



Appeals Policy

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DOCUMENTS:

- Complaint/Appeal Report Form
- Complaint/Appeal Register

REFERENCES:

- Access & Equity Policy
- Student Information Booklet
- Student Support Services

RELEVANT STANDARDS

- Education standards Board (ESB)
- ELICOS National Standards
- Education Services for Overseas Students (ESOS) Act 2000

AUTHORISED:  DATE 19/06/2024

POSITION: PRINCIPAL

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PURPOSE

This policy is to make Adelaide International School (AIS) stakeholders aware of the appeals process and the rights and responsibilities afforded to everyone.

POLICY

1. To manage appeals processes in a fair and equitable manner allowing stakeholders to be provided with a timely and transparent framework for lodging appeals.
2. To provide a fair and equitable process for advocacy, internal mediation and external independent mediation to help resolve disputes and appeals.
3. To address appeals in a timely and appropriate manner

SCOPE

This policy encompasses:

- current and past students;
- student candidates;
- employees;
- contractors;
- suppliers and providers;
- regulatory authorities.

This policy does not cover complaints. Please refer Complaint Process.

DEFINITIONS

- Advocate:
 - Individual who accompanies an appellant for the purposes of support throughout the process. An advocate for the purposes of this policy does not include Legal Representation.
- Appeal:
 - An appeal arises when a stakeholder is not satisfied with a decision taken by AIS.
- Appellant:
 - Person or entity that lodges an appeal.
- Complaint/Appeal Committee:
 - A number of persons nominated by the Managing Director to review decisions that an Appellant does not accept as satisfactory.
- Frivolous or Malicious Appeal:
 - Fictitious appeal or one made intentionally without foundation or to cause detriment or mischief. Knowingly lodging a false appeal (without truth or foundation).
- Mediation event:
 - Meeting, intervention or other event specifically designed and arranged with the goal of a satisfactory outcome.

- Stakeholder:
 - General term inclusive of any individual or entity with whom AIS has a relationship including but not limited to employees, students, contractors and suppliers.

PRINCIPLES TO SUPPORT THIS POLICY

1. Only the parties directly involved in lodging or investigating or mediating an appeal will have access to information about the appeal.
2. All parties will be provided with equal opportunity for discussion and response. No assumptions will be made, and no action will be taken until all relevant information has been collected and considered.
3. Discussion of the matter by parties to the appeal with other AIS stakeholders, or other parties either internal or external is not permitted.
4. All appeals will be dealt with as quickly and transparently as possible.
5. AIS reserves the right to seek expert advice as to the appropriate action to be taken in regard to the outcome of an investigation.
6. Stakeholders may have an advocate present throughout the process.
7. All AIS stakeholders have the right to access the appeal process fairly and equitably.
8. No action will be taken against any individual or entity for lodging a valid appeal or assisting someone to lodge or manage a valid appeal.
9. AIS will take all necessary steps to ensure that victimisation does not occur against anyone who lodges or is involved in a valid appeal.
10. AIS will not under any circumstances tolerate behaviours that breach the fundamental principles of access, equity and fairness.
11. AIS maintains 'Zero Tolerance' in regard to frivolous or malicious appeals.
12. AIS reserves the right to take appropriate action against an individual or entity that lodges a Frivolous or Malicious appeal, or knowingly lodges a false appeal.

RESPONSIBILITIES

PRINCIPAL

1. Provide a fair, open and timely process for managing appeals
2. Ensure appropriate documentation is maintained for appeals, including signing the outcome together with the Appellant.
3. Provide the Appellant with a copy of the outcome of the Appeals process

DIRECTOR OF TEACHING AND LEARNING

1. Support the Principal in the implementation of this policy

APPELLANT

1. Ensure that they commence the appeal process within the specified period
2. Supported the Appeal with genuine information and/or evidence.

END OF POLICY

APPENDIX 1: PROCEDURES TO BE FOLLOWED IN THE EVENT OF AN APPEAL

Documentation

The process must:

- be documented at each step using the Complaint/Appeal Report Form;
- registered in the Complaint/Appeal Register;
- ensure that all parties sign and receive hardcopy of the record within 5 working days of the completion of each step;
- a copy is filed in line with Privacy Principles

Appellant Support

If for whatever reason the stakeholder is unable to undertake any of the following steps, they should speak with a senior staff member with whom they are most comfortable.

