



## Higher Degree Research (HDR) Appeals Committee Terms of Reference

*The terms of reference are derived from the [Code of Practice - Supervision and Course Rules](#).*

### 1. Preamble

As a result of the diverse nature of the HDR degree and the complex and special relationship with supervisors and examiners of research degrees the University has prepared an Academic Grievance Policy specific to HDR students. This policy will support the University aims of providing a fair, equitable and productive learning environment for all its students. The policy will provide a transparent and consistent process for resolving HDR student academic grievances.

This policy requires a Committee to oversee the grievance procedures and where necessary make adjudications regarding HDR candidature. These Terms of Reference provide procedures in cases where HDR student grievances have failed to be resolved at a prior level. A student may appeal decisions to the HDR Appeals Committee.

A student who has exhausted all of the grievance resolution processes in Stages 1, 2 and 3 may apply to appeal to the HDR Appeal Committee on the grounds that due process has not been adhered to by:

- (i) a Faculty member or committee, or the DVC(R), at either of these stages during Stage 2 or 3 of the grievance resolution process;
- (ii) the Thesis Examination Committee in reaching its decision under 8.3 (ii) of the HDR Student Academic Grievance Policy; or
- (iii) the Deputy Vice-Chancellor (Research) in terminating the candidature of a higher research degree student on probation under section 10.3.6 of the HDR Course rules.

### 2. Membership

The HDR Appeals Committee shall consist of:

- the Chair of Academic Senate, or nominee;
- the President of the Wollongong University Postgraduate Association (WUPA) or nominee; and
- a member of the University Research Standing Committee (URSC) nominated by the Deputy Vice-Chancellor (Research).

Where both genders are not represented on the Committee the Deputy Vice-Chancellor (Research) shall appoint a member of the appropriate group to redress this situation.

No members of this committee shall be from the Faculty in which the candidate is enrolled, nor shall any person on the Committee have been involved in any previous proceedings relating to the matter before the Committee.

### **3. Terms of Reference**

The HDR Appeals Committee shall hear appeals from HDR students on decisions taken by University officer(s) other than appeals against disciplinary decisions (considered by the Council Appeals Committee – Student Discipline).

The Research Student Centre will provide all relevant documentation from student files to the Committee members, the student and the DVC (R), in a timely fashion, prior to the meeting. All use of files or documentation will be consistent with the University's obligations under the Privacy Act. Where there is a conflict, the Privacy Act will prevail.

The Committee may seek additional information at its discretion and it may interview the student, the supervisor(s) and any other relevant members of staff.

Appeals are permitted on procedural grounds only: appeals by students simply rejecting the assessment of the merit of their work are not permitted. Appeals on grounds of inadequacy of supervisory or other arrangements during the period of study are normally not permitted, unless the student can show that persistent efforts to deal with these issues were not adequately addressed. The grievance procedures, as well as the possibility of probation, should be used for these matters at the appropriate time during the candidature.

The Committee shall ascertain only whether due process has been followed and shall not make a judgement on the academic quality of the work in question. In its review of a case, it shall:

- a. give the student concerned an opportunity to be heard and advise him/her of Committee procedures and time requirements;
- b. invite any staff member or student, whom it considers may assist the review, to attend the meeting and advise such persons of Committee procedures and time requirements;
- c. provide the student with copies of all papers tabled at the meeting;
- d. permit the student to nominate staff or students who may be invited to appear and/or provide additional information in support of his/her case;
- e. allow the student concerned to be accompanied by a support person who normally shall not be permitted to address the Committee;
- f. hold all its proceedings in camera and keep an adequate record of the evidence and its decision;
- g. with the consent of the student concerned, allow any member of the University to have access to that record;
- h. outline their findings and advise the student, the DVC(R) and any other relevant parties of the Committee's decision in relation to the student's request for reconsideration.

All recipients of information provided for the appeal will be required to maintain confidentiality. The proceedings and all records of meetings of the Committee will be kept confidential to the recipients, the Deputy Vice-Chancellor (Research) and staff of the Research Student Centre (and in the case of a further appeal, the Vice-Principal Administration, see 5 below)

#### **4. Recommendations by the Committee**

4.1 After investigation the Committee may:

- refer the matter back to the DVC(R) for reassessment of the case, ensuring that due process is followed; or
- refer the matter back to the Thesis Examination Committee for re-consideration of the matter in accordance with due process; or
- uphold the original decision.

4.2 If the Committee's decision is to continue a student's candidature, the Committee may recommend a further period of enrolment on probation and implement criteria and milestones for completion of the student's thesis.

#### **5. Further Appeals**

If there is a claim of lack of due process in the proceedings of the HDR Appeals Committee, it shall be lodged in writing with the Vice-Principal (Administration) within 14 days of the notification of the Committee's decision.

If the Vice-Principal (Administration) is satisfied that the appeal is based on grounds of lack of due process, he/she shall refer it to the Council Appeals Committee (Student Matters).

If the Vice-Principal (Administration) is satisfied that the appellant has presented new or additional information in the appeal which was not available to the HDR Appeals Committee, or in other special circumstances and with the leave of the Chair of the Council Appeals Committee (Student Matters), he/she may refer the matter to the HDR Appeals Committee for reconsideration.