# Academic Appeals Procedure

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<th>Approving committee:</th>
<th>Academic Board</th>
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<td>Key Contact(s):</td>
<td>Barbara Pittam; Charlotte Knights</td>
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<td>Date of Equality Impact Assessment:</td>
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<td>Next review date:</td>
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## 1. Purpose and scope

1.1. The purpose of this procedure is to provide an appeal mechanism for all students studying programmes leading to ICR awards who have received the following decisions:

   a) an academic decision of an Examination Board;

   b) the outcome of a thesis examination;

   c) the outcome of a transfer viva.

1.2. Before raising an appeal, students may seek advice from a member of Registry Operations and where there are concerns or questions about a decision these may be discussed with an appropriate academic staff member.

1.3. A student may raise an appeal on the following grounds:

   a) a substantive procedural irregularity within the examination or assessment process;

   b) evidence of bias or the perception of bias within the examination or assessment process;

   c) mitigating circumstances where, for good reason, the examiners or assessors were not made aware of a significant factor relating to the assessment of a student when it made its original decision.

1.4. An appeal made outside of these grounds shall not be considered under this procedure. This includes appeals questioning the academic judgment of the examiners or assessors, which is not permitted under any ICR procedure.

1.5. A student is bound by and shall comply with the original decision referred to in paragraph 1.1. until the result of the appeal is known.

1.6. A student shall not be disadvantaged for submitting an appeal based on genuinely held beliefs. The ICR shall consider all eligible appeals in accordance with this procedure within a reasonable timescale.
normally within 90 calendar days. In exceptional circumstances, normally by student request, the time taken to consider an appeal may be expedited.

1.7. This procedure has 2 stages: an Academic Appeal stage to reconsider a decision referred to in paragraph 1.1.; and a Check stage to check the Academic Appeal decision. At the end of the procedure, the ICR shall issue the student with a Completion of Procedures letter. This letter confirms the conclusion of the ICR’s internal procedures and enables the student to raise a complaint with the Office of the Independent Adjudicator, an external student complaints scheme for England and Wales.

1.8. Where relevant, reasonable adjustments shall be made to the procedure. Students are encouraged to make the ICR aware of any disability at the earliest opportunity to ensure that reasonable adjustments are made. Where necessary, reasonable adjustments may include the student corresponding through an authorised representative.

1.9. Students and any representatives are always required to communicate respectfully and reasonably. Abusive or threatening behaviour shall not be tolerated. If, following a warning, the ICR considers that a student or representative is behaving in an unacceptable manner, or that an appeal is malicious or vexatious, then the appeal may be terminated without further consideration. If an appeal is terminated the student shall receive a Completion of Procedures letter.

1.10. Any reference to a named role-holder includes a deputy appointed by that role-holder to exercise the functions assigned to that role-holder within this procedure.

1.11. All decision-makers within the procedure shall not have personal knowledge of the student or the circumstances of the appeal and shall not have had any involvement with the decision being appealed.

1.12. The ICR shall only share information and evidence submitted in an appeal with staff where it is strictly necessary in order to process, investigate and consider the appeal. All information shall be treated in accordance with the ICR’s Student and alumni privacy notice. An annual summary report on appeals shall be considered by Academic Board.

2. Appeal submission and consideration

2.1. An appeal and all relevant evidence shall be submitted by the student on an Academic Appeal Form within 2 months of receiving written formal notification of the decision. Appeals or evidence received after this deadline shall not be accepted unless there is an evidenced valid reason for delay.

2.2. An appeal shall be considered for eligibility by a Case Handler, appointed by the Registrar. Providing an appeal is eligible to be considered under this procedure, the student shall receive an acknowledgement letter, normally within 7 calendar days of submitting the appeal.

2.3. If the Case Handler considers an appeal is not eligible to be considered because: the reason for delay is not evidenced or valid; it has not been made within the permitted grounds; it is malicious or vexatious; or for some other reason, then the appeal shall not be considered under this procedure. The student shall be issued with a Completion of Procedures letter or be referred to an alternative procedure, for example, the Student Complaints Procedure.

2.4. Eligible appeals shall be sent to the Chair of the Examination Board, examiners or assessors, or where there is no Chair, the lead or all internal examiners or assessors who shall be asked to provide the Case Handler with a factual response to the appeal along with relevant evidence, normally within 14 calendar days. The factual response may be compiled in consultation with others, including external examiners or assessors in order to provide a full response.
2.5. The appeal shall be considered by an Academic Appeals Committee appointed by the Chief Executive; 3 trained members of academic staff, 1 of whom shall be Chair, and at least 1 of whom shall have experience of examining at the level of the course the student is studying or higher.

