

## ACADEMIC (ASSESSMENT) APPEALS POLICY

### 1. PURPOSE

An academic appeal is defined by the UK Quality Code for Higher Education as *‘a request for a review of a decision of an academic body around a mark, outcome or decision. Students may appeal an outcome on the basis of evidence of procedure, but not on the basis of disagreement with academic judgement.’*

At Athena Global Education (AGE), a grade challenge is a request for the re-evaluation of the process associated with academic work in a course. Whenever a grade is changed as a result of a grade challenge, an explanation of the re-evaluation and outcome must be documented. The procedures outlined in this policy apply exclusively to the resolution of grade challenges and academic appeals.

This policy follows the guidance provided by the UK Quality Code for Higher Education in its expectations for Concerns, Complaints and Appeals.:

*“In practice, this means that providers have formed mechanisms for handling complaints and appeals”.*

The procedure outlined in this policy also follows the Office of the Independent Adjudicator (OIA) regarding principles of accessibility, clarity, proportionality, timeliness, fairness, independence, confidentiality and improvement of student experience.

### 2. SCOPE: GRADE CHALLENGE

A student can submit a grade challenge to the College if the following conditions have been met:

- the results have been internally verified, and approved by the Programme Assessment Board;
- the assessment/module in question has not been internally verified or second marked, even though the module was sampled by an internal verifier;
- the student has submitted the grade challenge within fifteen (15) days after the publication of results;

- the grade challenged is not pertinent to a re-sit or re-submission of coursework;
- the student has submitted a grade challenge with a written rationale;
- the module has not been presented to an External Examiner at the time of the petition.

Suitable circumstances that will be considered are as follows:

- the summative feedback is unclear or vague;
- there is no specific correlation between the summative feedback of the work, and how the grade was assigned;
- the student feels that he/she has been placed in a position of significant disadvantage due to prejudice or bias, or incorrect judgment by the original assessor.

It is expected that in the first instance the student attempts to seek clarification of the assessment decision, in the first instance with the lecturer or assessor during a drop-in clinic or assessment workshop.

Grade challenges are individual petitions that need to be submitted, in writing, to the Academic Administration Office, within the above-mentioned time frame. The Academic Administration Office will investigate the petition and, if it is considered to have merit, the office will assign the case to the Head of College, and/or Course Leader who will conduct an internal verification of the coursework in question.

The outcome of the grade challenge will be formally notified to the student in writing. In the response to the grade challenge the Head of College or Course Leader will clearly state the outcome of the challenge, the rationale for the decision, and provide information regarding the right to an academic appeal.

*Refer to Appendices A and D to explain why.*

### 3. PRINCIPLES

An academic appeal is where a student requests that a ratified decision in terms of the grade or marks awarded for a summative assessment is reconsidered on specific grounds which are listed below.

A student can appeal a decision if it complies with one of the following:

- a rejected grade challenge for no-fulfilment of the requirements;

- a decision to terminate study due to failure to comply with attendance/online participation, submission or programme requirements;
- a decision to exclude the student from an assessment or resubmission opportunity that is not due to an alleged academic misconduct;
- a decision that prevents the student from progressing or completing their studies;
- a decision of termination of studies due to serious academic dishonesty or professional misconduct.

Any student who wishes to appeal any of the decisions above will need to submit the appeal to the Academic Administration Office, using the pro-forma in Appendix A, within fifteen (15) days of the notification of the decision.

#### 4. ACADEMIC APPEALS

A student may appeal on one or more of the following grounds:

A procedural irregularity that occurred in the conduct of the assessment process. This includes the:

- published results contains an arithmetical or other error of fact;
- the assessment has defects or irregularities in the written instruction of the assignment or advice relating thereto, that has caused reasonable doubt as to whether the assessors would have reached the same decision had they not occurred, and has had an adverse effect on the student's performance; an assessment was not conducted in accordance with the programme regulations;
- special arrangements for assessment of a student were formally agreed but not implemented during the assessment period and it has had an adverse effect on the student's performance.

The presentation of new or additional extenuating circumstances which were not made known to the Programme Assessment Board for good reason, and that if they were known it is likely that it would have changed the decision made; a. mitigating circumstances need to follow the Understanding Mitigating Circumstances and Claims Procedure and be reviewed by the reasonable adjustment panel before consideration to an academic appeal.

The outcome of an academic misconduct procedure has been considered excessive or inappropriate.

The College must ensure that it follows the Guiding Principle that *“Providers consider cases thoroughly and proportionately. The required evidence in support of a case and the decision is proportionate”*.

