

Academic Policies and Procedures



**UNIVERSITY
CENTRE**
SOUTH DEVON

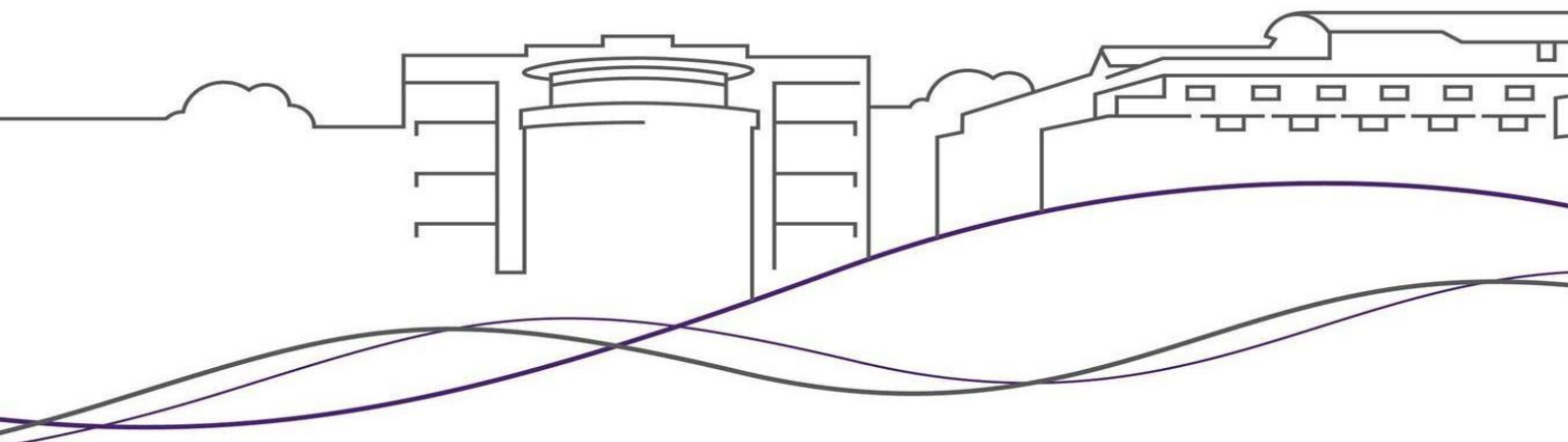


HIGHER EDUCATION

ACADEMIC APPEALS PROCEDURE v5.0

For SDC Awards

For UoP Awards follow this [link](#)



Document Control

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Please read these procedures carefully before submitting your appeal. You may also need to refer to the Assessment Regulations for your programme, which are available [online](#). You can obtain independent advice about submitting an appeal from the College Helpzone, if you require Wellbeing support during an appeal please contact the HE Wellbeing Team; HEwellbeing@southdevon.ac.uk

1 Consideration of Appeals

1.1 The Dean of Higher Education Quality and Academic Registrar (or designated substitute) will acknowledge all appeals within ten working days of receipt.

1.2 Initial Scrutiny of Appeals

The Dean of Higher Education Quality and Academic Registrar (or designated substitute) will be permitted to refuse any appeals based on the following grounds, as they are not recognised by the regulations as valid grounds for appeal;

- Questioning the academic or professional judgement of the examiners unless, as stated in paragraph 1.3, there has been evidence of a material irregularity related to assessment¹
- A student's disappointment with a result or classification where marks have been accurately recorded, assessment regulations correctly followed and where no evidence of material irregularity exists.
- Extenuating circumstances have already been considered by the appropriate Award Assessment Board.
- A student's disappointment with the penalty given for an assessment or examination offence
- No appropriate explanation has been provided on the appeal form/letter to account for the fact that evidence of extenuating circumstances was not submitted to the Faculty by the required deadline date.²

1.3 Where appeals are refused on the above grounds, the appeals procedure will not be initiated. A student whose appeal has been refused will be informed of this decision within 20 working days of the date of receipt of the appeal (or receipt of any evidence in support of the appeal that may have been requested). The decision of the Dean of Higher Education Quality and Academic Registrar (or designated substitute) in this respect will be final.

¹ If there are other elements included in the appeal, such as an allegation of bias or prejudice or, for example, disagreement with the marks attributed by peer assessment, the appeal will be processed in the normal way.

² Discretion will be exercised and an appeal processed where it appears that the student has had significant personal issues which may have impacted on her/his ability to follow due process. In these cases the existence of these issues must be supported by independent supporting evidence.

