

Procedure for Higher Education Academic Appeals

1. Introduction

This procedure shall apply only to academic appeals which shall be understood as the request to review a decision regarding the progress of the appellant on their programme of study. To include the overall award.

All appeals and queries shall be conducted in accordance with the regulations and the precepts as set out in the Quality Assurance Agency UK Quality Code for Higher Education. Advice and Guidance: Concerns, Complaints and Appeals (Nov 2018) and the Office of the Independent Adjudicator's The Good Practice Framework for handling complaints and academic appeals (December 2022). The appeals are also subject to the University partner regulations.

2. Definitions

2.1. Academic Judgement

The mark to be awarded for an individual piece of work shall be regarded as the academic judgement of the examiner/s or the Board of Examiners. As such, it shall not be appealable under these, or any other regulations or procedures, of the College, University and Awarding organisations.

A person who wishes to question academic judgement shall be entitled to ask the examiner, or Board of Examiners, to confirm that the work has been marked in accordance with the current regulations and procedures of the University. Confirmation of the adherence to the stated procedures should be provided to the appellant in writing.

If such procedures have been followed the matter should be deemed closed and the academic decision upheld.

2.2. The distinction between Academic Appeal and Complaint

Other matters of dispute involving a student and the College or curriculum area, shall be termed "complaints" and subject to the College's Complaints Procedure.

2.3. Admissions Appeals

Appeals on admission decisions should be made to the admissions department. Guidance on admission appeals can be found in the College Higher Education Admission (including Appeals) Procedure.

2.4. Impartiality of Decision-Makers

No person shall be permitted to take part in the making of a decision regarding an appeal where they have a conflict of interest, e.g. a member of the same academic department in which the appellant is registered, or through being a member of the Board of Examiners which has made a decision against which the appeal is made.

Any person who may be involved in the making of a decision regarding an appeal shall be required to declare a conflict of interest where they have any other material connection with the appellant. Therefore, they will be disqualified from being involved in the making of the decision.

2.5. Privacy, Confidentiality and Data Protection

All evidence submitted by an appellant in support of an appeal shall be confidential and only those individuals engaged in the management of the appeal would be privy to the appeal details. This includes any names, individuals or committees.

While all evidence submitted by an appellant will normally be seen by those in the Department(s) against whom the appeal is lodged, an appellant may request in writing that information which they have shared, is not disclosed to specific individuals.

Where exceptional circumstances do not exist, this will be confirmed in writing by the Assistant Principal Quality, to the appellant with a summary of the evidence.

If the appellant will not accept the sharing of information to satisfy the investigation of an appeal, the appeal will be deemed as closed.

Any member of staff involved with an appeal in any capacity will ensure that the relevant current legislation is complied with at all times.

Matters raised or disclosed during the hearing shall be deemed confidential.

2.6. Decisions which may be appealed

- (a) A candidate for an undergraduate or taught postgraduate programme of study may appeal against the recommendation or decision of an Examination board: to terminate the candidate's programme of study for non-compliance with the attendance and/or submission requirements of the programme
- (b) to terminate the candidate's programme of study on grounds of professional unsuitability or professional misconduct
- (c) to exclude the candidate from an examination, dissertation, placement or other form of study or assessment forming part of the candidate's programme of study

- (d) to award or refuse to award the candidate the qualification or classification of the qualification
- (e) any other decision of an Academic Department, Faculty or examination board concerning the academic progress of a candidate

2.7. Grounds for Appeal

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

- (a) Circumstances affecting the candidate's performance of which the examiners had not been made aware when the recommendation or decision was made, and which could have potentially led to a different decision.
- (b) Procedural irregularities in the conduct of the assessment process (including administrative error), causing reasonable doubt as to whether the examiners would have reached the same conclusion had the irregularities not occurred.
- (c) Reasonable grounds to believe that the recommendation or decision was influenced by prejudice or bias on the part of one or more of the examiners.

3. Responsibilities

3.1. The Higher Education Administrator will receive and record the appeal and arrange for appeal board if deemed necessary

3.2. Assistant Principal Quality of Education to be the designated appeals officer, review the decision and communicate response back to the appellant.

4. Process

4.1. Stage 1 - Informal Resolution

- Informal resolution is achieved when both parties are in agreement. The curriculum area's offer of informal resolution must be made without prejudice to the right of the appellant to insist that the regulations be applied in full
- A student may raise a query with their curriculum team about a decision or result within 10 working days of the formal publication of the result. It is expected that all teams will publicise to their students the arrangements by which students may seek advice and guidance at a point where module and programme results are formally published.
- Informal resolutions should be recorded with the Higher Education Administrator.
- Informal resolution of a dispute, at whatever stage of the process, is always the preferred option and it remains an option available even after the query has reached the formal appeal stage.

Where an academic query has been raised with a curriculum area and they are unsure of the

next steps to take to resolve the query, then they should consult with either the Assistant Principal Higher Education or the University partner.

