



The College of Law Limited  
ACN 138 459 015

# Academic Board Charter

Adopted December 2016

Revised December 2023

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**The College of Law Limited (ACN 138 459 015)**  
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**1. Introduction**

- 1.1. The Academic Board is established under article 8.10(c) of The College of Law Limited's Constitution (Constitution).
- 1.2. In accordance with the Constitution the Academic Board is delegated certain powers by the Board of Governors on matters concerning the academic functions and policies of the College of Law (College) in respect of academic governance, academic quality and curriculum. The Board of Governors may resume any or some of these responsibilities at any time.
- 1.3. This Charter sets out the responsibilities delegated by the Board to the Academic Board and details the manner in which the Academic Board will operate.

**2. Responsibilities**

- 2.1 Program Accreditation and Award Conferral
  - a) Oversee course accreditation, re-accreditation, changes and discontinuance
  - b) Ensure program development and review activities align with the College's Strategic Plan
  - c) Make recommendations to the Board of Governors for Honorary Fellowships.
- 2.2 Academic Quality
  - a) Oversee and monitor effectiveness of quality assurance processes to uphold standards and practices across teaching and learning, scholarship and research activities in compliance with relevant regulatory requirements, and report on consistency of meeting these standards
  - b) Foster innovation and excellence across academic activities, including by evaluating the effectiveness of proposals for new teaching and learning initiatives
  - c) Monitor the academic activities of the College including:
    - i. receiving and evaluating reports on student complaints and grievances
    - ii. receiving and evaluating reports on student appeals and outcomes from student disciplinary matters
    - iii. receiving and providing feedback on student course evaluations.
  - d) Oversee formal and informal reviews of academic activities including benchmarking and academic governance
  - e) Ensure student participation in academic governance
  - f) Foster informed and open discussions on academic issues, particularly those relating to the *Higher Education Standards Framework (Threshold Standards) 2021*
  - g) Monitor reports from Business units relating to academic matters to enhance continuous improvement.
- 2.3 Academic Strategy and Risk
  - a) Provide advice to the Board of Governors and the Executive on matters concerning academic strategic direction
  - b) Review and approve Academic Secretariat, Teaching and Learning and Scholarship Plans
  - c) Oversee progress against Academic Secretariat, Teaching and Learning and Scholarship Plans
  - d) Monitor, scrutinise and advise on the College's academic courses and programs including new programs and innovations in teaching and learning
  - e) Review and advise on the profiles of College academic staff
  - f) Oversee risk management of the College's academic activities monitored against the Threshold Standards
  - g) Contribute to the achievement of the College's three-year strategic plan as approved by the Board of Governors
  - h) Monitor effectiveness of processes to uphold academic integrity.

- 2.4 Academic Policy and Delegations
  - a) Approve Academic Policies
  - b) Oversee development and review of effectiveness of Academic policies, systems and processes
  - c) Review and approve College Program Manuals
  - d) Review and monitor implementation of delegations of academic authority.
  
- 2.5 Academic Self Assurance
  - a) Student wellbeing and safety
  - b) Course design
  - c) Staffing
  - d) Information for prospective and current students
  - e) Support for scholarship
  - f) Ensuring that scholarship informs teaching and learning practices
  - g) Suitability of facilities and infrastructure
  - h) Diversity and equity
  - i) Learning resources and education support
  - j) Academic leadership
  - k) Oversee planning for continuous improvement.
  
- 2.6 Reporting to the Board of Governors and Oversight of Sub-Committees
  - a) The Chair of the Academic Board shall report at all meetings of the Board of Governors on anything relevant to the delegation of responsibilities given to the Academic Board by the Board of Governors.
  - b) The Chair of the Academic Board shall report on significant academic issues concerning the College.
  - c) In making any decision or recommendation to the Board of Governors, the Academic Board is guided by the following:
    - i. Principles set out in part 6 of this Charter
    - ii. relevant Board of Governors policies
    - iii. the requirements of regulators

### **3. Authority**

- 3.1 The Board of Governors authorises the Academic Board within the scope of its responsibilities to:
  - a) Seek any information and explanations it requires from any employee and all employees are directed to co-operate with any request made by the Academic Board
  - b) Convene subcommittees
  - c) Ensure the involvement of external parties with relevant experience and expertise
  - d) Review its structure and make any necessary recommendations for change to the Academic Board.
  
- 2.1 The Board of Governors shall provide the Academic Board with sufficient resources to meet its obligations under this Charter.