The outcome of the Programme Assessment Decision has been considered as excessive, inappropriate or in direct contradiction to the provisions of the current policy, programme regulations, or guidance provided by the OIA.

There are reasonable grounds to believe that a decision was manifestly unreasonable or influenced by prejudice or bias on the part of the decision-maker.

Any student who wishes to appeal any of the decisions above will need to submit the appeal to the Academic Administration Office, using the pro-forma in Appendix A, within fifteen (15) days of the notification of the decision. The grounds for appeal must be clearly stated on the appropriate form and relevant documentary evidence appended.

Appeals that are submitted outside the grounds stated, and those submitted simply because a student disagrees with the mark awarded or with the academic judgement of the assessor, will not be accepted and the student will be informed accordingly in writing by the Academic Administration Office. This ensures that *“Students raising issues and staff who are subject to complaints are treated fairly, with dignity and respect”*.

In a case where the appeal has been accepted before it is submitted for consideration and formal review, there will be an attempt for early resolution with resort to a mediation process. The Head of the Academic Administration Office, in liaison with the Welfare Department, will seek an informal consultation with the student, and other relevant parties to try to reach an amenable resolution of issue. The meeting will be recorded and the proposed resolution will be communicated in writing within three days.

## 5. APPEALS TO THE UNIVERSITY/ AWARDING BODIES

**5.1** There shall be a final right of appeal to the University/ Awarding Body against a decision of a Board of Examiners/ EE only if the appeal is against a decision related to either:

- (a) progression from one stage to another of the programme to the next; or
- (b) a final award;

and both of the following criteria are met:

- (a) all appropriate internal procedures at AGE have been exhausted;
- (b) there are reasonable grounds to believe that the AGE's internal procedures and regulations for dealing with appeals were not implemented correctly or fairly.

**5.2 Grounds for Appeal.** A student may appeal against a decision of a Board of Examiners only if one or more of the following grounds apply:

- (a) Where the student provides written evidence in support of a claim that performance in the assessment was adversely affected by extenuating circumstances which the student was unable or, for valid reasons, unwilling to divulge before the Board of Examiners reached its decision; or
- (b) Where there is prima facie evidence, whether provided by the student or otherwise, that:
  - (i) there has been a material administrative error; or
  - (ii) the examinations or other assessments were not conducted in accordance with the regulations for the programme and/or special arrangements formally agreed; or
  - (iii) some other material irregularity relevant to the Board of Examiner's decision has occurred.

### **5.3 Other Appeal Imperatives**

- Disagreement with the academic judgement of a Board of Examiners cannot constitute grounds for an appeal.
- An appeal must be made within the time limits and in the manner prescribed in AGE's approved appeals procedure.

- A formal complaint is an expression of dissatisfaction with a service provided or the lack of a service. It must relate to services that students were led to believe would be provided.
- Where a student raises a matter of concern that does not meet the grounds for appeal highlighted above, the matter may be dealt with as a formal complaint. In the event that a complaint is upheld, where there is no right of appeal, an assessment result or a decision of a Board of Examiners cannot be changed.

## 6. PROCEDURES

The Academic Administration Office, on acceptance of an appeal shall submit the appeal for consideration. This submission can only occur if the attempt for early resolution has been attempted and stands as unresolved.

The Head of Academic Administration Office has a duty to verify if the academic appeal is submitted under the correct procedure, falls within the grounds described above, and was submitted within the given deadline.

The student will be notified in writing, five (5) days after the submission of the appeal, by the Head of Academic Administration Office if:

- the academic appeal has been accepted for consideration;
- the academic appeal has been rejected because it doesn't meet the grounds, or has not been submitted in the correct format, or in the given deadline.

If the academic appeal has been accepted, the Head of Academic Administration will nominate an academic member of staff that has had no previous involvement in the matter to oversee the process. This follows the Guiding Principle that *"Information is released only to those who need it to investigate or respond to the case"*.

## 7. PROCESS OVERVIEW

If the academic appeal falls under the appeal of decisions procedure, the member of staff that has been nominated to conduct the investigation will:

- request a meeting with the student;
- request a meeting with key members of staff;
- ensure all meetings are recorded by a member of the Academic Administration Office;

- request further evidence from either the student, school or department;
- confer with the Academic Head, if necessary;
- reach a conclusion and submit a decision to the Programme Assessment Board.
  - convene a panel to discuss the case: the panel must have one independent member of the Registration, an independent member of the Academic Board, and the Director of Higher Education/ Academic Director;
  - ensure all meetings are minuted by a member of the Academic Administration Office;
  - reach a conclusion and submit a decision to the Programme Assessment Board.