2.6. The Case Handler shall organise a meeting of the Academic Appeals Committee, normally within 21 days of receiving the factual response to the appeal. The student and a supporter shall only be invited to attend the Academic Appeals Committee meeting at the Chair's discretion and in exceptional circumstances. Where the student has been invited, the Chair may also invite other relevant persons.

2.7. The Academic Appeals Committee shall consider the student's appeal and the factual response and make one of the following decisions:

   a) to uphold the appeal, on the basis that it has met at least one of the permitted grounds;

   b) To dismiss this appeal, on the basis that it has not met any of the permitted grounds.

2.8. Where an appeal is upheld, the Academic Appeals Committee shall refer the appeal back to the Examination Board, examiners or assessors for re-consideration. In doing so, the Academic Appeals Committee shall specify whether:

   a) the examiners or assessors shall be the same or different to the ones who made the original decision;

   b) a further examination shall be permitted to take place;

   c) any previous decision is rescinded;

   d) the original examination, thesis or assessment shall be re-considered, or that the student is permitted to submit a revised version;

   e) the examiners or assessors shall have access to any of the appeal paperwork when conducting the re-consideration.

2.9. Within 7 calendar days of the Academic Appeals Committee reaching a decision, the Case Handler shall communicate in writing to the student the decision of the Academic Appeals Committee, the reasons for the decision, and a copy of the factual response to the appeal.

3. Check

3.1. Where the student is dissatisfied with the Academic Appeals Committee's decision, a request for a Check of the decision can be submitted on the following grounds:

   a) a substantive procedural irregularity that occurred during the decision-making process;

   b) the decision was unreasonable in all the circumstances;

   c) new material evidence that affects the decision, which the student was unable, for valid reasons, to provide earlier in the process.

3.2. A student may initiate a Check by submitting a Check Form and all relevant evidence within 14 calendar days of receiving the written decision of the Academic Appeals Committee. Requests for a Check or related evidence received after this deadline shall not be accepted unless there is an evidenced valid reason for delay.


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3.3. A request for a Check shall be considered for eligibility by a Case Handler, appointed by the Registrar and different from the Case Handler involved at the previous stage. Providing a request for a Check is eligible to be considered, the student shall receive an acknowledgement letter, normally within 7 calendar days of initiating the Check.

3.4. If the Case Handler considers a request for a Check is not eligible to be considered because: the reason for delay is not valid; it has not been made within the permitted grounds; it is malicious or vexatious; or for some other reason, then the Check shall not be considered and the student shall be issued a Completion of Procedures letter.

3.5. Eligible reviews shall be sent to a Checker, a trained member of academic staff appointed by the Chief Executive. The student shall be given an opportunity to raise any objection to the Checker, which will be considered by the Case Handler. The Checker shall receive the Check documentation: the student's request for a Check; the Academic Appeal Committee's decision; the reasons for that decision; and the material considered by the Academic Appeals Committee in reaching its decision. If necessary, the Checker may request further information that, if not requested from the student, the student shall be given an opportunity to comment upon.

3.6. The Checker may make a decision regarding the review, or in exceptional circumstances, the Checker may request that the Chief Executive appoint a further 2 Checkers so that a Check Committee may be convened, with the first Checker as Chair. The student and a supporter shall be invited to attend the Committee at the Chair's discretion in exceptional circumstances. Where the student has been invited, the Chair may also invite other relevant persons.

3.7. The Checker or Check Committee shall consider the review documents and make one of the following decisions:

   a) to uphold the Check, on the basis that it has met at least one of the permitted grounds;

   b) To dismiss the Check, on the basis that it has not met any of the permitted grounds.

3.8. Where a Check is upheld, the Checker or Check Committee shall refer the case back to the Examination Board, examiners or assessors. In doing so, the Checker or Check Committee shall specify whether:

   a) the examiners or assessors shall be the same or different to the ones who made the original decision;

   b) a further examination shall be permitted to take place;

   c) any previous decision is rescinded;

   d) the original examination, thesis or assessment shall be re-considered, or that the student is permitted to submit a revised version;

   e) the examiners or assessors shall have access to any of the appeal paperwork when conducting the re-consideration.

3.9. Within 7 calendar days of the Checker or Check Committee reaching a decision, the Case Handler shall communicate in writing to the student the decision of the Checker or Check Committee and the reasons for the decision along with a Completion of Procedures letter.