

Academic Policies and Procedures

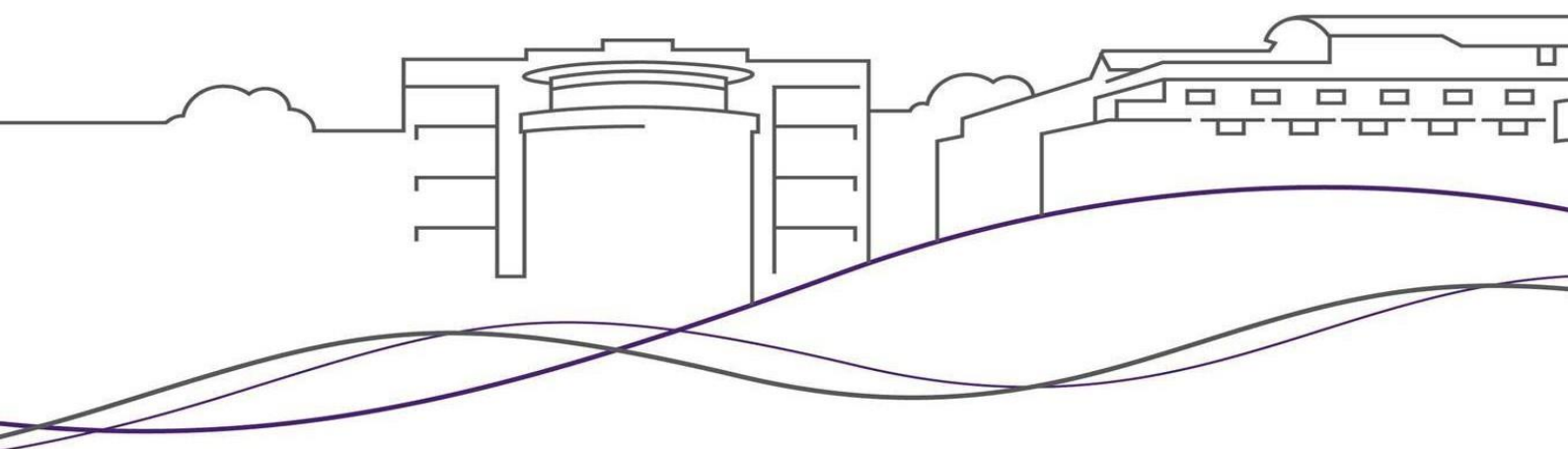


HIGHER EDUCATION

ACADEMIC APPEALS PROCEDURE (HEFAPP10) v3.0

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

1 Consideration of Appeals

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

1.2 Initial Scrutiny of Appeals

The Head of Higher Education 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.
- 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 Head of Higher Education and Academic Registrar (or designated substitute) (or designated substitute) in this respect will be final.

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

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.

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 The case will be investigated by The Head of Higher Education 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.

2.2 Once all relevant information is available, The Head of Higher Education and Academic Registrar (or designated substitute) will prepare a summary of the appeal. If in the view of The Head of Higher Education and Academic Registrar (or designated substitute) the case is such that it should be referred to an Appeal Committee, it will be dealt with under Section 3 below.

2.3 In all other cases, The Head of Higher Education and Academic Registrar (or designated substitute) will circulate the summary of the case and recommended action to an Appeal Panel, drawn from nominations from across the HE Faculty and the Students' Union. None of the Panel will be from the cognate area in which the appellant is registered. The Head of Higher Education and Academic Registrar (or designated substitute) will ensure an appropriate gender balance in determining Panel membership.

2.4 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
- Allow the appeal to proceed and refer relevant issues back to the College Extenuating Circumstances Screening Meeting; or
- Allow the appeal to proceed, inform the Award Assessment Board that its decision was outside College Regulations and cannot stand, and advise the Board of the options available under the Regulations.

³ The 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.

2.5 Panel members will signify their agreement or disagreement with the Secretary's recommendation in writing within five working days of receiving it.

- Where the recommendation to uphold and allow the Appeal to proceed is made, this course of action will be implemented providing the majority of Panel members consulted agree to it.
- Where the recommendation to reject the appeal is made, this course of action will only be implemented provided all Panel members consulted agree to it.
- 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 Head of Higher Education 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.

2.6 If one or more Panel members (The Head of Higher Education and Academic Registrar (or designated substitute) feel that a case is particularly complex and that a face- to-face hearing would provide a better understanding of the issues, an Appeal Committee hearing will be held (see Section 3 below).

2.7 The Head of Higher Education and Academic Registrar (or designated substitute) will process all appeal cases as soon as is practicable. It is anticipated that all cases arising from the Summer Award Assessment Boards will normally be concluded by the last working day in August.