### **4. Administration Matters**

#### *Membership*

- 4.1 The Academic Board will be comprised of the following members:
  - a) Chief Academic Officer
  - b) CEO/Principal
  - c) Director of Academic Quality
  - d) An internal academic (elected by academic peers)
  - e) Academic Secretary
  - f) A currently serving or retired judge
  - g) An external academic (Law)
  - h) An external academic (Education)
  - i) An industry representative

- j) A current student (appointed by the Academic Board following a call for nominations from currently enrolled students).
- 4.2 Each member will bring to the role the skill and judgment expected of a person in his or her capacity in order to retain within the Academic Board the requisite blend of knowledge and skills to give effect to the business of the Academic Board.
- 4.3 Standing attendees are:
  - a) Director of Teaching and Learning
  - b) COLNZ Chief Academic Officer
  - c) Head of Post-graduate Programs
  - d) A PLT Program Director
  - e) Director of Academic Regulatory Compliance
- 4.4 The Academic Board may invite such other persons (external experts, executive and academic staff, etc) to attend its meetings as it deems necessary.

#### *Chair and Deputy Chair*

- 4.5 The Chair is appointed by the Board of Governors. At the date of this Charter, the Chair is the Chief Academic Officer.
- 4.6 The Academic Board may appoint a Deputy Chair who, in the absence of the Chair, will preside over meeting(s).
- 4.7 The Deputy Chair must be an external member of the Academic Board.

#### *Term*

- 4.8 The appointment of an external academic (law) and external academic (education) is to be reviewed in 2024 and every three years thereafter. The appointment term is for three years or as otherwise determined by the Board of Governors.
- 4.9 The appointment of an industry representative is to be reviewed in 2025 and every three years thereafter. The appointment term is for three years or as otherwise determined by the Board of Governors.
- 4.10 The appointment of a currently serving or retired judge is to be reviewed in 2026 and every three years thereafter. The appointment term is for three years or as otherwise determined by the Board of Governors.
- 4.11 The internal academic is elected for a period of two years and may be re-elected.
- 4.12 The current student is appointed for a term of two years and will remain a member for that term even if they complete their studies during the term.

#### *Quorum*

- 4.13 A quorum is a simple majority, including the Chair, at any meeting.
- 4.14 A simple majority of those present is required for the passing of any resolution.

#### *Conflicts of Interest*

- 4.15 Members are required to declare any interest that could constitute a real, potential or apparent conflict of interest with respect to participation on the Academic Board. The declaration must be made in relation to specific agenda items at the outset of each Academic Board meeting.

#### *Meetings*

- 4.16 The Academic Board will meet as often as the members deem necessary in order to undertake and fulfil their role effectively. The Academic Board will meet at least quarterly, and the schedule of meetings will be agreed in advance.
- 4.17 It is expected that regular reports will be received on matters to be defined by the Academic Board but will normally include:
- a) Academic risk reports/reviews
  - b) Academic quality reports/reviews
  - c) Compliance reports and certifications
  - d) External audit updates and reports
  - e) Academic subcommittee reports
  - f) Course development and review.

#### *Minutes*

- 4.18 The proceedings of all meetings will be minuted with draft minutes provided to the Chair for review within 7 days of the meeting and circulated to Academic Board members and standing attendees within 14 days of each meeting for their review.

#### *Circular resolutions*

- 4.19 Out-of-session decisions may be required for matters outside of regular meetings. In such circumstances, the Chief Academic Officer or delegate may request members to vote on matters via circular resolution.

#### *Dispute resolution*

- 4.20 In the event that the Board of Governors disputes a decision of Academic Board or rejects a recommendation of Academic Board, the following procedure shall be followed:
- a) the Board of Governors shall request the Chair of Academic Board to provide a report on the matter to ensure that Governors have all relevant information and are fully briefed on the reasons for the Academic Board decision or recommendation
  - b) if, after considering the report, the Board of Governors continues to dispute the decision or recommendation of Academic Board then the Chair of the Board of Governors and the Chair of the Academic Board shall each appoint representatives from their respective boards who will meet to discuss the dispute and attempt to resolve it, and will report to the Board of Governors and to Academic Board on the results of their discussion
  - c) if, after considering this further report, the Board of Governors continues to dispute the decision or recommendation of Academic Board then the view of the Board of Governors shall prevail and the Board of Governors may substitute its own decision for any decision of Academic Board.

#### *Records management*

- 4.21 The Academic Board and its subcommittees' agendas, meeting papers and minutes (including out-of-session resolutions) will be stored permanently in secure online folders accessible by the Academic Secretariat.

#### *Reporting*

- 4.22 The Chair of the Academic Board will present a report to the Board of Governors about matters considered at meetings of the Academic Board held since the previous meeting of the Board of Governors.
- 4.23 The Academic Secretary on behalf of the Academic Board will ensure that a signed copy of approved minutes of Academic Board meetings are provided to the Company Secretary.

