



# HIGHER EDUCATION ACADEMIC APPEALS PROCEDURE

Originator: Academic Registrar  
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## 1 General

- 1.1 The Academic Appeals Procedure should be read in conjunction with the Academic Regulations, accessible on the Portal.
- 1.2 This Procedure may be used only when there are eligible grounds for doing so (as set out in section 3) and may not be used simply because a student is dissatisfied with the outcome of their assessment or other decision concerning their academic progress.
- 1.3 There are up to three stages in the appeals procedure. The first stage is informal. A student considering appealing should discuss the matter with their tutor, course leader, Director of Undergraduate Studies/ Head of Postgraduate Studies or other appropriate person in the University before doing so in order to better understand the reason for the result or decision against which they wish to appeal. A formal appeal should only be submitted if a student remains dissatisfied once informal avenues have been exhausted.
- 1.4 At the formal stage an appeal panel will consider the appeal and make a recommendation to the Final Examination Board. Finally, if students remain dissatisfied, there is a Review stage where the matter is considered by an independent reviewer.

## 2 Scope of the Academic Appeals Procedure

- 2.1 This procedure may be used by students who wish to appeal against the decisions of the Final Examination Board, including (but not limited to) the following:
  - a decision that the student be withdrawn from their course on grounds of unsatisfactory progress
  - a requirement that the student suspend their studies on grounds of unsatisfactory progress or failure to meet academic or professional requirements;
  - the result of a formal assessment or the award of a particular degree classification;
- 2.2 Disagreement with academic judgement is not grounds for appeal. Academic judgement is defined as being the decision made by academic staff on the quality of the work itself or the criteria being applied to mark the work. Academic appeals which seek to challenge academic judgement will not be considered, and therefore matters of academic judgement will not be grounds for appeal

## 3 Grounds for an appeal

- 3.1 An appeal may be made only on grounds alleging:
  - that there exists or existed circumstances affecting the student's performance of which, for a credible and compelling reason, the Final Examination Board and/or the extenuating circumstances panel may not have been made aware when the decision was taken and which might have had a material effect on the decision if they were made aware of them. **If students wish to appeal on such grounds, they must give credible and compelling reasons with supporting documentation explaining why this information was not made available prior to the decision being made.**
  - that there had been a material administrative error or procedural irregularity in the assessment process.

## 4 Formal Process

- 4.1 If a student remains dissatisfied with the result or decision once informal avenues have been exhausted and believes there are valid grounds for appeal (as specified in paragraph

2 above), they may invoke the formal appeal procedure.

- 4.2 The student may seek advice and guidance in preparing the appeal from the Students' Union or from the Quality and Standards Office.
- 4.3 A formal appeal may be initiated by completing an Appeals Form and submitting it to the Quality and Standards Office within 21 calendar days of formal notification of the result or decision from the Final Examination Board.
- 4.4 The student should submit any relevant supporting evidence e.g., emails and other correspondence that they wish to be considered in the appeal together with the completed form. Such evidence should be relevant, current and capable of verification.
- 4.5 No substantive correspondence or discussions will normally be entered into by the University with a third party.
- 4.6 On receipt of the formal academic appeal an initial evaluation will be undertaken to check that the academic appeal is submitted under the correct procedures, falls within the grounds listed above in section 3, is submitted within any deadline, and is in the required format.
- 4.7 This process may result in:
  - the student being referred to a different procedure;
  - the academic appeal proceeding to formal consideration;
  - the academic appeal being rejected because it is not made under the permissible grounds as set out in section 3.
- 4.8 An appeal not made on the grounds set out above may be rejected. A student may be requested to provide additional evidence or explanation in order to continue with the formal process at this stage.
- 4.9 Where an appeal is rejected on the basis that it is not made on the grounds set out above a completion of procedures letter will be sent to the student. This letter concludes the University's formal appeal procedures and provides the student with formal confirmation that the student has completed all available stages of the internal appeal procedures. It is issued at the end of the relevant stage of the procedure.

## **5 Formal consideration of an appeal**

- 5.1 An appeal proceeding to formal consideration will be considered by an Academic Appeals Panel.
- 5.2 The Academic Appeals panel will consider evidence including discussions and correspondence with relevant University staff, scrutiny of relevant University records and documents, and scrutiny of any documents provided with the Appeal Form that supports the appeal.
- 5.3 The student will be invited to attend an Academic Appeals Panel meeting. The notice will usually be provided no later than 14 calendar days in advance of the Panel meeting. A pack containing all the information to be considered will be provided to the panel and student 7 calendar days in advance of the panel meeting. The exact material to be provided shall vary according to the details of the case.
- 5.4 Academic Appeals Panel and membership

The Terms of Reference for the Appeals Panel are:

- to consider appeals submitted by students under the Appeals Procedure and make recommendations to the Final Examination Board; and
- to report a summary of appeals to the Academic Board

5.5 The Appeals Panel members will be decided on a case-by-case basis depending on the facts of the case but will normally comprise:

- A senior member of staff nominated by the Vice-Chancellor acting on behalf of the Academic Board (Chair) (this will normally be an academic member of staff but can be a support member of staff in procedural cases);
- A member of Academic Registry or nominee;
- A member of Student Support/Welfare in extenuating circumstances cases;
- Panel Secretary.

The panel can include an additional academic staff member if considered necessary.

5.6 The student will be required to present their case normally before the Panel. Students can be accompanied by a friend or Students' Union representative, where they are required or invited by the University to attend an Appeals Panel hearing. Normally, the person accompanying the student will not be allowed to speak unless by specific permission of the student.