Where an informal resolution is agreed after a formal appeal has been submitted, the University shall approve such informal resolution

4.2. Stage 2- Formal process

- a) The student lodges an appeal in writing using the HE Academic Appeals form (CQD38) within 10 working days (or 15 days if the student's programme of study is validated by the University of Hull) of results being received. The appellant should provide a reason. This timeframe may be extended to take into account seeking an informal resolution as per stage 1.
- b) The Higher Education Administrator log the appeal
- c) Assistant Principal Quality of Education investigates and confirms whether the appeal meets the criteria, and that evidence has been provided and liaises with university partner if needed.
- d) If leave to appeal is not granted the Assistant Principal Quality of Education will communicate this and the reasons usually within 10 working days.
- e) If the appeal is considered to be properly founded, a panel to review the appeal is required. This will be formed comprising of:
 - A chair- a suitable Senior Manager experienced in Higher Education who did not chair the original examination board.
 - 2 academic staff who were not present at the original board or have been involved in assessment of the appellant.
 - A secretary (non-voting)
- f) The appellant is invited to attend and may be accompanied. The appellant will be provided with a minimum of 5 working days' notice of the panel review date.
- g) The chair will then liaise with university partner if needed.
- h) The response to the appeal will usually be communicated to the appellant in writing within 10 working days, unless the appeal is particularly complex, where the student will be informed of reasons for the delay and provided with an updated date.

4.3. Stage 3 Right to final challenge

Students who consider the college to have failed to follow published procedures and regulations may have a final appeal with the appropriate awarding organisation. Final appeals to the awarding organisation must be submitted within 10 working days (or 15 days if the student's programme of study is validated by the University of Hull) of receipt of the college panel review response. This will be outlined in the College response.

The appropriate regulations will apply after the college stages have been exhausted:

City and Guilds: Appeals for Qualifications

Pearson: BTEC Higher Nationals Centre Guide to Quality Assurance and Assessment
(Internal verification of assessment decisions / Student Appeals)

University of Huddersfield: Regulations for Taught Students (Section 9: Results Appeal)

University of Hull: Code of Practice: Academic Appeals - UG and PGT (Section 20 Right of Appeal to the University of Hull)

University of Lincoln: University General Regulations: Part N - Academic Review and Appeal

Where the appropriate panel of the awarding organisation determines that the College has not acted in accordance with the regulations or that a decision is not reasonable, recommendations will be considered by the Vice Principal Quality of Education and Skills.

The decision of the Vice Principal Quality of Education and Skills will then be communicated in writing to the appellant within 10 working days of the awarding organisation's recommendation.

Where the awarding organisation finds that the decision was reasonable and made in accordance with regulations the appeal will be rejected, and a completion of procedures letter will be issued to the appellant within 10 working of the awarding organisation's recommendation.

5. Appeal to the Office of the Independent Adjudicator

Once a completion of procedures letter has been issued by the awarding organisation, an appellant can request an independent review through the Office of the Independent Adjudicator (OIA). This must be within 12 months of the date of receipt of the completion of procedures letter.

6. Recording and Monitoring of Appeals

- a) An annual report containing detailing of appeals received throughout an academic cycle will be produced by the Higher Education Administrator.
- b) The following information must be held:
 - The awarding organisation.
 - the type of decision against which the appeal is lodged
 - the ground(s) on which the appeal is based
 - the time taken for each stage, and the stage reached
 - the outcome of the appeal the ethnic origin, gender and any disability of the appellant provided that the appellant has consented to this information being collected for this purpose

- c) Senior Leaders will receive and review these reports annually and make internal recommendations as to:
- adequacy of advice, guidance and support mechanisms for students
 - adequacy of staff development and support for those operating the appeal procedures
 - the level of understanding of staff and students of the procedures
 - the effectiveness of the overall policy and procedures in meeting their aims.
- d) For students on University of Hull awards, the Student Progress Committee at the University of Hull **must** receive an annual report from the Partner on appeals decided within each academic cycle. The details of this report must contain the items referred to in paragraph b).

7. Related Documents

- **City and Guilds:** Appeals for Qualifications
- **Pearson:** BTEC Higher Nationals Centre Guide to Quality Assurance and Assessment
- **University of Huddersfield:** Regulations for Taught Students
- **University of Hull:** Code of Practice: Academic Appeals - UG and PGT
- **University of Lincoln:** University General Regulations: Part N - Academic Review and Appeal
- Office of the Independent Adjudicator Good Practice Framework for Handling Complaints and Academic Appeals
- QAA UK Quality Code – Advice and Guidance: Concerns, Complaints and Appeal
- Bishop Burton College Complaints Procedure OP 2.03
- HE Academic Appeals Form CQD38
- HE Admissions (including appeals) OP 1.106

Updated: December 2024

Next review date: December 2026

By: Assistant Principal Higher Education

Procedure Approval

Approval by: College Management Team (CMT)	Date: 15 January 2025
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