#### *This Charter*

- 4.24 The Academic Board will review this Charter biennially to ensure it remains appropriate to the full scope of necessary oversight and make recommendations to the Board for any amendments.

#### *Performance reviews*

- 4.25 The Academic Board will review its performance at least biennially.
- 4.26 The Academic Board will appoint a third party to conduct an external review of its performance at least every 5 years.

#### *Academic Subcommittees*

- 4.27 The work of the Academic Board will be informed by the following academic subcommittees:
- a) Group Course Committee
  - b) Assessment Review Committee
  - c) Research and Scholarship Committee
  - d) Curriculum Advisory Committees
  - e) Work Experience Committee
  - f) such other subcommittees as the Academic Board may establish from time to time.
- 4.28 The purpose, terms of reference and membership criteria for all academic subcommittees is set out in part 6 of this Charter.
- 4.29 All academic subcommittees report to the Academic Board.

#### *Confidentiality*

- 4.30 Board members must keep confidential all information pertaining to matters dealt with by the Board. This includes board meeting minutes, agendas, reports to the Board and associated documents, and information contained in those documents.
- 4.31 The obligation to maintain confidentiality continues to apply even after a person has left the Board.
- 4.32 Maintaining confidentiality as a general rule will also help ensure observance by Board members of the following legal duty under section 183 of the *Corporations Act 2001*:
- A person who obtains information because they are, or have been, a director or other officer or employee of a corporation must not improperly use the information to:*
- (a) gain an advantage for themselves or someone else; or*
  - (b) cause detriment to the organisation.*
- 4.33 Any person who is not a member of the Board but is present at a Board meeting (or part of a meeting) must maintain in confidence all information obtained as a result of their participation in the meeting.

## **5. Related Documents**

- 5.1 Corporate Governance Charter

## **6. Principles**

### **6.1 Principles in Research and Scholarship**

#### *Academic Freedom*

- 6.1.1 The College will promote academic freedom and endorses the right of all employees, subject to the general law, to research and publish as they see fit, with the exception

that no employee may purport to speak on behalf of the College without due authorisation.

#### *Legal Professional Practice*

- 6.1.2 The College will promote research and scholarship that study:
- a) The structures, processes, dynamics, demographics and sociology of the legal profession
  - b) Legislative and other structures by which the legal profession is regulated and governed as well as the development of social and legislative policy with respect to the legal services marketplace
  - c) Best practice trends in the design and delivery of legal services as well as developing fields of legal practice and their impact on legal service consumers and communities
  - d) The scholarship of teaching and learning.
- 6.1.3 Wherever appropriate we also convert this research and scholarship into materials for teaching and learning in both award and non-award programs.

#### *Legal Education Best Practice*

- 6.1.4 The College will promote research and scholarship that study:
- a) How education standards for legal professionals are authoritatively defined – including definitions of practice standards in specialist areas, law firm management standards and standards in education technology
  - b) The theory and practice of ongoing professional education as it applies to the legal profession, how lawyers and other professionals learn, how other institutions achieve their teaching and learning objectives, how to translate legal learning into practice competencies – and how to match learning strategies and technologies to objectives
  - c) Regulation and governance of higher education systems, the law school sector and this impact on the education of legal practitioners and the quality of legal service outcomes.

#### *Professional Legal Ethics*

- 6.1.5 The College will promote research and scholarship that study:
- a) Ethical frameworks for professional competency standards and the legal learning necessary to achieve them
  - b) Trends in debate among the public and profession about lawyer ethics
  - c) Comparative ethical frameworks
  - d) Corporate social responsibility as a core dynamic of the legal profession.

## **6.2 Principles in Teaching and Learning**

#### *Legal Professional Practice*

- 6.2.1 The College will provide programs that:
- a) Make explicit the core values of the legal profession
  - b) Are relevant to professional practice in different contexts
  - c) Reflect current law and legal practice
  - d) Promote best legal practice
  - e) Integrate work-based and academic learning
  - f) Enable College graduates to participate actively and responsibly in a diverse and changing profession.

#### *Legal Education Best Practice*

- 6.2.2 The College will provide programs that:
- a) Are student focused



- b) Are informed by analysis of student learning outcomes and other data
- c) Are informed by relevant research and scholarship
- d) Use active learning strategies to engage students
- e) Incorporate flexible learning technologies
- f) Provide professional mentoring and support to students
- g) Deliver practical and professionally relevant content
- h) Are well organised and structured
- i) Use assessment practices that support and enhance student learning
- j) Are benchmarked wherever relevant with appropriate institutions engaged in similar academic fields or activities
- k) Are facilitated by appropriately experienced and qualified lecturers with ongoing access to professional development.

