

## Regent College London Academic Appeals

### Policy and Procedure for Making an Academic Appeal<sup>1</sup>

#### 1 Scope and grounds for appeal

- 1.1 The procedure is concerned solely with student appeals requesting that an Assessment Board reconsider its decision regarding matters such as grades awarded for assessed work, progression on a course and awards.
- 1.2 A complaint about any service that Regent College London (the College) provides, that is **not** directly related to academic matters, should be dealt with through the Complaints Policy and Procedure, which is available on the College's VLE (HELP) and website.
- 1.3 This Academic Appeals Policy and Procedure may be used at the informal stage by students studying for awards made by both Pearson and our University partners.

For formal academic appeals for awards made by our University partners, the University's formal academic appeals procedure must be followed. Full details are available from the relevant University's website and in the relevant programme handbook.

For formal academic appeals for awards made by Pearson, follow the Stage 2 procedure detailed below.

#### 2 Grounds for appeal

- 2.1 An appeal against any decision made by an Assessment Board may only be made on the grounds that:
  - a) The assessment was not conducted in accordance with the current regulations for the course/programme, or a material administrative error, or some other material irregularity relevant to the assessment, has occurred
  - b) The judgement of an examiner or examiners was improperly affected by personal bias
  - c) Misleading information was provided about the assessments and/or examinations
  - d) For a student with a disability or additional needs, the assessment was not correctly carried out, or the support identified was not provided, or the agreed assessment procedures for that student were not properly implemented.
- 2.2 Disagreement with the academic judgement of an Assessment Board in reaching any assessment decision based on the marks, grades and other information relating to the candidate's performance cannot in itself constitute grounds for an appeal. Such matters of academic judgement remain the exclusive prerogative of the Assessment Board. Matters of academic judgement include:

- a) whether a student has reached the academic standard required for the unit/module

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<sup>1</sup> Please note that this Academic Appeals Policy and Procedure may be used at the informal stage for both Pearson and University partner awards. However, for University partner students the formal appeals process must use the University procedure, which is available on their website and relevant programme handbook.

- b) whether a student would benefit academically from further study, for example, by repeating a unit/module on the course
- 2.3 Subject to meeting the criteria in 2.1 above, an appeal may be against a decision or recommendation of an Assessment Board that:
  - a) the student has failed a unit/module or part of a unit/module
  - b) the student should not be permitted to proceed to the next stage of the course
  - c) the student should be excluded from continuation of studies on the course
  - d) a particular class or grade of award should be made.
- 2.4 Pending the outcome of an academic appeal the student will typically be treated as if the assessment had not yet taken place. This means that the making of an award will not take place, where the award classification would depend on the assessment concerned. In the event that a student's progression depends on the outcome of an appeal, the decision on whether or not to put the Assessment Board judgement on hold, will be made that best serves the student's academic interests.

### **3 Matters excluded from Academic Appeals**

- 3.1 A student may not make an appeal using these procedures on the grounds that mitigating circumstances adversely affected their performance in an assessment. Such issues are the subject of the Extenuating Circumstances Policy and Procedure.
- 3.2 A student may not make an academic appeal on the grounds that poor teaching, supervision, academic advice or guidance affected his or her performance. In such circumstances the student may make a complaint under the Complaints Policy and Procedure.

### **4 Procedure for notification of an appeal**

- 4.1 There are four stages in the Academic Appeals procedure:

**Stage 1** Conciliation

**Stage 2** Formal Academic Appeal

**Stage 3** Academic Appeal Panel Hearing

**Stage 4** Independent Review

#### **4.2 Stage 1: Conciliation**

- 4.2.1 The conciliation stage is an informal process. If a student considers that they may have grounds for an academic appeal, or is seeking clarification of an Assessment Board's decision, they should first attempt to conciliate with the Chair of the relevant Assessment Board, or in their absence, the Programme Leader/Director of Studies. This should be done within ten days of the publication of the results of the relevant Assessment Board.
- 4.2.2 Only when the informal stage of conciliation has been exhausted, and the student remains convinced that they have grounds for an academic appeal, should formal (Stage 2) procedures be initiated.

- 4.2.3 Where a group of students wishes to submit a collective appeal, the group should nominate a spokesperson to act on behalf of the group.
- 4.2.4 Following discussion with the student, the Chair of the Assessment Board should discuss the issues raised by the student with the Programme Leader/Director of Studies. Following this discussion, one of the following two options will be made:
  - a) to refer the matter back to the appropriate Assessment Board for further consideration;
  - b) to dismiss the informal appeal.

