AUSTRALIAN INSTITUTE of INTERNATIONAL UNDERSTANDING (AIIU)

APPEALS POLICY

OBJECTIVE

The objective of this policy is to provide a framework for the appeal of any decisions by AIIU on complaints submitted by parents/guardians, students, school and AIIU staff, host families and/or partner organisations, which ensures that appeal processes are transparent, consistent and fair.

SCOPE

This policy applies to all eligible persons' appeals.

AUTHORITY

This policy supports AIIU's compliance with the:

- National Guidelines for the Operation of International Secondary Student Exchange Programs in Australia
- AIIU's Complaints Policy Overview, and
- AIIU's Complaints Handling Policy

POLICY

Parents/guardians, students, school and AIIU staff, host families and/or partner organisations have the right, in specified circumstances, to appeal to AIIU decisions made in respect of them.

APPEALABLE DECISIONS

Parents/guardians, students, school and AIIU staff, host families and/or partner organisations or other eligible persons (the appellant) may appeal decisions regarding:

a) Student exchange application process
b) Conflict resolution process
c) Procedures for handling and reporting emergency situations and critical incidents
d) Child Safe Standards and reporting requirements
e) Procedures for handling and reporting allegations of sexual abuse or any other allegations of abuse or neglect
f) Sexual conduct codes
g) Suitability of host families and/or the host family environment
h) Implementing, promoting and supporting human rights
i) Misconduct
j) School based grievances
k) Incorrect information or advice given

l) Conflict of Interest
m) Program Fees
n) Appellant's safety
o) Privacy/Release of Information
p) Other substantiated claims

GROUNDS FOR APPEAL

An appeal made must be on one or more of the following grounds:

- a procedural irregularity has occurred (which may include that the appellant has not received a fair hearing in all the circumstances)
- there is new information that could not reasonably have been provided at the time of the original decision, and that would probably have affected the decision, or any action imposed.
- the decision was manifestly wrong
- the action taken was manifestly excessive or inappropriate and/or
- documented evidence of prejudice or bias.

LIMITATIONS

Failure to read and act upon a notice or correspondence sent to the appellant's contact details as provided to AIIU are not grounds for an appeal.

A grievance or complaint about the content of AIIU's Complaints Policy-Overview or Complaints Handling Policy, in accordance with TIWA Regulatory Guidelines cannot be appealed.

LODGMENT OF NOTICE OF APPEAL

A person who wishes to appeal a decision must lodge a notice of appeal directly with the General Manager, AIIU within 20 business days of the original decision.

The notice of appeal must:

1. describe the decision being appealed
2. clearly state the ground or grounds for appeal
3. summarise the basis for each ground or grounds
4. attach the notice of the original decision; and
5. include any relevant material on which the appellant wishes to rely.

Receipt of the notice of appeal will be acknowledged by AIIU within five business days of receipt.

An appellant may only submit an appeal on their own behalf, unless they are a student, in which case the appeal can be submitted by a parent/carer on their behalf.

A student may not submit an appeal on behalf of any other student.

CONSIDERATION OF NOTICE OF APPEAL

Appeals relating to all matters set out in this policy will be considered by the General Manager, AIIU in accordance with the provisions of TIWA.

Assessment of a notice of appeal lodged will commence within 10 Business days of lodgment and be finalised as soon as reasonably practicable.

If the notice of appeal lacks merit, the appellant will be provided notice of the intention to disallow the appeal and the reason for the proposed disallowance. The appellant will be provided five (5) business days to submit any further information relevant to the appeal. If no further relevant information is provided within five (5) business days, the appeal will be disallowed and closed.

Any further information provided by the appellant after receiving a notice must be considered before the final decision to allow or disallow the appeal is made. Notice of the decision will normally be provided within 15 business days of further information being provided, and in the case of disallowing the appeal, reasons for the decision will be provided in writing. Where relevant circumstances apply that prevent a decision to allow or disallow an appeal to be made within 15 business days, the appellant will be notified in writing.

If the appeal is allowed, it will be referred to AIIU's appeal panel within 15 business days. The appeal panel must hear the appeal as soon as reasonably practicable following referral.

APPEAL PANEL COMPOSITION

The appeal panel membership will be chaired by the General Manager, AIIU who will appoint members to the panel that takes into account:

- relevant expertise to deal with the matter of the appeal
- situational experience reflecting the appellant's context e.g. school, homestay
- gender balance
- where possible, cultural diversity.

Wherever practicable, membership of the appeal panel convened to hear an appeal remains the same throughout the hearing of the matter notwithstanding any adjournment.

The appeal panel must not include anyone who has, or who may reasonably be perceived to have, a bias or conflict of interest in the matter. For avoidance of doubt, a person who was involved in the matter being appealed may not be a member of the appeal panel.