#### *Professional Legal Ethics*

6.2.3 The College will provide programs that:

- a) Give effect to the importance of academic integrity
- b) Provide leadership and scholarship in professional ethics
- c) Actively promote the principles of ethical behaviour in practice
- d) Reflect current issues and research in professional legal ethics
- e) Incorporate professional ethics directly or indirectly
- f) Are delivered by staff who are professional role models
- g) Encourage College graduates to be active and responsible legal professionals who contribute to the service of the community and the administration of justice.

### **6.3 Principles of Engagement with the Profession and Community**

#### *Legal Professional Practice*

6.3.1 The College will make contributions that:

- a) Develop strong relationships with and between professional legal associations, groups, boards, committees and working parties
- b) Promote discussion and debate in the profession and the community about the legal profession and its role, and respond actively to government discussion papers and public media on these matters as they arise
- c) Support government initiatives in legal institutional strengthening in activities among legal professions in our region.

#### *Legal Education Best Practice*

6.3.2 The College will make contributions that:

- a) Develop strong relationships with law schools, law teachers, law student associations and other professional schools and organisations within the higher education sector with relevance for the College's work
- b) Promote discussion and debate in the higher education system and the community about developing best practice in legal education, and respond actively to government discussion papers and public media on these matters as they arise
- c) Ensure that the legal profession is actively involved in the creation and maintenance of curricula.

#### *Professional Legal Ethics*

6.3.3 The College will make contributions that promote corporate social responsibility in the profession and the community.

## **7. Academic Subcommittee Terms of Reference**

7.1 The terms of reference of the academic subcommittees of the Academic Board are set out in Appendix A.

## Appendix A

### Academic Subcommittee Terms of Reference

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#### 1. Group Course Committee

##### *Purpose*

1.1 The Group Course Committee (GCC) is a forum for the coordination of courses, course quality and delivery and attendant policies.

##### *Terms of Reference*

- 1.2 The GCC operates with and through its Chair, the Group Chief Academic Officer. Under the Chair's leadership, the GCC has the following roles and functions:
- a) Consider and provide feedback on major changes to existing courses;
  - b) Review the day-to-day operation of College Programs;
  - c) Monitor moderation of student assessment results;
  - d) Analyse data and make recommendations for the continuous improvement of the content and delivery of all courses;
  - e) Review the implementation and operation of academic policy;
  - f) Consider recommendations of Curriculum Advisory Committees;
  - g) Make recommendations to the Academic Board and the Executive Committee where appropriate; and
  - h) Review student feedback surveys.
- 1.3 The GCC meets monthly and reports to the Academic Board via the Chief Academic Officer and the representatives of the PLT and Postgraduate programs who are regular attendees at Academic Board meetings.
- 1.4 The GCC should review its terms of reference biennially to provide assurance that it remains consistent with the Academic Board's objectives and responsibilities.

##### *Membership*

- 1.5 The GCC is constituted by the following members:
- a) Chief Academic Officer (Chair);
  - b) Academic Secretary (Secretary);
  - c) Chief Academic Officer, The College of Law New Zealand;
  - d) Programme Director, The College of Law New Zealand;
  - e) Director, International Relations and Development;
  - f) Director, Academic Regulatory Compliance;
  - g) Director, Teaching, Learning and Design Directorate;
  - h) Assistant Director, Teaching, Learning and Design Directorate;
  - i) Director, Customer Engagement and Student Administration;
  - j) Manager, Program Operations and Delivery;
  - k) Director, Academic Quality;
  - l) Head of Postgraduate Programs;
  - m) Executive Director, Centre for Legal Innovation;
  - n) Executive Director, The College of Law ACT;
  - o) Executive Director, PLT Program (New South Wales);
  - p) Executive Director, The College of Law Queensland;
  - q) Executive Director, The College of Law South Australia;
  - r) Executive Director, The College of Law Victoria; and
  - s) Executive Director, The College of Law Western Australia.
- 1.6 The GCC may invite such other persons (course lecturers, external experts, executive staff, etc) to attend its meetings as it deems necessary.

##### *Quorum*

1.7 A quorum is a simple majority, including the Chair, at any meeting.

1.8 A simple majority of those present is required for the passing of any resolution.

#### *Minutes*

1.9 Minutes of each meeting will be provided by the Secretary to the Chair for review within 7 days of the meeting and circulated to GCC members within 14 days of the meeting.

#### *Circular resolutions*

1.10 Out-of-session decisions may be required for matters outside of regular meetings. In such circumstances, the Chief Academic Officer or delegate may request members to deliberate on matters via circular resolution.