1.4 An appeal which was not submitted by the published deadline will not be accepted unless there is an exceptional reason for the late submission. Where late appeals are refused, the appeals procedure will not be initiated. The decision of the Complaint and Appeals Manager (or designated substitute) in this respect will be final.

2 Formal Consideration of Appeals

- 2.1 If the student has valid grounds for appeal, the case will be investigated by the Dean of Higher Education Quality and Academic Registrar (or designated substitute). This may require additional relevant information to be gathered from the student, the HE Faculty Office and/or other staff, as appropriate. A student who is asked to produce additional information in support of their appeal will be given a deadline for submission which, if not adhered to, will result in the appeal being considered as originally submitted. It may sometimes be necessary to share some information submitted as part of the appeal with staff as part of the investigation but where possible, confidentiality will be maintained.
- 2.2 Once all relevant information is available, The Dean of Higher Education Quality and Academic Registrar (or designated substitute) will consider all the information available, and decided whether or not a case has been made for the appeal, as set out in the Academic Regulations.
- 2.3 The recommended action may be to:
- Reject the appeal since there are no grounds under the Regulations: or
 - Allow the appeal to proceed and refer back to the Award Assessment Board³; or relevant academic procedure
 - The Dean of Higher Education Quality and Academic Registrar will process all appeal cases as soon as is practicable. They aim to resolve all appeals at the Formal Stage within 20 working days, but complex cases may take longer.
- 2.4 The student will be notified by email to their student email account, of the decision taken at the Formal Stage.

³The Appeal Panel would make a decision regarding the appellant only; the issue of any possible implications for other students would be referred to the HE Faculty Office.

3 Review Stage Consideration of Appeals

- 3.1 Where a student remains dissatisfied with the Formal Stage decision, they may apply for their case to be considered at the Review Stage. A student must submit a completed Review Request Form within 10 working days of the date on the Formal Stage outcome letter.
- 3.2 A student may request that their appeal be considered at the Review Stage where they can demonstrate that:
 - There was a material procedural irregularity in the conduct of the Formal Stage; or
 - The outcome was not reasonable in all the circumstances; or,
 - In exceptional circumstances, University Centre South Devon will consider appeals at the Review Stage where new material evidence is available, which the student was unable, for valid reasons, to provide earlier in the process.
- 3.3 The decision on whether the appeal can be considered under the Review Stage will be made by The Dean of Higher Education Quality and Academic Registrar (or designated substitute). Wherever possible, to mitigate perception of bias, the Review Stage will be co-ordinated by the Dean of Higher Education Quality and Academic Registrar, or a designated substitute who has had no prior involvement in the appeal. Where they do not find that a student has demonstrated grounds for the appeal to be considered at the Review Stage, they will issue a formal response and a Completion of Procedures letter to indicate that UCSD's internal procedures have been completed (Please see section 5 for further information)
- 3.4 A request for review which was not submitted within 10 working days will not be accepted unless there is an exceptional reason for the late submission. The decision of the The Dean of Higher Education Quality and Academic Registrar in this respect will be final.
- 3.5 In cases where the student has demonstrated grounds for the appeal to be considered at the Review Stage, the Head of Higher Education & Academic Registrar (or designated substitute) will circulate the full appeal file via secure electronic means to an Appeal Panel.
- 3.6 The Dean of Higher Education Quality and Academic Registrar (or designated substitute) will act as Chair of the Appeal Panel. No person shall serve in respect of a case in which they have prior knowledge of the student, arising out of an academic, pastoral or personal connection or any previous involvement in the case.
- 3.7 The Appeal Panel will comprise at least three members drawn from nominations across the HE Faculty, taking into account gender balance, at least one of whom will be a student member and none of whom will be from the cognate area in which the applicant is registered.
- 3.8 If one or more Panel members feel that a case is particularly complex and that a meeting would provide a better understanding of the issues, they can request that the Chair hold an Appeal Panel meeting. The appellant will be informed by the Dean of Higher Education Quality and Academic Registrar (or designated substitute) in writing, that an Appeal Committee hearing will be held and given information about the process and requirements.
- 3.9 The Complaints and Appeals Team will convene the meeting as soon as is practicable, and normally within 15 University working days of the decision of the Appeal Panel to hold a meeting. All relevant information will be made available to the student and the Panel members in advance of the meeting.

