

Appeals on Non-promotion of Academic and Research Only Academic Staff

Approving authority	Executive Group
Approval date	4 May 2016
Advisor	For advice on this policy, contact HR Advisory Services
Next scheduled review	2021
Document URL	http://policies.griffith.edu.au/pdf/Appeals on Non-promotion of Academic and Research Only Academic Staff Procedure.pdf
TRIM document	2017/0000348
Description	This procedure provides a framework for academic and research only academic staff to lodge an appeal against non-promotion on the basis of a significant breach of procedure.

Related documents

[Promotion of Academic and Research Only Academic Staff Policy](#)
[Promotion of Academic Staff Procedures](#)
[Promotion of Research Only Academic Staff Procedures](#)
[Appeal on Non-Promotion of Academic and Research Only Academic Staff – Submission Form \(PDF\)](#)
[Appeal on Non-Promotion of Academic and Research Only Academic Staff – Submission Form \(Word\)](#)
[Academic Staff Review Policy and Procedures](#)
[Academic Work@Griffith Website](#)
[Code of Conduct](#)

[\[Introduction\]](#) [\[Scope\]](#) [\[Lodging an Appeal\]](#) [\[Appeal Panel\]](#) [\[Consideration of the Appeal\]](#) [\[Appeal Decision\]](#)
[\[Delegated Authorities\]](#)

1. INTRODUCTION

These procedures apply to applications for promotion considered in accordance with the Promotion of Academic and Research Only Academic Staff Policy, Promotion of Academic Staff Procedures and Promotion of Research Only Academic Staff Procedures.

The University is committed to ensuring a transparent process for promotion.

Where an academic staff member believes that the outcome of their application for promotion has been affected by a significant breach of procedure, the staff member may lodge an appeal. An appeal will not be accepted where it is made on substantive grounds or which challenges the judgement of the Committee or other decision maker.

A staff member may only lodge an appeal in relation to their own promotion case.

1.1 Terminology

For the purpose of this procedure, 'Committee' is the term used to describe either the Group Promotions Committee which considers applications for promotion up to and including Senior Lecturer/Senior Research Fellow or the Senior Promotions Committee for promotion to Associate Professor/Principal Research Fellow and Professor.

2. SCOPE

This procedure applies to all full time and part time academic and research only academic staff who are eligible for consideration for promotion.

3. LODGING AN APPEAL

Appeals against non-promotion may only be made on the grounds of the University's failure in a significant way to comply with its own procedures. The academic merits of a case for promotion and the judgement of the Committee or other decision maker may not be used as the basis for an appeal.

3.1 Appeal Submission

The staff member will have received upon notification of non-promotion a copy of the minute extract from the meeting where the decision on their application was made. Staff members would have previously received a copy of the Supervisor/Dean report. This is all the material a staff member can expect to receive in respect to this matter.

An Appeal on Non-Promotion Submission is to be prepared and lodged with the Director, Human Resources (HR) outlining the grounds for appeal within 20 working days of the date of advice of recommendation on promotion. Appeals or further documentation will not normally be accepted after this time.

The proforma can be accompanied by additional information but the submission should not exceed 6 pages in total.

It is the responsibility of the appellant to put forward the case for the appeal and to provide evidence supporting allegations that the University's procedure was not correctly followed in a significant way.

HR will advise the relevant Dean and Group Pro Vice Chancellor of a staff member's submission.

3.2 Comment on Appeal Submission

HR will forward a copy of the appeal submission to the Chair of the Committee or nominee for comment. The Chair or nominee must provide comments within 10 working days.

4. APPEAL PANEL

An Appeal Panel will be established to consider each appeal. The Appeal Panel will normally be established within 10 working days of receiving the Appeal Submission.

Each Appeal Panel will comprise three persons consisting:

- a person to chair the Panel appointed by agreement between the Deputy Vice Chancellor (Academic) and the NTEU,
- a staff member appointed by the Deputy Vice Chancellor (Academic), and
- a staff member nominated by the NTEU after consultation with the affected staff member.

The Chair will be a member of the staff of the University or a person who has previously been a staff member and is retired from the University.

In appointing an Appeal Panel, the Deputy Vice Chancellor (Academic), or nominee, will ensure that the membership excludes persons party to the decision and that there is due regard for gender balance. Before accepting appointment to an Appeal Panel, persons must declare potential conflicts of interest.

The Director, HR will also appoint a member of HR to provide secretarial support to an Appeal Panel.

The appellant will be advised of the membership of the Appeal Panel.

5. CONSIDERATION OF THE APPEAL

The Chair of the Appeal Panel has authority to review appeal submissions and to reject submissions which seek to argue the academic merits of a case which challenge the judgement of the Committee in respect of its assessment of the merits of a case.

All appeals on procedural grounds received will normally be considered by an Appeal Panel within 20 working days of receiving the appeal submission. The proceedings of an Appeal Panel will be confidential.

In considering an appeal, the Appeal Panel will compare the actual procedures followed in the appellant's case with the University procedures as outlined in the Promotion of Academic Staff Procedures or Promotion of Research Only Academic Staff Procedures, as relevant, and determine whether the University has failed in a significant way to comply with its own procedures.

- The Panel will be provided with the following documentation for their consideration:
- The appeal submission;
- The response from the Chair of the Committee;
- Extracts from Committee minutes and other relevant documentation relating to the recommendation or decision; and
- The University's Promotion of Academic and Research Only Academic Staff Policy, Promotion of Academic Staff Procedures and Promotion of Research only Academic Staff Procedures.

The Panel may decide to seek clarification on particular issues from parties relevant to the appeal. This clarification may be requested in writing or through interviews with the Panel.

An appellant will have the right to request an interview with the Panel.

6. APPEAL DECISION

The Appeal Panel may either recommend the dismissal of the appeal or, if it finds that the University failed in a significant way to comply with its own procedures, it may recommend referring the case back to the Committee for reconsideration.

The Appeal Panel's recommendation, where possible, will be on the basis of consensus. Where this is not possible, the Panel will make a recommendation based on a majority vote.

The recommendation of the Appeal Panel will be put before the Deputy Vice Chancellor (Academic) who, after due consideration of all evidence, will make a final determination.

The appellant and other parties relevant to the appeal will normally be advised in writing of the outcome of the appeal within 10 working days of its decision.

6.1 Reconsideration by the Committee

Where the matter is referred back to the Committee for reconsideration, the Deputy Vice Chancellor (Academic) will indicate clearly where there had been a significant departure from the University's procedures. The Chair of the Appeal Panel will be an additional member of the Committee for the process of reconsideration.

The Committee is to reconsider the case within 40 working days.

7. DELEGATED AUTHORITIES

The Deputy Vice Chancellor (Academic), or their nominee, has authority to:

- agree on persons who can act as Chairs of Appeal Panels;
- approve the establishment of Appeal Panels;
- determine whether the Appeal Panel's recommendation is to be upheld or not.

The Appeal Panel may recommend whether the appeal should be dismissed or referred back to the Committee for reconsideration.