## **2. Research and Scholarship Committee**

#### *Purpose*

2.1 In concert with the Centre for Legal Innovation, the Research and Scholarship Committee (RSC) advises on and guides research and scholarship activities at the College with the aims of developing knowledge in support of the College's *Principles in Research and Scholarship* and ensuring that the outputs of research and scholarship, where appropriate, are utilised in the development of curriculum and delivery.

#### *Terms of Reference*

2.2 The role of the RSC is to:

- Coordinate research and scholarship activities between the Centre for Legal Innovation and the Academic Secretariat, including the Teaching and Learning and Design Directorate;
- Contribute to the development of the annual Scholarship Plan;
- Ensure that scholarship activity is aligned to the Scholarship Strategy and annual Scholarship Plan;
- Develop and drive strategies that foster a culture of scholarship;
- Review scholarly outputs of academics for sharing amongst the College community for professional development purposes and to inform course content, design and teaching;
- Receive reports from the Teaching Learning and Design Directorate as to how research and scholarship outputs are being integrated into College programs;
- Benchmark research and scholarship with other institutions, where appropriate, to inform College scholarship; and
- Review research and scholarship policies and procedures including ethics approval.

#### *Membership*

2.3 The RSC includes:

- Chief Academic Officer (Chair);
- Director, Teaching, Learning and Design Directorate;
- Director, Centre for Legal Innovation;
- National Librarian;
- Assistant Director, TLD
- Director, Academic Quality;
- Up to three staff representatives appointed by the Chief Academic Officer; and
- Academic Secretary (Secretary).

#### *Quorum*

A quorum is a simple majority, including the Chair, at any meeting.

A simple majority of those present is required for the passing of any resolution.

### *Meetings*

2.4 The RSC meets monthly and provides reports quarterly to the Academic Board (or more frequently as required).

The RSC should review its terms of reference biennially to provide assurance that it remains consistent with the Academic Board's objectives and responsibilities.

### *Meeting Notes*

2.4 Meeting notes will be provided by the Secretary to the Chair for review within 7 days of the meeting and circulated to RSC members within 14 days of the meeting.

### *Circular resolutions*

2.5 Out-of-session decisions may be required for matters outside of regular meetings. In such circumstances, the Chief Academic Officer or delegate may request members to deliberate on matters via circular resolution.

## **3. Curriculum Advisory Committees**

### *Purpose*

3.1 Curriculum Advisory Committees (CACs) are panels of internal and external industry representatives who advise the College on the curriculum of specific programs to ensure they remain relevant and up to date.

### *Practical Legal Training (PLT) Programs*

3.2 CACs in New Zealand, New South Wales, Australian Capital Territory, Northern Territory, South Australia, Queensland, Victoria and Western Australia will be established to advise course leaders on the impact of local conditions on the PLT Program curriculum and work experience options and to recommend changes to the relevant stream materials.

### *Post-admission Programs*

3.3 The CAC for Post-admission Programs performs the same function as PLT Program CACs.

### *Terms of Reference*

3.4 CACs meet at least annually. and report to the Academic Board via the GCC.

3.5 The role of a CAC is to review the curriculum, including the learning outcomes and assessment tasks, for each subject taught within the relevant program in order to provide industry insights into local conditions, expectations of graduate capabilities and the realities of legal practice.

### *Membership*

- 3.6 CACs are constituted by:
- a) The relevant Program Director (Chair);
  - b) Academic Secretary (Secretary);
  - c) An early career lawyer;
  - d) A cooperative partner representative;
  - e) A senior lawyer; and
  - f) A lecturer who teaches in the relevant course.

### *Term*

3.7 Non-ex officio members are appointed for a term of 2 years by the Program Director.

### *Quorum*

3.8 The attendance of at least three of the four external members, in addition to the Program Director and Academic Secretary, is required for a quorum.

3.9 A simple majority of those present is required for the passing of any resolution.

### *Minutes*

3.10 Minutes of each meeting will be provided by the Secretary to the Chair for review within 7 days of the meeting and circulated to CAC members within 14 days of the meeting.

### *Circular resolutions*

3.11 Out-of-session decisions may be required for matters outside of regular meetings. In such circumstances, the Chief Academic Officer or delegate may request members to deliberate on matters via circular resolution.

### *Reporting*

3.12 The CACs report to the Academic Board via the representatives of the PLT and Postgraduate programs who are regular attendees at Academic Board meetings.

3.13 After each meeting of a CAC the Program Director will provide a report of that meeting to the Group Course Committee (GCC) including any recommendations or suggestions made by the CAC.

### *Confidentiality*

3.14 CAC members must keep confidential all information pertaining to matters dealt with by the CAC. This includes reports and associated documents, and information contained in those documents. The obligation to maintain confidentiality continues to apply even after a person has left the CAC.