5.7 If the chosen companion of the student is unavailable on the date of the initial meeting, the student may delay the date of that hearing once by up to 7 calendar days to enable the chosen companion to attend. The location and timing of any alternative hearing should be convenient to both the University and the student, but should not unduly delay the process.

5.8 Representatives of the University, the student and the student's companion should make every effort to attend the meeting if required to do so. If the student fails to attend 2 arranged panel meetings without good reason, the hearing will take place, and a decision will be made, in their absence. In other circumstances where it seems likely that for a lengthy period, the student will be unable to attend the meeting, the University reserves the right to convene the meeting, affording the student the right to either submit written representations and/or be represented by a companion.

5.9 The student will be invited by the panel to provide a supporting statement and panel members may ask the student questions. The Appeals Panel may also require the Course Leader, or the Director - Undergraduate Studies/Head of Postgraduate Studies, or their nominee and/or any other member of the University staff involved in the relevant events to appear before the Appeals Panel to present their case and answer questions.

5.10 The student will be present throughout the appeal except for the final panel deliberations once all evidence has been considered.

5.11 Having considered the evidence, the Appeals Panel may:

- Not uphold the appeal, in which case the student will be given reasons for the decision. If the appeal is rejected, the student can request a review of the decision as set out in section 5; or
- Partially uphold the appeal (possibly offering a revised outcome). The outcome will depend on the facts of the case.
- uphold the appeal and inform the student of the conclusion of the review, if necessary, confirming that the relevant Examination Board will revise its decision in respect of

the student. Depending on the facts of the academic appeal, the Final Examination Board or equivalent body will alter its original decision; or revoke the original decision taken.

5.12 The outcome of the appeal decision and any related decisions by the Final Exam Board will be conveyed in writing by the University to the student within 7 calendar days of the meeting.

## 6 Review of an Academic Appeal

6.1 If a student is not satisfied with the outcome of the academic appeal, they are entitled to request a review of an academic appeal. The review is not a re-hearing of the original academic appeal, and will not automatically be given. If they have not done so before, students seeking consideration at this are advised to contact the Students' Union for independent advice and support.

6.2 A student wishing to request a review of an academic appeal decision must do so within 7 calendar days of the decision. To do so the students should inform the Quality and Standards Office in writing stating the grounds for the review.

6.3 Review of an academic appeal may be sought on the following grounds only:

- that there were procedural irregularities in the conduct of the academic appeal which resulted in disadvantage to the student.

6.4 The Academic Registrar has the right to refuse the review where:

- no prima facie case has been made out in respect of the grounds identified above; and/or
- the request for the review was submitted late.

6.5 Where the review is refused, the Academic Registrar will write to the student setting out the reasons for the decision. This concludes the process within the University.

6.6 Where the request for a review is deemed valid, the Academic Registrar will arrange for the matter to be considered by a Reviewer, who will be a member of staff of appropriate seniority in the University. The Academic Registrar will notify the student of this within 7 calendar days of receipt of the request.

6.7 The Review of an Academic Appeal procedure will consider documentation already submitted and the outcome of the Academic Appeal. New material may not normally be submitted at the review stage. The form of the review is at the discretion of the Reviewer. It may involve discussion with the student and any staff required to respond to the academic appeal, and/or any other relevant person. These discussions will normally be undertaken separately, and may be conducted by telephone. The student and other relevant persons will be given at least 7 calendar days' notice of a hearing with the Reviewer. Students and staff may be accompanied or represented at this meeting. Students have the statutory right to be accompanied by a friend or Students' Union representative. Normally, the person accompanying the student will not be allowed to speak unless by specific permission of the student.

6.8 At the conclusion of the review, the Reviewer will detail their judgement in writing, setting out the scope of the review and the reasons for the decision reached. The timescale for this will depend on the complexity of the matter in question. A student can normally expect to receive an outcome within 21 calendar days of notification of the review procedure. If this is exceeded, the Reviewer should notify the Academic Registrar

of the reasons for the delay, and identify an expected completion date. The Academic Registrar will communicate these to the student.

- 6.9 If the review is upheld in part or whole the Reviewer will identify a course of action. This may include any of those available during the Academic Appeal procedure. If the Reviewer considers that any other action or remedy would be appropriate this should first be discussed with the Chair of the Final Examination Board.
- 6.10 The Reviewer will send the written outcome to the Academic Registrar. The Academic Registrar will send this to both student and staff. This concludes the process within the University.

## **7 Completion of Procedure**

### **7.1 Completion of Procedures letter**

This letter concludes the University's formal appeal procedures and provides the student with formal confirmation that the student has completed all available stages of the internal appeal procedures. It is issued at the end of the relevant stage of the procedure.

### **7.2 Office of the Independent Adjudicator for Higher Education**

Students who are not satisfied with the outcome of the appeals procedure may take their complaint to the Office of Independent Adjudicator for Higher Education (OIA) provided that the complaint is eligible under its Rules. Should a student decide to make a complaint to the OIA, the OIA Complaint Form must be received by the OIA within 12 months of the date of the Completion of Procedures letter.

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <http://www.oiahe.org.uk/making-a-complaint-to-the-oia.aspx>. Students may also wish to seek advice from the Students' Union about taking a complaint to the OIA.

Please note that the OIA will normally only review issues that have been dealt with through the University's internal procedures.

## **8 Reports and Documentation**

- 8.1 A summary of academic appeals is reported to the Academic Board for monitoring purposes.