

BOARD POLICY

Examination Review and Appeal



Scope

The policy applies to candidates applying to or undertaking OCANZ examinations (including the Competency in Optometry Examination (COE) and the Assessment of Competence in Ocular Therapeutics (ACOT), who wish to review or appeal an assessment, examination or misconduct decision made by OCANZ.

Introduction

The Optometry Council of Australia and New Zealand (OCANZ) is the independent accreditation authority responsible for assessing overseas-trained optometrists who wish to practice in Australia or New Zealand. Our mission is to uphold public safety by ensuring optometrists are competent, well-trained, and equipped to deliver high standards of care.

The purpose of this document is to outline the process OCANZ follows in handling challenges to its assessment, examination, or misconduct decisions. It aims to ensure decisions are fair, transparent, timely, proportionate, and consistent with natural justice.

OCANZ examination review and appeal processes are guided by the following principles:

- Natural justice and procedural fairness
- Transparency and clarity of process
- Consistency and proportionality
- Independence of decision-making
- Timeliness and efficiency
- Confidentiality and privacy
- Accessibility

This document has been prepared with the assistance of the Australian Government Department of Employment and Workplace Relations [*Guiding Principles and Standards for Skilled Migration Assessing Authorities, August 2025*](#).

Definitions

The following definitions apply to and should be read in conjunction with this Policy.

Examination

The OCANZ Competency in Optometry Examination (COE) or Assessment of Competence in Ocular Therapeutics (ACOT).

Assessment

An evaluation conducted by OCANZ to determine a candidate's eligibility for an OCANZ examination and/or a migration skills assessment.

Applicant

A person who has applied to sit the Examination but has not been approved to do so.

Candidate

A person who has been approved to sit the Examination.

Appellant

A person who has lodged an appeal in respect of a decision made by OCANZ affecting that person.

Decision

A determination relating to examination outcomes, including pass/fail results, exclusion from an examination, eligibility decisions, or other examination-related determinations.

Review

A formal internal process of reviewing an assessment or examination outcome or decision.

Appeal

A formal process that takes place following the outcome of a review and allows an individual to request that an assessment, examination or misconduct decision be reviewed by an independent Appeal Committee.

Natural justice and procedural fairness

The principles underpinning the procedures used when making a decision. Natural justice and procedural fairness require decision-makers to act fairly, without bias, consider all relevant information, and provide individuals with an opportunity to be heard.

Business days

Monday to Friday excluding public holidays in Australia.

Timelines

OCANZ will consider all cases promptly and notify a candidate of the outcome of a review and/or appeal within 10 business days from the date a decision is made.

Confidentiality

All matters will be dealt with in accordance with the Privacy Act 1988 and the OCANZ's Privacy Policy and will be treated with strict confidentiality. OCANZ reserves the right to release information about misconduct matters to relevant authorities, such as regulatory and administrative bodies like Ahpra and the National Boards, the Australian Federal Police or the Department of Home Affairs, where required by law and/or in other instances, where there may be a risk to public safety, property and/or persons.

Grounds for Review and Appeal**Eligible Grounds - Review**

A candidate may seek a review only on one or more of the following grounds:

- a) the candidate perceives that OCANZ examination procedures or policies were not correctly applied; or
- b) the candidate perceives there were significant deficiencies in the processes used by OCANZ to reach a decision; or
- c) the candidate perceives that the procedural requirements and instructions, as specified by OCANZ in the relevant published documentation and/or in the instructions for the specific examination session, were not followed; or
- d) the candidate perceives that their performance was adversely affected by significant deficiencies in the examination procedures that were beyond the candidate's control.

Eligible Grounds – Appeal

The grounds for appeal are limited to the same grounds specified in the initial review application.

Excluded Grounds

An Application for Review is deemed ineligible where the grounds for review are not met. By way of example, the following matters are not considered grounds for review:

- a) disagreement with OCANZ's qualification assessment or examination standards
- b) disagreement with marks, grades, or assessment outcomes where correct procedures were followed
- c) personal issues or other reasons affecting preparation or performance
- d) inability to provide required documentation

- e) personal illness during an examination

A review application can be considered only once. Candidates dissatisfied with the review outcome may proceed to appeal but cannot submit a second review application on the same matter.