### 4.3 Stage 2: Formal appeal

- 4.3.1 Where the Stage 1 Conciliation is unsuccessful, the student must submit their academic appeal using the Academic Appeal Form. This must normally be completed within five working days of receipt of the Stage 1 decision, or no longer than fifteen days after publication of the results from the relevant Assessment Board. The completed form should be submitted to the Head of Academic Standards & Quality Enhancement.
- 4.3.2 On receipt of the Academic Appeal Form, the Head of Academic Standards & Quality Enhancement shall consider the appeal to establish whether there appears to be a case for the appeal. The grounds for appeal detailed in Section 2 and 3 above will be referred to in helping to make a decision.
- 4.3.3 Where the Head of Academic Standards & Quality Enhancement deems there appears to be a case for an appeal, a meeting of the Academic Appeals Panel (described in Section 5 below) shall be called to hear the appeal, normally within fifteen working days of receipt of the appeal form.
- 4.3.4 The student making the appeal will be informed by the Head of Academic Standards & Quality Enhancement about whether or not there appears to be a case or whether the appeal is dismissed because there are no proper grounds for an appeal. If there is deemed to be a case the Head of Academic Standards & Quality Enhancement will inform the student of the date of the meeting of the Academic Appeals Panel. These communications to the student will normally be made within five working days of the completed Academic Appeal Form being submitted. Where it is not possible to adhere to this timeframe (eg. Supporting information is required from staff on annual leave and cannot be contacted during this period), the appellant will be informed of the delay and given an alternative timeframe.
- 4.3.5 In submitting a Stage 2 appeal, the Academic Appeal Form must be properly completed and contain the following information:
  - a) the decision of an Assessment Board being appealed against
  - b) a brief and clear summary of the grounds for the appeal referring to Section 2 above, and stating, as appropriate, the following:
    - the way(s) in which it is alleged that the assessment was not conducted in accordance with the current regulations for the course/programme, or
    - how any material administrative error or some other material irregularity relevant to the assessment has occurred, or
    - what misleading information was provided about the assessments and/or examinations, or

- for a student with a disability or additional needs, the way(s) in which the assessment was not correctly carried out, or the support identified was not provided, or the agreed assessment procedures were not properly implemented
- c) supporting evidence, other than personal testimony from the student, in corroboration of the allegation(s), or an indication of how such corroboration will be provided
  - d) a statement about the nature of the revised assessment sought from the Assessment Board if the appeal was to be upheld
  - e) a demonstration that conciliation has been attempted with the Chair of the Assessment Board, and/or Programme Leader/Director of Studies, as appropriate
  - f) an appeal may be dismissed in the following circumstances:
    - when the appeal is submitted late, without explanation which is satisfactory to the Head of Academic Standards & Quality Enhancement
    - when the Head of Academic Standards & Quality Enhancement is able to demonstrate that the appeal does not fall into any one of the four categories detailed in 2.1 above

## **5 Academic Appeals Panel constitution**

- 5.1 The Academic Appeals Panel shall comprise a Chair, normally the Head of Academic Standards & Quality Enhancement and two other members, consisting of:
  - Two members of teaching staff of Regent College London who do not teach or supervise the student(s) making the academic appeal
- 5.2 Where possible, the College will seek to ensure that the composition of the Panel reflects the character of the institution and is fully aware of the College's Equality and Diversity Policy
- 5.3 No member of the Academic Appeals Panel shall be a member of staff either teaching and/or assessing on the unit/module of the course concerned.
- 5.4 No member of the Academic Appeals Panel shall be an interested party.
- 5.5 To the extent practicable, the same Chair should preside in hearings of appeals from a particular Assessment Board in any one academic year.
- 5.6 The Head of Academic Standards & Quality Enhancement shall appoint a Secretary to the Panel.

## **6 The Academic Appeal hearing**

- 6.1 The student making the academic appeal shall have the right to appear before the Academic Appeals Panel and to be accompanied and supported by a friend. The friend must be either an enrolled student or a member of staff at the College, for example the Student Support Officer.
- 6.2 The Chair of the relevant Assessment Board (or their nominee) shall have the right to be present at the Academic Appeal hearing.
- 6.3 The student making the appeal, the friend, and the Assessment Board, through its representatives, shall have the right to call and to question witnesses pertinent to the appeal.