## **4. Assessment Review Committee**

### *Purpose*

4.1 The Assessment Review Committee (ARC) endorses lists of graduands for completion/graduation, following advice from the relevant Program Director that all graduands in the relevant period have met all course requirements and are eligible to complete and graduate.

4.2 The ARC also considers the case of any student who has twice failed an assessment and makes determinations as to what remedial action may be required before the student is eligible to transfer or re-sit.

4.3 The ARC additionally:

- a) Considers the case of any student who may have technically abandoned the course and determines what conditions will be set upon re-enrolment, including whether the full tuition fees will need to be paid again;
- b) Determines applications for recognition of prior learning on appeal from a decision of a Program Director.
- c) Hears appeals against the decisions of Program Directors not dealt with by other subcommittees in cases involving complaints or disputes.

### *Terms of Reference*

- 4.4 In considering the case of any student who has failed an assessment twice and determining what remedial action may be required before the student is eligible to transfer re-sit, the ARC will have regard to:
- The circumstances of the failure;
  - The personal circumstances of the student;
  - The apparent willingness of the student to complete the course;
  - The student's performance in other subjects;
  - The views of the student's lecturer; and
  - The manner in which similar applications have been determined.
- 4.5 In considering the case of any student who may have technically abandoned the course and determining what conditions will be set upon re-enrolment, the ARC will have regard to:
- The personal circumstances of the student;
  - The apparent willingness of the student to complete the course;
  - The student's performance prior to abandonment;
  - The amount of time passed between abandonment and re-application;
  - The views of the student's lecturer;
  - What the student has been doing in the interim;
  - Any changes to law or practice which might impact on credit for subjects completed;
  - The manner in which similar applications have been determined.
- 4.6 The normal rule is that a student resuming after abandonment or exclusion will have to pay the tuition fee for any outstanding subjects. The ARC may waive all fees, including the transfer fee, if it regards the personal circumstances of a student to be extraordinarily compelling and deserving, and can be distinguished from cases where the fees were charged.
- 4.7 In considering an appeal against the decision of Program Director in relation to recognition of prior learning, the ARC will have regard to:
- Whether the subject is prescribed under any professional accredited course standards;
  - The state or territory where the subject was completed;
  - The time elapsed between the completion of the subject and the application; and
  - Any other relevant matter.
- The ARC may:
- Accept or reject a student's application; or
  - Accept the student's application on such conditions, including any relating to the fees payable for the Program, as it considers appropriate.
- 4.8 In considering an appeal against the decision of a Program Director not dealt with by other subcommittees in a complaint or dispute, the ARC will have regard to:
- The policies, guidelines and Assessment Rules;
  - The relevant exam script or recording, marking sheet, markers' guide or other assessment materials;
  - The version of events presented orally or in writing by the student; and
  - The response to the student's version of events as presented orally or in writing by the relevant lecturer or Program Director.
- 4.9 In accordance with policy, guidelines and Assessment Rules, the ARC will try to resolve the complaint or dispute acting in the role of mediator, observing the principles of natural justice, and will always try to resolve the complaint or dispute as soon as practicable while ensuring the interests of all parties are respected.

#### *Membership*

- 4.10 The ARC is constituted by the following members:
- An Executive Director of a PLT Program nominated by the Chief Academic Officer (Chair);
  - Director of Academic Quality; and
  - Three senior members of academic staff appointed by the Chief Academic Officer for a two year term, which may be renewed.

- 4.11 The Academic Secretary is a standing attendee and will act as Secretary to the ARC.
- 4.12 The ARC may invite such other persons (course lecturers, external experts, executive staff, etc) to attend its meetings or to provide advice or information as it deems necessary.

#### *Quorum*

- 4.13 The Chair and three other members of the ARC members are required for a quorum.

#### *Meetings*

- 4.14 The ARC will meet as often as the Chair deems necessary in order to undertake and fulfil its role effectively. The ARC will meet at least annually.
- 4.15 The ARC should review its terms of reference and the Assessment Rules biennially to provide assurance that it remains consistent with the Academic Board's objectives and responsibilities.

#### *Written decisions*

- 4.16 A written decision following consideration of the case of any student will be provided by the Secretary to the Chair for review within 7 days of the meeting and circulated to ARC members within 14 days of the meeting.
- 4.17 The case of any student referred to the ARC (and relevant documents) are to be recorded in the Support for Students Register.

#### *Minutes*

- 4.18 When the ARC meets other than to consider the case of a student, minutes of each of those meetings will be provided by the Secretary to the Chair for review within 7 days of the meeting and circulated to CAC members within 14 days of the meeting.