If the grounds for the appeal are based on an academic decision that has been reviewed under the proceedings of agreed process, the reviewer cannot be the same individual that has investigated the previous claim.

The student will be given sufficient notice of the request for a meeting. The student will be supported by the Welfare Officer during the proceedings, and upon request to the panel, the student may attend the panel meeting (online), accompanied by the Welfare Officer or class representative. This ensures that *“Procedures are clear, accessible, inclusive, flexible and reviewed regularly”*. (Guiding principle 2)

## 8. CLOSING THE ACADEMIC APPEAL

Once the conclusion has been reached and there is an agreed outcome, the student will be notified, in writing, within fifteen (15) days, by the Academic Administration Office.

The decision should clearly state:

- the outcome of the appeal;
- the student’s right to escalate the appeal to the review stage;
- the grounds on which the review stage can be accepted;
- the timeline for the submission of the escalation of the appeal;
- the appropriate procedure;
- how to access support.

When the academic appeal is upheld, the College will need to clearly state in its decision how and when it will implement any remedial action, issue a formal apology and inform the student of their rights if the student is still dissatisfied with the outcome.

If the student doesn't take the academic appeal to the review stage within the time limit and the appeal process has not been reviewed by the Academic Board, the College will close the appeal process and issue a Completion of Procedures letter (See Appendix C) advising that the appeal process has been completed, notwithstanding the right to appeal to the OIA.

All appeal decisions are reviewed in the Academic Board to ensure appropriateness and fairness of the process. The Academic Board has the authority to review independently any appeal decision that is considered unfair or disproportionate. If there is such a case, the Academic Board will notify the reviewer or panel of the decision.

## 9. REQUEST FOR A REVIEW OF DECISION

After exhausting the formal appeals stage, and after review of the appeals process by the Academic Board, if the student considers that a decision continues to disadvantage them, they may appeal to the Awarding Body/ University and that will follow the partner university appeal process.

Students have a right to appeal to the awarding body after they have exhausted the internal processes in Athena Global Education (AGE).

The student or the College (on behalf of the student) has the right to enquire or appeal when:

- it disagrees with the outcome from the external quality assurance activities carried out by the awarding body (for example, an External Examiner report);
- it disagrees with the outcome(s) from our end point assessment activities;
- it disagrees with a qualification decision made by the awarding body (for example rejection of a late certification or registration request);
- it disagrees with the outcome of the College internal appeals procedure.



The grounds for the appeal, and any supporting documentation, must be submitted within fourteen days of communicating to the Awarding Body the intention of appealing a decision approved by the Academic Board.

Students cannot appeal to the awarding body without first going through the Athena Global Education (AGE) appeals process.

This ensures that the College follows Guiding principle 1, notable that *“Providers improve the student experience systematically by learning from their processes”*.

## 10. PARTNER UNIVERSITY

An academic appeal by a Student against the decision of the Board of Examiners shall be decided under the academic appeals procedure of the University.

Any complaint by a student (including an appeal) in respect of Franchise/Validated arrangements shall be decided by the University in accordance with the University Policies and Regulations. The decision of the University shall be final and the Partner shall be required to comply with the University’s decision.

## 11. COMMUNICATION PROCESS

- It will be ensured that regular communication process will be followed during the whole quality assurance process, as well as during other academic and administrative matters being dealt between staff and students.
- An open communication system will be followed wherein all matters, including matters disagreed upon, or matters raising conflicts will be tried to be resolved internally. If a matter cannot be resolved internally within its individual team members, then it will be referred to the Academic Committee.
- All students’ complaints and grievances, including general enquiries will be addressed within 3 days of the student raising a query/ complaint. If the matter cannot be resolved within a certain time, inform the concerned student about a definite timeline when his/ her matter will be resolved/ or cannot be resolved, with reasons.

- Regular faculties' quality assurance and internal review meetings will be organized every month, wherein feedback from students will be discussed, all academic and administrative matters discussed and previous points' implementation discussed. The minutes of meetings will be recorded.
- The Academic Teams/ Committees will meet regularly to discuss and communicate any actionable points which require intervention.
- Extreme good team work will be ensured by all staff members with effective and efficient communications process to ensure that timely and fast action is taken and communicated to all concerned.

## 12. APPEALS TO EXTERNAL BODIES

If, after exhausting the Appeals stage through Athena Global Education (AGE) and the partner university, the student feels that the outcome is unreasonable in relation to the evidence, then a review may be requested from the Office of the Independent Adjudicator for Higher Education. This will happen within 28 days of the issue of a Completion of Procedures letter by the College. The time limit for bringing a complaint to the OIA is 12 months.