- 6.4 The Academic Appeals Panel shall be entitled to call witnesses as it deems appropriate and to call for the production of relevant documents.
- 6.5 The academic appeal shall only be heard on the grounds as stated, and accepted by the Head of Academic Standards & Quality Enhancement, in the Academic Appeals Form, unless the Academic Appeals Panel decides otherwise. In the latter event, either the appellant or the Assessment Board shall be entitled to demand an adjournment of no more than one week to prepare appropriate evidence.
- 6.6 The student making the appeal, and the Assessment Board, shall have the right to receive a copy of any written submission that is made on the part of the other. The Assessment Board has the right to present redacted documents, where the redaction is to protect personally identifiable information of students or staff unrelated to the matter of the appeal.
- 6.7 The student making the appeal shall be invited to provide details of any reasonable adjustment that may need to be made for the hearing in order to accommodate the appeal, as long as the student has a declared disability.
- 6.8 If the student making the appeal does not appear at the location, time and date set for the appeal hearing the Academic Appeals Panel shall consider whether any reasons sent by the student in advance of the hearing are valid, and:
  - a) if members of the Panel so judge, adjourn proceedings to a later date and time;
  - b) if no reasons are advanced, or if they are judged to be invalid, proceed in the student's absence

## **7 Outcome of an Appeals Hearing**

- 7.1 The Academic Appeals Panel shall be empowered to either:
  - a) refer the matter back to the relevant Assessment Board
  - b) dismiss the appeal
- 7.2 In making a referral back to the relevant Assessment Board, the Academic Appeals Panel shall state the grounds on which it has reached its decision and what matters it requires the Assessment Board to consider further. The Academic Appeals Panel may make recommendations provided these are not academic judgements, and provided that reasons for the recommendations are given.
- 7.3 Should the Academic Appeals Panel have made recommendations which the Assessment Board is unable to accept, the Academic Appeals Panel may recommend to the Academic Board that the assessment(s) be annulled.
- 7.4 A decision to annul an assessment can only be taken by a meeting of the Academic Board.
- 7.5 When a decision of an Assessment Board has been annulled it is the responsibility of the Academic Board to take action, including, if necessary, the appointment of new internal markers, to ensure that the student(s) concerned are properly assessed.
- 7.6 Where the appeal is dismissed, or where Academic Board has declined to annul the assessment(s), the most recent decision of the Assessment Board, prior to the appeal being lodged, shall prevail.
- 7.7 In cases of serious procedural or other type of irregularity, or where it is not possible to reconvene an Assessment Board, the Academic Board shall have the power to annul a decision of the Assessment Board without making prior request for reconsideration. If an error or irregularity is found to have affected more than one student, the Academic Board may annul the whole assessment or any part of it.

## 8 Authority of Academic Appeals Panels

- 8.1 There shall be no appeal against the findings of an Academic Appeals Panel. Allegations of *procedural* irregularity in the conduct of an appeal may be made to the Cross-Campus Management team, who may, at their discretion, require the Academic Appeals Panel to reconsider the case.

## 9 Independent Adjudication

- 9.1 Where an appeal is dismissed at any of the stages outlined above, the appellant will be considered to have exhausted Regent College London's internal procedures for Academic Appeals and a letter of completion issued to the student.
- 9.2 If the appellant has exhausted the College's internal procedures and is not satisfied with the outcome, they may request that the case is reviewed by the Office of the Independent Adjudicator for Higher Education ([www.oiahe.org.uk](http://www.oiahe.org.uk)). Students on HND programmes are also entitled at this stage to make an appeal to Pearson (further details are given in the [Enquiries and appeals about Pearson vocational qualifications policy](#)).
- 9.3 Under the Higher Education Act 2004, provision is made for a student to refer a complaint to the Office of the Independent Adjudicator for Higher Education (OIAHE) when the institution's internal academic appeals procedures have been exhausted, and the student remains dissatisfied with the outcome.
- 9.4 On completion of the College's internal Academic Appeals procedure, the student(s) will be issued with a *Completion of Procedures Letter* by the Head of Academic Standards & Quality Enhancement. This letter will provide information of the services available to the student from the Office of the Independent Adjudicator. The Completion of Procedures Letter will:
- provide a description of the Academic Appeal
  - confirm that the College's internal Academic Appeals procedure has been completed
  - state the outcome of the internal Academic Appeals process
  - confirm that the student has the right to take the appeal to the Office of the Independent Adjudicator for Higher Education
  - indicate how the student can contact the OIAHE
  - stipulate that the OIAHE will only consider complaints from students within a period of two calendar years from the date of the Completion of Procedures Letter

Further advice and/or assistance concerning the OIAHE, or in contacting and submitting a complaint to the OIAHE, should be obtained from the Head of Academic Standards & Quality Enhancement or from the OIAHE website.

- 9.5 The findings of any case considered by the OIAHE shall be considered directly by the Academic Board. The Academic Board shall take the recommendations of the OIAHE into account in reaching a final decision about any action that should be taken in response to the appeal.
- 9.6 The decision of the Academic Board will be final and there shall be no further appeal against this decision.

- 9.7 Each academic year the Head of Academic Standards & Quality Enhancement shall analyse the key features and outcomes of all Academic Appeals and any outcomes of review by the Office of the Independent Adjudicator for Higher Education made during the previous year. The Head of Academic Standards & Quality Enhancement shall present a report on this information to the appropriate meeting of the Academic Board (normally the autumn meeting of Academic Board).

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