#### *Circular resolutions*

- 4.19 Out-of-session decisions may be required for matters outside of regular meetings. In such circumstances, the Chair may request members to deliberate on matters via circular resolution.

#### *Confidentiality*

- 4.20 ARC members must keep confidential all information pertaining to matters dealt with by the ARC. This includes reports and associated documents, and information contained in those documents. The obligation to maintain confidentiality continues to apply even after a person has left the ARC.

#### *Retention of records*

- 4.21 Meeting notes and other relevant documents will be retained in accordance with any regulatory requirements.

## **5. Work Experience Committee**

#### *Purpose*

- 5.1 The Work Experience Committee (WEC) ensures compliance with the Work Experience Rules that apply in the PLT Program.

#### *Terms of Reference*

5.2 The WEC considers Work Experience Approval Applications and Declarations and the terms of reference are set out in entirety in the Work Experience Rules.

#### *Membership*

5.3 The WEC is constituted by:

- a) A senior member of academic staff nominated by the Chief Academic Officer (Chair);
- b) A senior student administration officer nominated by the Chief Academic Officer; and
- c) The relevant PLT Program Director;

#### *Term*

5.4 Non-ex officio members are appointed for a term of 2 years by the Chief Academic Officer.

#### *Quorum*

5.5 All WEC members are required for a quorum. A simple majority of those present is required for the passing of any resolution.

#### *Meetings*

5.6 The WEC will meet as often as the Chair deems necessary in order to undertake and fulfil its role effectively. The WEC will meet at least annually.

5.7 The WEC should review its terms of reference and the Work Experience Rules biennially to provide assurance that it remains consistent with the Academic Board's objectives and responsibilities.

#### *Written decisions*

5.8 A written decision following consideration of Work Experience Approval Applications and Declarations will be provided by the Secretary to the Chair for review within 7 days of the meeting and circulated to WEC members within 14 days of the meeting.

#### *Minutes*

5.9 When the WEC meets other than to consider Work Experience Approval Applications and Declarations, minutes of each of those meetings will be provided by the Secretary to the Chair for review within 7 days of the meeting and circulated to WEC members within 14 days of the meeting.

#### *Circular resolutions*

5.10 Out-of-session decisions may be required for matters outside of regular meetings. In such circumstances, the Chair may request members to deliberate on matters via circular resolution.

#### *Confidentiality*

5.11 WEC members must keep confidential all information pertaining to matters dealt with by the WEC. This includes reports and associated documents, and information contained in those documents. The obligation to maintain confidentiality continues to apply even after a person has left the WEC.

## **6. Appeals Committee**

#### *Purpose*

6.1 Pursuant to the Assessment Rules, a student may appeal (on procedural grounds only) to the Appeals Committee (AC) from any decision of the:

- a) Assessment Review Committee (ARC);



- b) Chief Academic Officer (CAO) in respect of a finding or investigation of academic misconduct;
- c) Work Experience Committee (WEC).

### *Terms of Reference*

#### 6.2 Appeals from the ARC or decision of the CAO:

- a) In determining an appeal from the ARC or a decision of the CAO on a finding or investigation of academic misconduct, the AC will have regard to:
  - i) Whether the appeal is correctly characterised and framed, pursuant to the Assessment Rules, as being brought on the grounds of procedural unfairness; and
  - ii) Whether the appeal is brought within time pursuant to the Assessment Rules; and
  - iii) Whether the appeal convincingly establishes grounds indicative of procedural unfairness, irregularity or error in accordance with the Assessment Rules Policy.
- b) If the answer to any of these threshold considerations is in the negative, the appeal should be dismissed, and the student informed in writing by the Academic Secretary.
- c) If the answer to all of these threshold considerations is positive, the appeal should be allowed or referred back to the ARC with clear directions as to what features of the original application are to be reconsidered, and how. The student should be informed in writing by the Academic Secretary in accordance with the Assessment Rules.
- d) An appeal will not be successful merely because grounds of procedural unfairness, irregularity or error are established.
- e) If it appears to the AC that the merits of the original application are established as an automatic corollary of the threshold considerations on appeal, then the AC may substitute its own determination for that of the ARC or CAO.
- f) If the merits of the original application are not established as an automatic corollary of the threshold considerations on appeal, then the AC must refer the appeal back to the ARC or CAO.

