

# Maryvale Institute

## Academic Appeals Policy and Procedure

<b>Name of policy/procedure/document:</b>	<b>Institute-Wide Policies, Regulations and Guidelines</b>
<b>Document owner:</b>	<b>Academic Registrar</b>
<b>Date Originally Created:</b>	<b>08/2019</b>
<b>Last reviewed:</b>	<b>09/2020</b>
<b>Reviewed by:</b>	<b>Rita Bannister, Academic Registrar</b>
<b>Audited by:</b>	<b>Academic Board</b>
<b>Date of Audit:</b>	<b>11/09/2019</b>
<b>Date of next review:</b> (annually unless otherwise agreed)	<b>06/2022</b>
<b>Related documents:</b> (eg associated forms, underpinning processes, related policies or overarching policies)	<b>Appeals form</b>

<b>Version Control</b>			
<b>Version</b>	<b>Author [name]</b>	<b>Date</b>	<b>Brief summary of changes</b>
<b>V2</b>	<b>Rita Bannister</b>	<b>05/12/19</b>	Incorporation of timings into text (Admin Audit recommendation 30/10/19) Mention of progression to awarding bodies (Admin Audit condition 31/10/19) Creation of flowchart (Admin Audit recommendation 30/10/19)

The following policy and procedures apply to all Maryvale programmes; regardless of which external body validates the programme.

## 1. Definition

A request for a review of a decision of an academic body charged with making decisions on student progress, assessment and awards.

This process cannot be used to challenge academic judgement, ie. the decision made by academic staff on the quality of the student's work.

## 2. Regulations

- 2.1. A Board of Examiners has been accredited by the Academic Board for each of the Institute's validated courses, with responsibility for ensuring that students are assessed fairly within the Institute and programme regulations; both as individuals and in relation to their peers.
- 2.2. Each Board of Examiners is responsible for interpreting assessment regulations if any difficulties arise, in the light of the validating body's requirements and good practice in higher education. Therefore, a Board of Examiners operating within its terms of reference may not have its academic judgements in themselves, questioned or overturned.
- 2.3. In unusual circumstances the Academic Board may wish a Board of Examiners to reconsider its decision(s) and recommendation(s) to the Board. A student may only submit an appeal on the following grounds:
  - 2.3.1. That a student's performance in an examination or assessment was adversely affected by extenuating circumstances which he/she was, for valid reasons, unable to divulge before the Board of Examiners reached its decision;
  - 2.3.2. That evidence can be provided of a material administrative error or that the assessment was not conducted in accordance with the Institute's regulations.
- 2.4. It is the responsibility of students to provide the examiners in advance of their meeting with any relevant information on personal circumstances which may have affected performance, and which they wish examiners to take into account. Failure to do so may result in the rejection of an appeal.
- 2.5. Students are to be reminded that disagreement with the academic judgement on the merits of an individual piece of work cannot in itself constitute grounds for an appeal.
- 2.6. Personal extenuating circumstances, or evidence of procedural or administrative irregularity should normally be reported to the Programme Director or Academic Registrar before the relevant Board of Examiners meets. However, the Institute recognises that in exceptional circumstances this is not always possible.

## 3. Process

### 3.1. **Stage 1: Early resolution**

- 3.1.1 Students are given opportunity during tutorials to seek clarification on marks and results with the programme director/tutor. If preferred the student may raise a

concern with the Academic Registrar, within 10 working days of receipt of the decision of the Board of Examiners.

- 3.1.2 The situation will be resolved within 10 working days by either further explanation of the processes or, where required, an amendment to marks spreadsheets.
- 3.1.3 A note will be made on the student's spreadsheet of any resultant changes to marks and the reason for them.