### 12.1 Contact details for the Independent Adjudicator are:

Office of the Independent Adjudicator

Third Floor Kings Reach

38-50 Kings Road

Reading Berkshire RG1 3AA

Information may also be obtained directly from the OIA at: <http://www.oiahe.org.uk>

## 13. EXTENUATING CIRCUMSTANCES

- 13.1 Students may suffer from a sudden illness, or other serious and unforeseen event or set of circumstances, which adversely affects their ability to complete an assessment, or the results they obtain for an assessment. In such cases AGE's extenuating circumstances procedures will be applied. The following procedures will be applied by a student who is prevented from attending or completing a formal assessment component or who feels that their performance would be (or has been) seriously impaired by extenuating circumstances.

- He/ she will submit a deferral request through LMS stating the reasons for which the student is seeking deferment.
- The student will provide supporting documentation for the extenuating circumstance (s) sought by him/ her. This should be done before the deadline of the assessment. Only in extreme extenuating circumstances, when it is beyond the student's control to send it before the deadline, the same can be sent with evidence of delay.
- Medical evidence submitted in support of a claim for extenuating circumstances should be provided by a qualified medical practitioner.
- AGE will verify the authenticity of any evidence submitted.

### 13.2 Extenuating Circumstances Action

Upon receipt of evidence for investigating extenuating circumstances, the Course Leader, along with the Faculty and Course Administrator will decide whether to:

- (a) provide a student with the opportunity to take the affected assessment(s) as if for the first time, allowing them to be given the full marks achieved for the examination or assessment, rather than imposing a cap;
- (b) waive late submission penalties;
- (c) exercise discretion in deciding on a particular form any reassessment should take; for example, options for a viva voce examination, additional assessment tasks designed to show whether the student has satisfied the programme learning outcomes, review of previous work, or normal assessment at the next available opportunity. The student will not be put in a position of unfair advantage or disadvantage: the aim will be to enable the student to be assessed on equal terms with their cohort;
- (d) if a student fails without good cause to provide the responsible body with information about extenuating circumstances within the timescales specified herein, the responsible approving body has authority to reject the request on those grounds.

## 14. RELEVANT ASPECTS OF THE (REVISED) UK QUALITY CODE

### **13.1 Expectations for Quality: Core Practices**

The provider has fair and transparent procedures for handling complaints and appeals which are accessible to all students.

### **13.2 Common Practices**

The provider reviews its core practices for quality regularly and uses the outcomes to drive improvement and enhancement.

Providers ensure impartial investigation of student concerns, complaints and appeals by having investigating officers with an appropriate level of separation from day-to-day operational managers.

## **Appendix A**

### **1. ATHENA GLOBAL EDUCATION APPLICATION FOR A GRADE CHALLENGE**

This form is to be used by any student who wishes to submit a Grade Challenge petition for review under Section 1 of the current policy.

Before completing this form, students should read the Academic Appeals Policy, taking particular notice of the grounds on which, a grade challenge may be made.

This form should be completed on-line and submitted to the Academic Administration Office within the deadlines specified in the current policy.

The grounds of the petition must be made clearly and concisely. Further details, if any, and any relevant documentary evidence, medical or otherwise, must be attached.

<b>Full Name</b>	
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<b>Student Number</b>		
<b>E-mail address</b>		
<b>Course</b>		
<b>Module</b>		
<b>Assessor Name</b>		
<b>Grade Awarded (please indicate if you are challenging the overall grade or a specific task grade)</b>		
<p style="text-align: center;"><b>Rationale for the Petition</b> (please indicate the reasons for the grade challenge)</p>		
<b>Student Signature</b>		
<b>Date</b>		

## **Appendix B**

### **2. ATHENA GLOBAL EDUCATION APPLICATION FOR AN ACADEMIC APPEAL**

This form is to be used by a student who wishes to submit an academic appeal.

Before completing this form, students should read the Academic Appeals Policy, taking particular notice of the grounds on which, an appeal may be made.

This form should be completed on-line and submitted to the Academic Administration Office within the deadlines specified in the current policy. The appeal can be submitted directly to the office or sent via email.

The grounds of appeal must be made clearly and concisely. Further details, if any, and any relevant documentary evidence, medical or otherwise, must be attached.

