/2019
<b>Relevant Legislation</b>	The Education (Pastoral Care of International Students) Code of Practice 2016 (and amendments) and the Private Training Establishment Registration Rules 2013 under section 253 of the Education Act 1989.	
<b>Related Policies</b>	All student policies	
<b>Related Guidelines</b>	Appeals Procedures, Appeal Form	
<b>File information</b>	<b>File number</b> N/A	<b>Version number</b> v1.2
<b>Date Effective</b>	11/10/2019	<b>Next Review Date</b> November 2021