Terms and Conditions

Please note that OCANZ does not release its examination question papers or answer sheets to candidates or appellants. A review or appeal will not result in an exemption from the requirement to successfully complete all components of the Examination.

An application for review must be received by OCANZ within 20 business days from notification of an assessment or examination decision.

Informal Resolution

OCANZ recognises that, in some instances, what might otherwise be a review or appeal can be satisfactorily resolved informally through discussion with OCANZ staff members without further escalation. Candidates are encouraged to first seek informal resolution where appropriate.

Process

Upon receipt of an Application for Review, the CEO or nominee assesses if the application meets the requirements and the grounds for consideration. Where an Application for Review is deemed to not meet the requirements and/or the grounds for consideration, the candidate is notified of the reasons that their application is not valid and cannot be accepted. A full refund of the application fee is provided for ineligible applications. Where an Application for Review is deemed to meet the grounds for consideration, the CEO or nominee refers the application to a Review Panel.

There are two stages in the review and appeal process. Stage 1 – Review and Stage 2 – Appeal.

Stage 1 - Review

In Stage 1 of the Review process, the Review Panel will normally comprise up to three representatives of the OCANZ Examination Committee (including the Chair).

The CEO or their nominee will make available to the Review Panel relevant information and records related to the candidate's claims.

The candidate does not have the right to appear before the Review Panel unless the Review Panel determines otherwise.

The Review Panel must consider the administrative process, the outcome, and all relevant information. The Review Panel has the right to seek any information it considers necessary, subject to the rules of procedural fairness and natural justice.

Outcome of Review

The Review Panel may, with any conditions it considers appropriate:

- a) direct that the outcome of the candidate's eligibility assessment to sit the exam is overturned
- b) direct that the candidate be permitted a further opportunity to resubmit an application for assessment to be considered at the earliest opportunity, without charging (or refunding if already paid) an additional assessment fee
- c) direct that the candidate be permitted a further examination attempt at the earliest opportunity, without charging (or refunding if already paid) an additional examination fee. This may also include retention of the candidate's standing in relation to eligibility criteria as at the time of attempting the examination which is the subject of review
- d) direct that the finding of misconduct is set aside and recommend that an alternative process be undertaken to arrive at a decision
- e) direct that the finding of misconduct is overturned and any penalties applied are revoked

f) not uphold the candidate's claims or find them to be a non-contributing factor to the overall outcome.

The Review Panel may NOT:

- a) exempt a candidate from the requirement to complete one or more stages of the assessment process
- b) overturn the result of an examination and change a FAIL grade to a PASS grade in any section of the examination or in the examination overall
- c) exempt a candidate from the requirement to pass an examination or exempt a candidate from any other requirements of the examination.

A candidate who is permitted a further examination attempt must:

- a) meet any conditions imposed by the Review Panel
- b) sit the examination at a time specified by the Review Panel.

The Review Panel makes a decision on behalf of OCANZ. The Review Panel is required to give reasons for its decision.

The CEO or nominee will advise the candidate of the outcome of the review within 10 business days from the date of the decision being made by the Review Panel.

Stage 2 - Appeal

A candidate who remains dissatisfied with the Review Panel's decision may submit an Application for Appeal and request that an Appeal Committee (AC) consider the matter. The AC reviews the Review Panel's decision, the grounds of appeal, and all relevant information to determine whether the decision should be affirmed, varied or overturned.

A candidate may make an Application for Appeal only after an Application for Review has been made and determined.

An Application for Appeal must:

- a) be submitted to OCANZ within 20 business days of the date when the candidate is notified of the outcome of the review
- b) relate only to the administrative procedures of either the candidate's assessment or examination or the misconduct finding against them
- c) specify the relevant grounds for appeal
- d) be made only on the same grounds as considered in the Application for Review
- e) include all relevant supporting documentation (where applicable)
- f) be accompanied by payment of the relevant fee.

