

# APPEALS REGULATIONS AND PROCEDURES

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2015/2016 Edition

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Technical updates of this document is undertaken on an annual basis to reflect changes to the University's organisational and management structures and to incorporate earlier, approved amendments to related policies, procedures and regulations

This document relates to the current year. If you become aware of any previous versions that are available on line please notify [SEO@bolton.ac.uk](mailto:SEO@bolton.ac.uk) so that action can be taken to remove the document(s).

## REGULATIONS FOR THE REVIEW OF DECISIONS OF ASSESSMENT BOARDS (ACADEMIC APPEALS)

### 1. Scope and definition

- 1.1 These regulations apply to taught programmes delivered at the University, distance learning programmes and programmes delivered through collaborative arrangements only. Regulations on appeals against decisions relating to research degree programmes are published separately.
- 1.2 This Procedure may be used by students who wish to appeal against a final decision of an Assessment Board or equivalent body which affects a student's academic status or progress in the University. This includes the following:
- a) the mark awarded for any unit of assessment;
  - b) the overall outcome of a programme of study;
  - c) failure at any stage of a programme of study;
  - d) a requirement that the student interrupt his or her studies on grounds of unsatisfactory progress or failure to meet academic or professional requirements;
  - e) a decision that the student be expelled from the University or be excluded from his or her programme of study on the grounds of unsatisfactory progress or failure to meet academic or professional requirements, or arising from unsatisfactory work and attendance;
- 1.3 Throughout this regulation, use of the term 'Assessment Board' shall be interpreted as anybody constituted by the University and/or a partner institution which is empowered to make decisions about student progress and awards.

### 2. Grounds for submitting an Academic Appeal

- 2.1 Students may submit an Academic Appeal on the following grounds:
- a) that circumstances affected the student's performance of which, for good reason, the Assessment Board may not have been made aware when the decision was taken and which might have had a material effect on the decision [**Note: if students wish to appeal on such grounds, they must give adequate reasons with supporting documentation why this information was not made available prior to the decision being made.**];
  - b) that there was a material administrative error or procedural irregularity in the assessment process or in putting into effect the regulations for the programme of study of such a nature as to cause significant doubt whether the decision might have been different if the error or irregularity had not occurred;
  - c) that there is evidence of prejudice or bias or lack of proper assessment on the part of one or more of the examiners;

- 2.2 An appeal which questions the academic or professional judgement of those charged with the responsibility for assessing a student's academic performance or professional competence will not be accepted.

### **3. Submitting an Academic Appeal**

- 3.1 Students should submit Academic Appeals on the template forms provided by the University and by the deadline for Academic Appeals advertised by the University. Academic Appeals that are submitted after the published deadline will not normally be considered.
- 3.2 Students should submit documentary evidence in support of their Academic Appeal. This should normally be submitted with their Academic Appeal submission. However, where this is not possible due to circumstances outside of the student's control, the Academic Appeal should be submitted prior to the published deadline together with a clear statement that evidence has been requested by the student.
- 3.3 Appeals should be submitted electronically or in hard-copy to the Secretary of Senate. Where official documents form part of the evidence, the originals should normally be submitted in hard-copy. Students are advised to take copies of all documentation prior to submission. For students studying overseas at partner institutions, original documentation may be submitted to a designated member of partner staff who will take copies and verify that the original documentation has been seen.
- 3.4 The Secretary of Senate (or a nominee) will normally acknowledge receipt of the Academic Appeal within five working days.

### **4. Consideration of an Academic Appeal**

- 4.1 On receipt of the Academic Appeal, the Secretary to Senate (or a nominee) will consider whether the appeal is made on one or more of the grounds specified in paragraph 2.1 above (referred to as 'the sift'). If this test fails, the student will normally be notified within ten working days of the appeal being received that the appeal is not eligible, with reasons given.
- 4.2 If the Academic Appeal is considered by the Secretary of Senate (or nominee) to have been made on one or more of the grounds set out in paragraph 2.1, then the Secretary to Senate (or nominee) will appoint an Investigating Officer. The student will be informed of the identity of the Investigating Officer. Where possible, an Investigating Officer will not have been involved in the appeal prior to their appointment.
- 4.3 The Investigating Officer will be drawn from a list of Investigating Officers kept by the Secretary of Senate.
- 4.4 The Investigating Officer will consider the evidence provided by the student and other information that may be pertinent to the appeal. The Investigating Officer will make a recommendation to the Appeals Panel as to whether the

appeal should be upheld or rejected and what adjustments should be made to the appellant's profile.

## **5. Appeals Panel**

- 5.1 An Appeals Panel will meet within thirty calendar days of the published deadline for the receipt of appeals (see section 3.1) to consider a student appeal and the recommendation of the Investigating Officer. An Appeals Panel will consist of:

- At least two members of academic staff drawn from a list kept by the Secretary to Senate;

The Secretary to Senate (or a nominee) to act as Officer to the Panel and to advise on regulatory and procedural matters.