- 3.10 The Dean of Higher Education Quality and Academic Registrar (or designated substitute) will convene the meeting as soon as is practicable, and normally within 15 working days of the decision of the Appeal Panel to hold a meeting and will ensure that all relevant information is made available to the Panel members in advance of the hearing.
- 3.11 The student will have the right to be accompanied by a member of the UCSD community or Students' Union Adviser who may offer support and advice (but not represent the student). A student will not be permitted to bring a legal representative to the meeting unless the decision of the Panel is likely to exclude the student from professional registration permanently, without right to appeal, thereby preventing the student from following their intended career.

4 Appeal Committee Hearing

- 4.1 The procedure for the hearing itself will be as follows:
- The Appeal Committee will meet in private session to determine matters for clarification.
 - The appellant will then be invited to join the meeting and discuss the matters requiring clarification with the Appeal Panel. The student and any persons accompanying them will then withdraw.
 - The Appeal Committee will meet in private session to consider the case and all the relevant evidence and come to a decision.
 - The Committee may adjourn at any point, if it becomes necessary to seek additional information relevant to the case.

5 Possible Outcomes of the Appeal Panel

5.1 The Appeal Panel may:

- Reject the appeal since the Formal Stage decision was reasonable in all the circumstances; or
- Allow the appeal to proceed and refer back to the Award Assessment Board or relevant procedure

5.2 If there is disagreement amongst the Panel members consulted as to whether an appeal should be rejected, the case will be considered by two other nominees drawn from across the HE Faculty and the Students' Union, neither of whom will be from the cognate area in which the appellant is registered. The Dean of Higher Education Quality and Academic Registrar (or designated substitute) will continue to ensure an appropriate gender balance in Panel membership when determining the additional members to be consulted. The final decision on the appeal will be that indicated by the majority of Panel members.

5.3 The Dean of Higher Education Quality and Academic Registrar (or designated substitute) will process all Review Stage appeals as soon as is practicable. They aim to resolve all appeals at the Review Stage within 20 working days, but complex cases may take up to 90 days from submission of the initial appeal.

5.4 The appellant will be advised of the Appeal Panel's decision in writing.

6 Authority of the Complaints and Appeals Board

6.1 Decisions within the College on whether or not to allow an appeal to proceed rest solely with The Dean of Higher Education Quality and Academic Registrar (or designated substitute) (working through the "Initial Scrutiny" of appeals procedure, an Appeal Panel or Appeal Committee as appropriate) and such decisions are therefore final.

7 What happens when an appeal is upheld

7.1 Where an appeal has been upheld and referred back to the Award Assessment Board or relevant procedure, the Dean of Higher Education Quality and Academic Registrar or designated substitute) will provide the HE Faculty and/or other staff as appropriate, with the rationale.

7.2 Recommendations from Appeals Panels/Committees will normally be considered by a subset of the Award Assessment Board agreed by the Board (comprising, as a minimum, the Chair of the Award Assessment Board and the Dean of Higher Education Quality and Academic Registrar (or designated substitute). Provided the proposed decision is not out with those agreed at the Board, an External Examiner will only be involved if s/he has stipulated on the declaration form signed at the original Board that s/he wishes to be

consulted on amended decisions following appeals. If full agreement is not reached, or if it is believed that there should be further discussion, a full meeting of the Award Assessment Board will be held at which a member of the Appeal Panel/Appeal Committee which considered the case should be present.

- 7.3 The Award Assessment Board will normally reconvene, if required to reconsider the case, within 20 working days of notification of the decision of the Appeal Panel/Appeal Committee.
- 7.4 The Secretary to the Award Assessment Board will inform The Dean of Higher Education Quality and Academic Registrar (or designated substitute) of the decision immediately after the Board.
- 7.5 If the Award Assessment Board confirms that its original decision should stand, its Secretary will prepare a full minute of the debate and rationale, including information on comparable cases where relevant, which will be forwarded to The Dean of Higher Education Quality and Academic Registrar (or designated substitute) within five working days.
- 7.6 Appeals that have been upheld will be referred back for reconsideration in line with the relevant procedure. Following reconsideration, if the original decision stands, a full minute of the debate and rationale will be forwarded to the Dean of Higher Education Quality and Academic Registrar (or designated substitute) within 5 working days to be retained with the student's appeal file.
- 7.7 The HE Faculty Office will notify the student, in writing, of the subsequent final decision.
- 7.8 If the Appeal Panel/Committee believes that the Board's final decision, taken after specific consultation with the Award External Examiner, is out of line with the spirit of the College's regulations, or with best practice across the sector, the Chair of Higher Education Academic Board will be advised. The Chair, in liaison with The Dean of Higher Education Quality and Academic Registrar (or designated substitute) will prepare a report to Higher Education Academic Board and ask for a decision on the action to be taken, which may involve Higher Education Academic Board substituting its own decision for that of the Assessment Board. The Higher Education Academic Board decision in this respect will be final and the case will then be deemed to have exhausted the College's appeal procedures. The Secretary to the Higher Education Academic Board will notify Chair the Assessment Board of the decision. The Dean of Higher Education Quality and Academic Registrar (or designated substitute) will communicate that decision to the student in writing and will issue a "Completion of Procedures" letter (see note at end of these regulations).