Upon receipt of an Application for Appeal, the CEO or their nominee assesses if the application meets the requirements and the grounds for consideration. Where an Application for Appeal is deemed to not meet the requirements and/or the grounds for consideration, the candidate is notified that their application is not valid and the reason(s) why it cannot be accepted. A full refund of the application fee is provided for ineligible applications.

Where an Application for Appeal is deemed to meet the requirements and the grounds for consideration, the CEO or their nominee convenes an AC. The AC comprises one Australian or New Zealand registered optometrist, one member of the OCANZ Accreditation Committee and one member with experience in assessments and examinations from another accreditation authority. All members must be independent of the Review Panel.

Candidates will be notified of the members appointed to the AC and will be given an opportunity to express any concerns regarding the panel's composition prior to the commencement of the appeal process.

The candidate has the right to appear and address the AC and may be accompanied by a support person but is not entitled to bring an advocate or spokesperson or legal representation before the AC, unless the AC has given its prior consent.

The AC may consider all material considered by the Review Panel together with any additional information from the appellant, OCANZ or the examiners that it considers relevant. The AC is not bound by the rules of evidence and, subject to this policy and the rules of natural justice and procedural fairness, may regulate its own conduct and operation as it sees fit, and may:

- a) inform itself on any matter, and in such manner as it sees fit
- b) consider all relevant information as deemed appropriate
- c) Invite any person to appear before it or to provide information.

The proceedings of the AC, and other information provided to the AC, are confidential, except information released with the consent of the candidate and the report of findings to OCANZ.

Matters before the AC will be decided by majority.

Outcome of Appeal

The AC may affirm, vary, or overturn the Review Panel's decision and may grant any of the outcomes available to the Review Panel under this policy, see **Outcome of Review** (listed above). The AC has the same limitations as the Review Panel regarding the actions it may take.

As with the outcome for review, a candidate who is permitted a further attempt at the examination must:

- a) meet any conditions imposed by the AC
- b) sit the examination at a time specified by the AC.

The decision of the AC is final within OCANZ. The AC is required to give reasons for its decision.

The CEO or their nominee will advise the candidate of the outcome within 10 business days from the date of the decision being made by the AC.

Fees

Applications for review and/or appeal must be accompanied with payment of an appeal fee set by OCANZ to recover the review costs. Fees will be refunded in full if the review or appeal is successful. Fees will not be refunded if review or appeal is unsuccessful. Fees for reviews and appeals are listed on the OCANZ website.

Record Keeping

OCANZ will maintain records of all reviews and appeals in accordance with its records management and retention policies. Systemic issues identified through reviews and appeals will be monitored and reported periodically to the Examination Committee and Board.

Roles and responsibilities

Candidates

Candidates are required to:

- Act in accordance with [OCANZ values](#)
- Submit a complete application within the required timeframe
- Demonstrate that the grounds for review or appeal are met
- Meet any conditions imposed by the OCANZ Review Panel and Appeal Committee
- Accept the decision of the Appeal Committee as final within OCANZ.

OCANZ Staff members

Staff members are required to:

- Act in accordance with OCANZ values
- Administer process, maintain records, and support panel and AC members.
- Report complaints about breaches of this policy in accordance with the complaint handling policy
- Make every effort to ensure complainants are not the subject of victimisation.

OCANZ Review Panel members and Appeal Committee members

OCANZ Review Panel members and Appeal Committee members are required to:

- Act in accordance with the OCANZ values
- Ensure privacy and confidentiality are maintained
- Observe the principles of natural justice and procedural fairness
- Make decisions in line with this policy
- Recommend actions to be undertaken, in line with this policy, as a result of their deliberations

Related Policies and Documents

- OCANZ Competency in Optometry Examination Guide
- OCANZ Candidate Misconduct Policy
- OCANZ Privacy Policy
- Examination Guides and Instructions
- OCANZ Values

Policy Review

This policy will be reviewed every three years, or earlier if required to reflect changes to legislation, national policy directions, or agreed accreditation authority principles.

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Reference:	