2.8 All appellants will be advised of the Appeal Panel's decision in writing.

3 Appeal Committee Hearing

3.1 An Appeal Committee 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 appellant is registered.

3.2 The appellant will be informed by The Head of Higher Education and Academic Registrar (or designated substitute) in writing, that an Appeal Committee hearing will be held and given information about the process and requirements.

3.3 The Head of Higher Education and Academic Registrar (or designated substitute) will convene the hearing as soon as is practicable, and normally

within 15 working days of the decision of the Appeal Panel and will ensure that all relevant information is made available to the Committee members in advance of the hearing.

- 3.4 The appellant will be offered the opportunity to submit a clear and concise written statement of their case to The Head of Higher Education and Academic Registrar (or designated substitute) in advance of the hearing. This will be presented to the Appeal Committee.
- 3.5 The appellant will have the right to appear in person before the Appeal Committee and to be accompanied by a friend who may offer support and advice (but not represent the appellant). A student will not be permitted to bring a legal representative to a formal hearing unless the decision of the Panel or Committee is likely to exclude the student from professional registration permanently, without right to appeal, thereby preventing the student from following his or her intended career.
- 3.6 The Appeal Committee and the appellant will each be entitled to call witnesses and to call for the production of relevant documents. The appellant is encouraged to notify The Head of Higher Education and Academic Registrar (or designated substitute) of the identity of any witnesses s/he wishes to call in advance of the meeting. Where an appellant believes that it is essential that the Appeal Committee hear evidence from (a) specified member(s) of College staff, the appellant must advise The Head of Higher Education and Academic Registrar (or designated substitute) that he or she wishes to call those staff as witnesses. If The Head of Higher Education and Academic Registrar (or designated substitute) is notified at least five working days in advance of the hearing, he or she will arrange for the attendance of those staff. If The Head of Higher Education and Academic Registrar (or designated substitute) is not so notified, it will be the appellant's responsibility to make necessary arrangements. The appellant will be responsible for arranging for the attendance of any witnesses he or she wishes to call who are not members of the College.
- 3.7 The procedure for the hearing itself will be as follows:
 - The Appeal Committee will meet in private session to consider the appellant's written statement (and any other documentation) and determine matters for clarification.
 - The appellant will then be invited to present his or her case, accompanied by any friend. The appellant may call witnesses to support his or her case. The Appeal Committee may question the appellant and her/his witnesses in order to clarify any matters. The appellant and any persons accompanying him or her will then withdraw.
 - The Appeal Committee will then interview any other witnesses as necessary

to clarify the case.

- Following the withdrawal of witnesses, the Appeal Committee may again interview the appellant (accompanied by his or her friend) if it considers that there are issues which remain unclear.
- The Appeal Committee will meet in private session to consider the case and all the relevant evidence and come to a decision.

3.8 The Committee may adjourn at any point, if it becomes necessary to seek additional information relevant to the case.

4 Outcome of the Appeal Committee Hearing

4.1 The Appeal Committee may:

- Reject the appeal since there are no grounds under the Regulations: or
- Allow the appeal to proceed and refer back to the Award Assessment Board; or
- Allow the appeal to proceed and refer relevant issues back to the College Extenuating Circumstances Screening Meeting; or
- Allow the appeal to proceed, inform the Award Assessment Board that its decision was outwith College Regulations and cannot stand and advise the Board of the options available under the Regulations.

4.2 The Committee's decision on whether to allow the appeal to proceed or not, and the subsequent action to be taken, will be confirmed in writing to the appellant by The Head of Higher Education and Academic Registrar (or designated substitute) within two working days of the decision being taken.

5 Authority of the Complaints and Appeals Board

Decisions within the College on whether or not to allow an appeal to proceed rest solely with The Head of Higher Education 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.

6 Referral back to the Award Assessment Board

6.1 Recommendations from Appeals Panels/Committees will normally be considered by a sub-set of the Award Assessment Board agreed by the Board

(comprising, as a minimum, the Chair of the Award Assessment Board and the Head of Higher Education 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.

- 6.2 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.
- 6.3 The Secretary to the Award Assessment Board will inform The Head of Higher Education and Academic Registrar (or designated substitute) of the decision immediately after the Board.
- 6.4 Where the Board has changed its decision a revised results list and transcript will be prepared by the HE Faculty Office and submitted to The Head of Higher Education and Academic Registrar (or designated substitute) within five working days. The HE Faculty Office will notify the student, in writing, of the Award Assessment Board's decision. 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.
- 6.5 If however the Award Assessment Board believes 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 Head of Higher Education and Academic Registrar (or designated substitute) within five working days. The Head of Higher Education and Academic Registrar (or designated substitute) will advise the student that the appeal is still ongoing. The minute will be forwarded to the Appeal Panel/Committee which originally considered the case to ensure that the decision is in line with College Regulations and with good practice.
- 6.6 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 Head of Higher Education 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 Head of Higher Education 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).

