

CATEGORY: Higher Education

TYPE: Procedure

TITLE: HE Academic Appeals

PERSON RESPONSIBLE: Assistant Principal: Teaching, Learning and Quality

PURPOSE:

To outline the process for students on HE programmes wishing to appeal an academic decision.

1. General Principles

- 1.1 This policy follows “The Good Practice Framework for handling complaints and academic appeals – December 2022” (OIA).
- 1.2 This policy applies only to academic appeals and will be applied to review a decision regarding the progress of the student on their programme of study, including the award of any qualification as a result of that progress. Other matters of dispute involving a student and the College, or department, will be considered as a "complaint" and should be considered under the Newcastle & Stafford Colleges Group (NSCG) Complaints Procedure.
- 1.3 Appeals against assessment decisions will be regulated by the policies and procedures of the programme qualification awarding body. Where the regulations of the awarding body prescribe a stage 1 local appeal to the College, this policy will apply.
- 1.4 These regulations apply to all students registered on Edexcel Pearson HNCs and HNDs at NSCG. For those students studying on partner university programmes please refer to the relevant website address below to obtain information on the university procedures relating to appeals:

<https://www.staffs.ac.uk/students/course-administration/appeals-complaints-and-conduct>

<https://www.wlv.ac.uk/current-students/conduct-and-appeals/academic-appeals/>

2. Grounds for Appeal

2.1 An appeal based upon a questioning of the academic judgement of an Examiner/Assessor is invalid.

2.2 An appeal is only valid if it is based upon one or more of the following:

- The assessment/examination procedures have not been conducted in accordance with approved regulations, or there has been some material administrative error or irregularity.
- The Assessor/Assessment Board has given insufficient weight to extenuating circumstances which have adversely affected the student's/candidate's performance.
- On special grounds if the Assessor/Assessment Board has been unaware of extenuating circumstances which might have adversely affected the student's /candidate's performance. Such grounds would normally be endorsed by Student Services.
- Discrimination is by default unfair.

3. Stages of Appeal

3.1 The Formal Stage

3.1.1 On receipt of a formal academic appeal the College needs to undertake an initial evaluation to check that the student's academic appeal is submitted under the correct procedures, falls within the grounds upon which an appeal may be made, is submitted within the appropriate deadline, and is in the required format. This process may result in:

- The student being referred to a different procedure
- The academic appeal being rejected because it is not made under the permissible grounds. Where some parts of the student's academic appeal fall outside the permissible grounds, this should be explained to the student. The appropriate member of staff should meet with the student to do this.

3.1.2 Key questions to ask at this stage are:

- Is this a complaint or academic appeal?
- Has the student set out clearly what the academic appeal is about?
- Has the student provided evidence in support of the academic appeal?
- What outcome is the student hoping for and can it be achieved?
- What assistance or support can be provided to the student in taking this forward?

3.1.3 Special attention needs to be given to identifying academic appeals that may require swift action e.g. where there may be an impact on mental health or for example where there are time limits for completion to meet the regulatory requirements of a professional course.

3.1.4 The outcome of the formal stage, including any decision to reject the appeal because it is not made under the permissible grounds, should be communicated to the student in writing, giving a clear explanation and outlining the reasons for each decision in straightforward language. This will help the student decide whether or not to pursue the matter further.

3.2 Appeals should be submitted in writing or via email to the Course Leader no later than 21 days from receipt of the assessment result. This time limit will be extended only in exceptional circumstances. The letter/email should contain the following issues:

- What the academic appeal is about
- Any evidence in support of the academic appeal
- What outcome the student is hoping for and how it could be achieved
- What assistance or support the college can provide to the student

3.2.1 The decision should also give information about:

- The student's right to take the academic appeal to the review stage.
- The grounds on which the student can do so.
- The time limit for escalating to the review stage.
- The appropriate procedure.
- Where and how to access support.

3.2.2 Appeals at this stage will be heard by a panel consisting of the Director of Curriculum & Quality, Quality Manager and one other senior member of staff. The student should be provided with a written outcome at the conclusion of this stage within 14 days of the appeal meeting.

3.3 The Review Stage

3.3.1 If a student is dissatisfied with the outcome of the formal stage, he or she may be able to request a review. A request for a review may be on limited grounds, including but not confined to:

- A review of the procedures followed at the formal stage.
- A consideration of whether the outcome was reasonable in all circumstances.
- New material evidence which the student was unable, for valid reasons, to provide earlier in the process.

3.3.2 The review stage will not usually consider the issues afresh or involve a further investigation. An academic appeal must have been considered at the formal stage before it can be escalated to the review stage.

4. The College Review Process

4.1 The College will allocate the request for review to a designated senior member of staff not involved at any previous stage. It is important to be clear from the start of the review stage exactly what is being reviewed, and to ensure that both the reviewer and the student understand the purpose and scope of the review. If the student's expectations appear to exceed the scope of the review stage, the student should be advised of this as soon as possible in writing in order to manage expectations about possible outcomes.

4.2 Key questions to consider could include:

- Were the relevant procedures followed during the formal stage?
- Was the outcome reasonable in all the circumstances?
- Has the student received clear reasons why the academic appeal was rejected at the formal stage?
- If new material evidence has been provided has the student given valid reasons for not supplying this earlier?

4.3 If the academic appeal is not upheld, the outcome of the review stage should be communicated to the student in writing via letter as soon as possible and within 28 days. This should include a clear explanation and outline the reasons for the decision in straightforward language. This will help the student decide whether or not to pursue the matter further.

4.4 The decision should also advise the student about:

- Their right to submit a complaint to the OIA for review.
- The time limit for doing so.
- Where and how to access advice and support.

4.5 Where an academic appeal is upheld the student will be provided with a written outcome and explanation.

4.6 Once the review stage has been completed, the student is entitled to ask the OIA, (the independent ombudsman service) to review his or her complaint recording the outcome of the College's academic appeals process. The complaint should normally be submitted to the OIA within three months of the date of the Completion of Procedures letter.