NB: The stakeholder is encouraged, at any stage of the process, to invite an advocate or support person to participate.

AIS will provide assistance throughout the process.

Assessment Appeal

The process for appeal for an assessment decision made by AIS is as follows:

- Appellant lodges a verbal or written appeal to AIS within twenty (20) days of the date of the decision. Where an appeal is made verbally it must be supported in writing within the twenty (20) day appeal period;
- An appeal in relation to an assessment outcome should be directed to the teacher concerned;
- AIS documents the details of the appeal attaching the original appeal letter from the Appellant if provided;
- Within five (5) working days of receipt of the appeal a meeting is arranged by AIS, between the teacher and the Appellant to discuss the Appellant's concerns. The discussion is recorded by the AIS teacher and signed off by the Appellant.
- Within five (5) working days of the meeting AIS's teacher informs the Appellant of the decision. The decision may be given verbally or in writing, however, a written notification must be provided to the Appellant supporting a verbal advice.
- If the Appellant is dissatisfied with the decision, they may make an appeal to the Principal. This appeal must be in writing clearly stating the Appellant's concerns.
- The Principal will meet with both the staff member and the Appellant within 5 working days of receiving the appeal notice. The meeting is to be documented.
- The Principal will advise the staff member and the Appellant within 5 working days of the meeting of the decision.



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- If the Appellant is dissatisfied with the Principal's decision, they may make an appeal directly to the Managing Director. This appeal must be in writing clearly stating the Appellant's concerns.
- The Managing Director will meet with all parties within five (5) working days of receiving the appeal notice. The meeting is to be documented and signed off by all parties.
- The Managing Director will advise the parties within five (5) working days of the meeting of the decision.

If the Appellant remains dissatisfied with the process or the decision, they may

Contact:

Education Standards Board

GPO Box 1811, Adelaide SA 5001, Australia

T 1800 882 413 | F 08 8226 1815 | E esb.earlychildhoodservices@sa.gov.au |

W www.esb.sa.gov.au

Service or Other Operational Practice Appeal

The process for appeal for any decision related to service provision or operational practice made by AIS is as follows:

- Appellant (person who is appealing the decision) lodges a verbal or written appeal to the Managing Director within twenty (20) days of the date of the decision;
- AIS documents the details of the appeal attaching the original appeal letter from the Appellant if provided;
- Within five (5) working days of receipt of the appeal a meeting is arranged by AIS, with the Appellant to discuss the Appellant's concerns. The discussion is recorded by the AIS representative and signed off by the Appellant.
- Within five (5) working days of the meeting AIS informs the Appellant of the decision. The decision may be given verbally or in writing, however, a written notification must be provided to the Appellant supporting a verbal advice.

Operational Policy

In relation to operational policy the Managing Director's decision will be final.

Legislated Policy

In relation to decisions taken for areas for which legislation or regulatory authority standards apply the Appellant may access an external appeal process.

Unsuccessful Appeal Process

If all AIS avenues of appeal process are not successful, the Managing Director should advise in writing the appellant of their right to seek an external appeal process as follows:



1. *Students*

Education Standards Board

GPO Box 1811, Adelaide SA 5001, Australia

T 1800 882 413 | F 08 8226 1815 | E esb.earlychildhoodservices@sa.gov.au |

W www.esb.sa.gov.au

or

legal intervention;

2. *Employees*

Fair Work Ombudsman – 13 13 94

or

Union Representative

or

Other appropriate regulatory body

3. *Other non employee stakeholders*

Australian Skills Quality Authority (ASQA) via the online complaint form at
<http://asqa.gov.au/forms.html#complaintforms>

or

Office of Consumer & Business Services 13 18 82

or

Safe Work SA 1300 365 255 or as may be relevant in the State/Territory

or

Legal intervention;

or

Other appropriate regulatory body

*****The Managing Director must be advised of the Appellant's intention to seek external appeal process.**

International Students

Where an International Student chooses not to access the Complaint or Appeal process, withdraws from the process, or the process is completed and results in a decision supporting AIS then AIS is required to notify the Secretary of Department of Home Affairs via the PRISMS system as soon as is practicable.

- are signed by all parties;
- a copy is filed in line with Privacy Principles;
- Complaint/Appeal Register is to be updated throughout and at the completion of the process;



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- Complaint/Appeal Report Form is to be updated and copied to all parties throughout and at the completion of the process.