8 External Review - Office of the Independent Adjudicator for Higher Education

- 8.1 If a student remains unhappy with the outcome of their appeal at this stage they can request an OIA 'Completion of Procedures' letter within ten working days of the revised Board decision. Students can submit their case to the OIA within 12 months of the date of this letter.

9 Attendance at Graduation Ceremonies

- 9.1 In some instances, a Graduation Ceremony may be held within the two week deadline period for the submission of appeals. In such cases, students will be permitted to attend the Ceremony, without prejudicing any appeal they may later submit, providing the appeal is submitted within the deadline.
- 9.2 Students whose appeals are undergoing consideration at the time of a Graduation Ceremony may also attend the Ceremony without prejudicing the outcome of the appeal process. Such students will not receive an award certificate until the appeal is concluded.

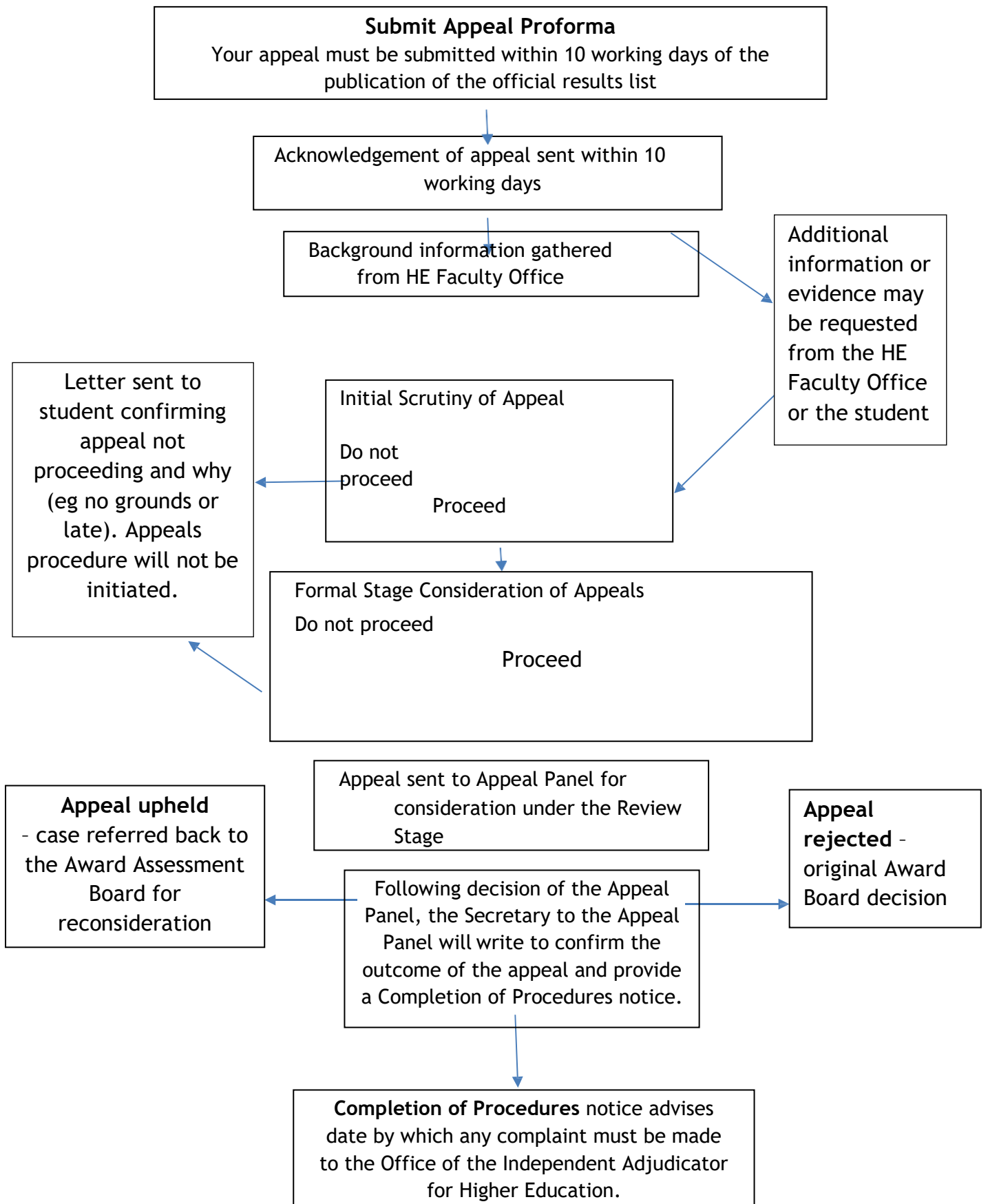
10 Report to Academic Board

- 10.1 The Deputy Head of Higher Education, or designated substitute, will collate general issues arising from appeals and make recommendations to the Academic Regulations Sub Committee. An annual report will also be sent to the Higher Education Academic Board.
- 10.2 The Dean of Higher Education Quality and Academic Registrar (or designated substitute) may also refer cases where it believes an Assessment Board is acting perversely to the Higher Education Academic Board as and when such cases arise.
- 10.3 Where a student complaint is upheld, in whole or in part, and in the opinion of the HE Faculty Office the issues complained of could have impacted on assessment, or on the decision of an Award Assessment Board, or cast doubt on the outcome of an appeal, the Faculty Office will make a report to the Higher Education Academic Board if the case is not resolved satisfactorily. The report will not identify the student concerned but will provide sufficient information about the case to enable the Higher Education Academic Board to determine the appropriate course of action. This may include referring the matter back to an Award Board or substituting the decision of a Board. However, the fact that a complaint may be upheld does not of itself mean that the decision of an Award Assessment Board will change.

11 Complaints which may have a bearing on assessment but for which no corresponding appeal has been submitted