7 Attendance at Graduation Ceremonies

- 7.1 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.
- 7.2 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.

8 Report to Academic Board

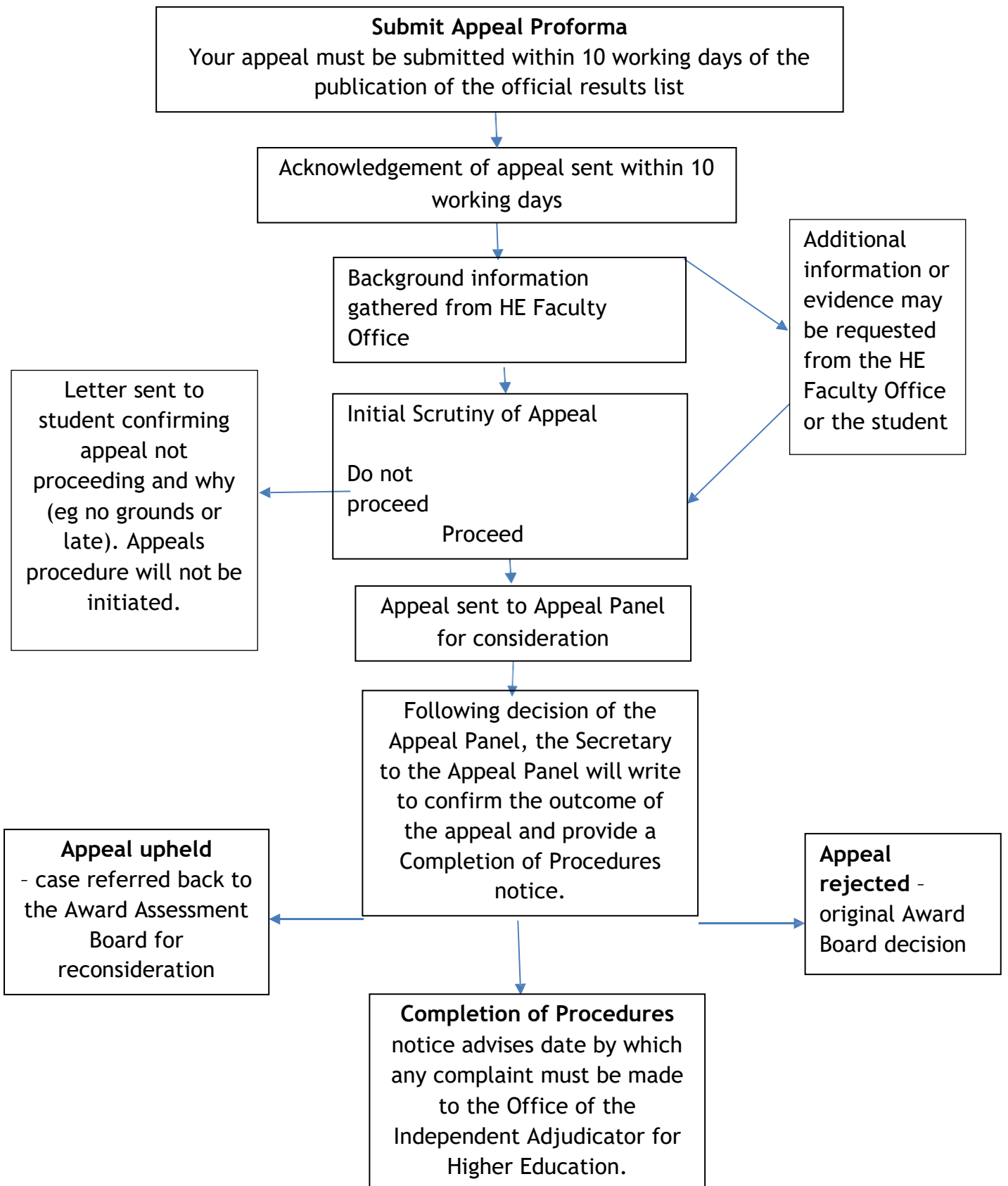
- 8.1 The Deputy Head of Higher Education, or designated substitute, will collate general issues arising from appeals and make recommendations to the Academic Regulations Sub Committee. An annual report will also be sent to the Higher Education Academic Board.
- 8.2 The Head of Higher Education and Academic 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.
- 8.3 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.

9 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 Head of Higher Education 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 Faculty Office (Complaints and Appeals)
University Centre South Devon, Long Road, Paignton TQ4 7EJ