<b>Full Name</b>	
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<b>Student Number</b>	
<b>E-mail address</b>	
<b>Course of Study</b>	
<b>State the decision against which you are appealing:</b>	
<b>Justify the reasons for the appeal to be considered and attach any relevant documentation/evidence.</b>	
<b>Please read the following statement:</b>  I declare that I have read Athena Global Education (AGE)'s Academic Appeals Policy and that the information given on this form, and on any accompanying papers, is a true statement of the facts to the best of my knowledge and belief.	
<b>Student Signature</b>	
<b>Date</b>	

## **Appendix C**

### **3. COMPLETION OF PROCEDURES LETTER**

Dear [*Name of complainant*],

This letter confirms that the internal procedures of Athena Global Education (AGE) in relation to your *complaint / appeal* regarding [*please describe*] have been completed.

The issues that you raised in your *complaint / appeal* were [*details*]

The issue(s) that were considered in relation to your *complaint / appeal etc. was / were\**: [*brief summary of the complaint etc.*].

The final decision of Athena Global Education (AGE) is\* [*detail*] because [*reasons*].



The procedures / regulations applied were\*: *[details and date as supplied to the OIA's electronic Regulations Bank]*.

Athena Global Education (AGE) subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of *your complaint / appeal etc.\** to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint you take to the OIA is eligible under its Rules.

Should you decide to make a complaint to the OIA, your OIA Complaint Form **must be received by the OIA** within **12 months** of the date of this letter, that is, it must be received by the OIA **on or before** *[insert date - e.g. if the Completion of Procedures Letter is dated 9 July 2015, this date should be 9 July 2016]*.

*[Include here any factors of which the College is aware which mean that it is particularly important for the student to bring the complaint promptly.]*

You can fill in the OIA's complaint form online or download a copy from the OIA website. <http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>. The OIA also publishes *An Introduction to the OIA Scheme for Students*, which can be downloaded from [http://oiahe.org.uk/media/42715/oia\\_intro\\_leaflet\\_16pp.pdf](http://oiahe.org.uk/media/42715/oia_intro_leaflet_16pp.pdf). Alternatively, you can telephone or write to the OIA for a form. **You should send a copy of this letter to the OIA with your OIA Complaint Form.**

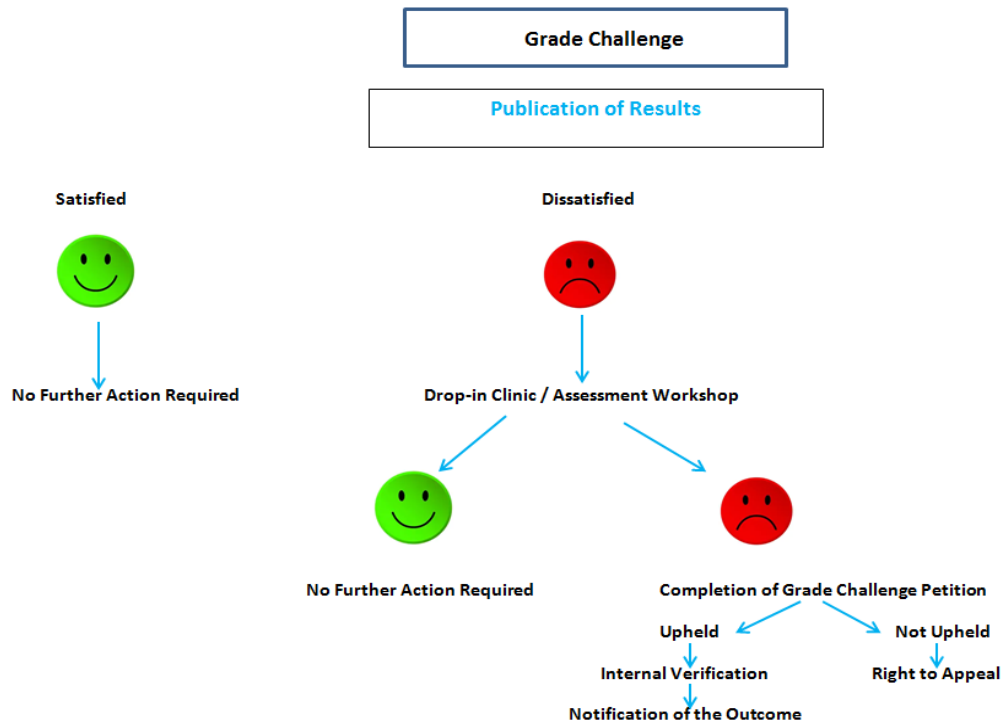
Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <http://www.oiahe.org.uk/making-a-complaint-to-the-oia.aspx>. You may also wish to seek advice from the Students' Union about taking your complaint to the OIA.

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

Yours sincerely,

## **Appendix D**

### **4. GRADE CHALLENGE**



**Appendix E**

**Academic Appeal**