PROCEDURAL PRINCIPLES

Functions and conduct of the student appeal panel

The chairperson of the appeal panel must appoint a person as secretary, with responsibility for all administrative arrangements. The appeal panel secretary may contact the appellant allowing them to submit a report in response to the notice of appeal including any information and documentation relevant to the appeal. The response must be submitted in the timeframe requested by the secretary. If no response is received within the timeframe the hearing will proceed.

The appeal panel secretary collates all documents relevant to the appeal hearing and disseminates them to all panel members, the respondent and the appellant. The documentation must include:

- a meeting notice (agenda) containing the following information:
    a) a summary of the matter being appealed
    b) the grounds on which the appeal will be heard
    c) the name of the chair and, where practicable other appeal panel members. Where not practicable the names of other members must be provided to the appellant, as soon as known, by email
    d) the time, date and venue of the hearing
    e) a list of all documents included in the notice.
- the notification of the original decision which is the subject of appeal
- the appellant's notice of appeal and any supporting documentation submitted where deemed relevant
- the respondent's report
- references to any relevant regulation, policy or procedure; and
- any further evidence or documentation requested by the appeal panel.

In determining the appeal, the appeal panel:

- must make a majority rule decision
- must make a decision based on a balance of probabilities – that based on the available evidence, a proposition is more likely to be true than not
- must consider new evidence only where it relates to the original decision
- is not bound by the rules of evidence or other technicalities or legal forms, and may inform itself in relation to any matter in any manner it thinks fit
- must act impartially and fairly in all the circumstances, having regard to the requirements of natural justice
- must consider and make a decision on any relevant material presented or made available to it
- must give the appellant the opportunity to present material and submissions in support of the appeal and to respond to any other material relating to the appeal
- must allow the appellant to be accompanied by a support person who must not be:
    - a person who was involved in, associated with, or alleged to have been involved in or associated with the matter which is the subject of the appeal; or
    - a qualified legal practitioner unless permitted by the chairperson of the panel.

- must give the respondent the opportunity to present their case;
- must not advocate for the student or for AIIU and any affiliated organisation
- must balance the rights of the appellant with the need for fair and impartial decision-making for all and preserve the integrity of programs and standards on behalf of AIIU and the VRQA
- must avoid any action which could affect their judgement when dealing with the matters before the appeal panel and declare any conflict of interest
- must treat everyone involved in the appeals process with professionalism, courtesy and respect
- must not improperly influence other panel members.

The appellant may not send a representative in their place, unless approved by the chairperson. If the appellant fails to appear before the appeal panel, the matter may be heard and decided in their absence.

The appellant must notify the secretary to the appeal panel if they wish to have a specified support person present at the appeal hearing. The notification must be made at least 24 hours before the scheduled hearing.

A support person may act as an advocate on the appellant's behalf with the permission of the chairperson, which must not be unreasonably withheld, and the appellant.

The chairperson of the appeal panel may exclude the support person from the hearing if they disrupt or unreasonably impair the conduct of the hearing.

The chairperson may suspend the hearing and reconvene the panel at a later date. Where the chairperson suspends the hearing, the same panel must reconvene to decide the matter; the appellant and respondent must be invited to attend.

The recording or filming of the student appeal panel proceedings is not permitted.

The respondent may, at any time before the student appeal panel informs the appellant of its decision, withdraw the original decision on the basis of information provided by the appellant before, or presented at, the hearing.

DECISION

Following the hearing of an appeal, the appeal panel must:

- uphold the appeal in whole or in part; or
- dismiss the appeal.

If the appeal is dismissed, the s appeal panel must confirm the original decision. If the appeal is upheld in whole or in part the appeal panel may:

- remit the decision to the original decision maker or decision makers for the matter to be reconsidered in light of the appeal panel's findings; or
- set aside any decision or action, or substitute or vary any decision or action.

The student appeal panel must, when deciding and giving notice of its decision, include its reasons for the decision.

The appeal panel must, as soon as practicable after a decision is made, give notice in writing of the appeal panel's decision to the:

- appellant
- original decision makers.

Where the matter is remitted back to the original decision maker/s, they must review the appeal panel's findings and reconsider their decision within 10 business days. Once the decision has been reconsidered, the original decision maker/s must give notice of their decision in writing to the:

- appellant; and
- the General Manager, AIIU.

The decision of the appeal panel is final and not subject to further review.

This does not preclude an appellant seeking an external review of the appeal panel's decision or process by an appropriate, independent external body such as the Ombudsman.

RECORDS

Where the appellant is a student, the Secretary of the appeal panel must ensure that

- a copy of the outcome letter is placed on the student's file and
- where appropriate, any relevant parties are notified of the decision.

The Secretary must ensure that complete records of all appeal hearings are maintained in accordance with Privacy legislation.

The Secretary must submit an annual report of outcomes of appeals to the General Manager
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REVIEW OF POLICY

This policy will be reviewed:

- Annually
- After any incident pertaining to this policy
- As part of continuous improvement

Policy last reviewed	February 2026
Approved by	General Manager
Consultation/Noting	AIIU Management Team
Next scheduled review date	February 2027