Where a student submits a formal (written) complaint to the Faculty Office which raises issues which may have impacted on assessment, or the decision of an Award Assessment Board, The Dean of Higher Education Quality and Academic Registrar (or designated substitute) will advise the student that the issues being complained of will be investigated via the complaints procedure. If the complaint is upheld, the case will be referred to an Appeal Panel to determine whether the outcome might form the basis for an appeal. The appeal procedure as described in the current appeal regulations will then be followed.

Appeals Flow Chart



University Centre South Devon Appeals Proforma

Use this form if you wish to appeal against the decision of an Assessment Board. You should also refer to the document 'Appeal against the decision of an Assessment Board', which explains how the appeal process works.	
Registration number:	
Name (in full)	
Course:	Stage:
Address at which you can be contacted about your appeal: <i>(Please let us know if your address changes while your appeal is ongoing)</i>	
Please indicate any periods when we will be unable to contact you about your appeal eg. Holidays:	
Telephone number:	
Email/Fax:	
I am appealing against: <i>(Please tick)</i>	
<ul style="list-style-type: none"> • The decision of an Award Assessment Board • An in-year Extenuating Circumstances decision • The decision of a Fitness to Practice/Wellbeing Review Panel • The decision of an Exam Offences/Academic Offences Panel 	
About your appeal: State the decision against which you are appealing:	
If your appeal relates to particular modules, list the modules and module codes:	
What are the grounds for your appeal?	

Please provide additional information to support your appeal. Provide as much information about your case as you can - this may help speed up the process (continue on a separate sheet if necessary). In particular, tell us why you believe you have grounds for appeal:

And, if you are appealing on the basis of extenuating circumstances, explain why you were unable to reveal these before the Assessment Board met (remember that these can only be considered as grounds for appeal in exceptional circumstances).

Please attach the evidence you have to support your case and any documents you are relying on (you may wish to consult the College's regulations on late coursework and extenuating circumstances for more information about acceptable evidence). **Claims of extenuating circumstances must be accompanied by corroborating evidence.**

Say what outcome you would wish your appeal to achieve:

Signed:

Date:

This form must be submitted to:

HE Quality Office (Complaints and Appeals) HEComplaints@southdevon.ac.uk
University Centre South Devon, Long Road, Paignton TQ4 7EJ