- 5.2 The members of academic staff appointed to the Appeals Panel will not normally have been involved in the student's appeal. Both members of academic staff will need to attend in order for the meeting to be quorate.
- 5.3 Students will not normally be expected to attend the Appeals Panel, but their attendance may be requested by the Appeals Panel. If a student is unable or unwilling to attend, the appeal will still be considered in their absence and non-attendance on the part of the student will not normally be a valid reason for requesting a review of the Appeals Panel's decision (see below, section 6).
- 5.4 The Appeals Panel will consider the appeal and the Investigating Officer's recommendation in reaching its decision. The Panel may make one of the following decisions:
- a. Upheld  
The appeal will be upheld in whole or in part. The Appeals Panel will provide details of which aspects have been upheld and proposed actions to be taken consequent to its decision.
  - b. Refused  
The appeal will not be upheld. The existing decisions of the Assessment Board in relation to the student will stand.
  - c. Decision deferred  
There is not sufficient information available for the Appeals Panel to make a decision. A decision will be deferred until the next Appeals Panel whilst the additional information is acquired.
- 5.5 The Secretary of Senate (or a nominee) will notify the student of the Appeals Panel's decision. If the outcome of the Appeals Panel was as detailed in 5.3c, the student will be notified of the revised timeframe for consideration of their appeal. One further Appeals Panel will be held to consider the appeal and reach a final decision.

- 5.6 The decision of the Appeals Panel will be reported to the Chair of the relevant Assessment Board for ratification.

## **6. Review of Appeals Panel decision**

- 6.1 The student may request a review of the decision of the Appeals Panel within a month of the date that the decision of the Appeals Panel was issued to them. A review may be requested on the following grounds:
- a) There was a procedural irregularity in the conduct of the Appeals Panel or the investigation that may render the original decision unsafe;
  - b) New material evidence is available which the student was unable, for valid reasons, to provide earlier in the process and which may have resulted in a different outcome;
  - c) Consideration of whether the outcome was reasonable and appropriate in the circumstances.
- 6.2 The review process will not reconsider the issues raised in the appeal, nor will it normally result in a further investigation of the issues. The review will not normally consider any new issues raised by the student which are not related to those raised in the original appeal.
- 6.3 The request for a review should be submitted electronically or in hard-copy to the Secretary of Senate. The Secretary of Senate (or a nominee) will normally acknowledge receipt of the request for a review within five working days.
- 6.4 The Secretary of Senate (or a nominee) will appoint a Review Officer from a list drawn from Senate members kept by the Secretary to Senate. The student will be informed of the Review Officer's identity.
- 6.5 The student may request that the Review Officer meet with an elected officer or staff member of the Students' Union when reviewing the decision of an Appeals Panel. In such cases, the Review Officer may meet with the representative from the Students' Union, but the Review Officer's decision will be final.
- 6.6 The Review Officer will decide whether the request for a review fulfils one of the requirements set out in section 6.1. If the request is judged not to meet the requirements, the Review Officer will inform the Secretary to Senate who will write to the student to inform them of the Review Officer's finding.
- 6.7 If the Review Officer judges that the request does meet the requirements set out in section 6.1, they will consider the request and decide if and/or how the Appeals Panel decision should be amended. Details of the Review Officer's decision will be communicated to the Secretary to Senate who will then inform the student of the outcome. Should any amendment to the student's recorded assessment outcomes be required, the Chair of the relevant Assessment Board will also be informed.

- 6.8 The review stage completes the University's process. Following consideration of their request for a review, students will be provided with a Completion of Procedures letter which will inform them of how to take their appeal to the relevant public body.

## **7. Representation**

- 7.1 Students are not always invited to attend meetings with Investigating Officers or the Appeals Panel. However, when they are invited to do so, they may wish to bring a friend. The friend may be a fellow student or a member of staff from the Students' Union, or, if the student has a disability, a support worker, but may not otherwise be external to the University. It should be noted that the friend is there to support the student, not to answer questions or put forward a case in their stead.

## **8. Equality Impact Assessment**

- 8.1 The University of Bolton is committed to the promotion of equality, diversity, and a supportive environment for all member of our community. Our commitment to equality and diversity means that this procedure has been screened in relation to the use of plain English, the promotion of the positive duty in relation to race, gender and disability and avoidance of discrimination to other equality groups related to ages, sexual orientation, religion or belief or gender reassignment."

## **9 Other Related Policies, Procedures, Codes and Guidelines**

- 9.1 Other relevant policies include:

- Student Attendance Policy
- The Academic, Examination and Assessment Regulations

## **10 Monitoring and Review**

- 10.1 These regulations will be monitored by the Standards and Enhancement Office.
- 10.2 These regulations will be reviewed every three years.

## **11 Dissemination of and Access to the Policy**

- 11.1 This Policy will be available on the University's website (Student Information – Policy Zone).

<b>Appeals Regulations and Procedures</b>	
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