#### 6.3 Appeals from the WEC

- a) In determining an appeal from the WEC, the AC will have regard to guidelines under Rule 12 of the Work Experience Rules. In considering any appeal, the AC ought to determine:
  - i) Whether the appeal is correctly characterised and framed, pursuant to Rule 12.3, as being brought on the grounds of procedural unfairness, irregularity or improper exercise of the WEC's power under Rule 11.1; and
  - ii) whether the appeal convincingly establishes grounds indicative of procedural unfairness, irregularity or improper exercise of the WEC's discretion under Rules 9.4, 10.1 and 10.2.
- b) If the answer to both of these threshold considerations is positive, the appeal should be permitted. The student should be informed in writing by the Academic Secretary in accordance with the Assessment Rules.
- c) Otherwise the AC should proceed as for an appeal from the ARC or CAO.
- d) Once an appeal from the ARC, CAO or WEC is determined, the student must be informed in writing by the Academic Secretary.

### *Membership*

#### 6.4 The AC is constituted by:

- a) The CEO/Principal (Chair) or nominee;
- b) A legal practitioner of at least 5 years post qualification experience nominated by the Chair of the Board of Governors; and
- c) A senior member of academic staff nominated by the Chief Academic Officer.

6.5 The Academic Secretary is a standing attendee and will act as Secretary to the AC.

### *Term*

6.6 Non-ex officio members are appointed for a term of 2 years by the Academic Board.

### *Quorum*

6.7 All AC members are required for a quorum.

6.8 A simple majority of those present is required for the passing of any resolution.

#### *Meetings*

6.9 The AC will meet whenever a relevant appeal is made by a student.

6.10 The AC should review its terms of reference biennially to provide assurance that they remain consistent with the Academic Board's objectives and responsibilities.

#### *Written decisions*

6.11 A written decision following consideration of an appeal will be provided by the Secretary to the Chair for review within 2 days of the meeting and circulated to AC members within 4 days of the meeting. The Academic Secretary will advise the student of the outcome in writing within 7 days of the consideration of the appeal.

#### *Minutes*

6.12 When the AC meets other than to consider an appeal, minutes of each of those meetings will be provided by the Secretary to the Chair for review within 7 days of the meeting and circulated to AC members within 14 days of the meeting.

#### *Reporting*

6.13 Deidentified AC minutes (including out-of-session resolutions) and written decisions are to be included in the papers for the next Academic Board meeting after each ARC meeting, assuming such Academic Board meeting takes place at least 14 days after the Committee meeting. If the Academic Board meeting is within 14 days of the Committee meeting, then the Chair may verbally report to the Board.

6.14 All matters referred to the AC (and relevant documents) are to be recorded in the Complaints and Grievances Register.

#### *Confidentiality*

6.15 AC members must keep confidential all information pertaining to matters dealt with by the AC. This includes reports and associated documents, and information contained in those documents. The obligation to maintain confidentiality continues to apply even after a person has left the AC.

## **7. External Appeals Panel**

#### *Purpose*

7.1 Pursuant to the Assessment Rules, a student may appeal (on procedural grounds only) to the External Appeals Panel (EAP) from any decision of the Appeals Committee (AC).

#### *Terms of Reference*

7.2 The EAC has the same terms of reference as the AC and proceeds in accordance with the Assessment Rules.

#### *Membership*

7.3 The EAP consists of up to 3 senior external academics and/or senior members of the legal profession appointed by the Academic Board.

7.4 The current members of the EAP are:

- Professor Gino Dal Pont (University of Tasmania)
- The Hon Keith Mason AC QC
- The Hon Peter Rose AM QC

7.5 In the event of an appeal to the EAP, the Chair of the Academic Board will nominate 1 or 2 members of the EAP to hear the appeal.

7.6 The Academic Secretary is a standing attendee and will act as secretary to the EAP.

#### *Term*

7.7 Members are appointed for a term of 4 years by the Academic Board.

#### *Quorum*

7.8 If 2 members are nominated to hear an appeal then both members are required for a quorum. All decisions must be unanimous. If a decision is not unanimous, the appeal will be unsuccessful.

#### *Meetings*

7.9 The EAP will meet whenever a relevant appeal is made by a student.

#### *Written decisions*

7.10 A written decision following consideration of an appeal will be provided by the Secretary to the relevant EAP member(s) for review within 2 days of the consideration of the appeal meeting. The Academic Secretary will advise the student of the outcome in writing within 7 days of the consideration of the appeal.

#### *Reporting*

7.11 Deidentified EAP minutes and written decisions are to be included in the papers for the next Academic Board meeting after each consideration of an appeal, assuming such Academic Board meeting takes place at least 14 days after the Committee meeting. If the Academic Board meeting is within 14 days of the Committee meeting, then the Chair may verbally report to the Board.

7.12 All matters referred to the EAP (and relevant documents) are to be recorded in the Complaints and Grievances Register.

#### *Confidentiality*

7.13 EAC members must keep confidential all information pertaining to matters dealt with by the EAC. This includes reports and associated documents, and information contained in those documents. The obligation to maintain confidentiality continues to apply even after a person has left the EAC.