### **3.2. Stage 2: Formal appeal**

- 3.2.1 In the event that a student believes that his/her concern has not been dealt with adequately through early resolution he/she may submit a formal appeal to the Academic Registrar, within 28 working days of receipt of the decision of the Board of Examiners using an Academic Appeals Form available from the Institute's website.
- 3.2.2 Formal appeals may not be submitted unless there is evidence of an attempt at early resolution (Stage 1 above).
- 3.2.3 The appeal is given an initial evaluation to check that it is submitted in a timely manner and in line with written procedures. If not it will be referred back to the student and may well be rejected.
- 3.2.4 If all is as it should be the formal appeal should be acknowledged within 5 working days of receipt.
- 3.2.5 The Academic Registrar will consider the appeal and any evidence provided and will discuss the matter with [all concerned: eg. the student, Programme Director, other staff.
- 3.2.6 If it is concluded that the appeal has no grounds the student will be advised of this in writing within 28 working days of receipt of the appeal.
- 3.2.7 If grounds for an appeal are identified the case will be referred to an Appeals Committee comprising:
  - two internal members of the academic board; for HIRS programmes it is recommended that this might be one member of the HIRS permanent faculty and one member of the non-permanent faculty.
  - a student rep from a programme other than that of the student involved.
  - the Academic Registrar or nominee will act as secretary.
- 3.2.8 The Appeals Committee will be provided with all written information, documentary and other pertinent evidence associated with the appeal. In particular, any or all of the following:
  - If relevant, the original medical certificate or doctor's letter; supplied by the student;
  - The student's written account of the case to be made to the Appeals Committee; together will all documentation and/or relevant evidence submitted by the student;
  - Any written information submitted by a member(s) of the Institute staff associated with the case which might be of significance to the Appeal Committee's deliberations;

- A schedule of the examination dates and coursework deadlines.
  - Confirmation that the results of the examination(s) or assessment(s) appealed against contribute to the student's progression on the course, or to the classification of his/her award;
- 3.2.9 The student will be invited to attend the meeting at which his/her case is to be considered to state his or her case and to be heard and may be accompanied by a fellow student, a family member or a friend not otherwise associated with the Institute. It would not be appropriate for the student to be accompanied by a legal representative.
- 3.2.10 Should the student decline to attend, or not respond to the invitation to attend, provided that the members of the Appeals Committee believe that they have sufficient evidence available to consider the appeal fully, then the Appeals Committee may proceed with its deliberations in the absence of the student.
- 3.2.11 If the appeal is upheld the matter will be referred to an extraordinary meeting of the relevant Board of Examiners to ratify changes to the student's progress record to reflect the decision of the Appeals Committee.
- 3.2.12 If the appeal is upheld the student will be advised of and the changes to be made to his or her progress record and, if requested, will be issued with a "completion of procedures" letter within 40 working days of receipt of the appeal. The Institute shall reimburse the student for any reasonable and proportionate expenses which he or she has necessarily incurred in the programme of the appeal.
- 3.2.13 If the appeal is not upheld the student will receive the decision of the Appeals Committee in writing, within 40 working days of submission of the appeal, advising him/her of the right to request a review within a set time limit. If the student does not submit the appeal for review within the required time the matter will be considered closed and the student will be sent a "completion of procedures" letter.
- 3.2.14 A full record is kept of these proceedings.
- 3.2.15 The Institute will terminate an appeal if it considers it to be frivolous, vexatious or non-meritorious and may instigate disciplinary proceedings against the student. The student will be advised of this action and the reasons for it and will have the same right of appeal as is set out in the Disciplinary Policy.

### **3.3 *Format of the meeting of the Appeals Committee***

The format of the meeting shall normally be as follows:

- A private meeting of the Appeals Committee;
- Hearing the evidence of the any member of the staff associated with the appeal;
- The appellant will have submitted a full case in writing; he/she will be asked to summarise the main points of his/her case, answer any questions raised by Committee members, and will have the opportunity both to ask questions of Committee members and about the written evidence available to the members;
- Private meeting of the Appeals Committee;

- Exceptionally, to facilitate speedy consideration of an appellant's claim (but only after the appellant making the appeal agrees to this procedure in writing), the Chairperson of the Appeals Committee is empowered to ask the members to submit their recommendations in writing where this would avoid the necessity to hold a meeting. Within this procedure, if the recommendations of the members are unanimous, their decision will be reported as having been achieved by correspondence; together with the names of those involved and the reasons for their decision. If the recommendations of the Committee members are not unanimous the Secretary to the Committee shall be required to convene a meeting of the Committee to discuss the appellant's claim.
- The Secretary shall take a full record of the proceedings. The formal minute of the Committee shall record those present and the decision of the Committee together with the reasons for that decision.

### **The Board of Examiners receiving appeals**

- 3.3.1 At the meeting of the Board of Examiners where the outcome of the appeal is to be received, the Chairperson of the Appeals Committee shall normally be in attendance.
- 3.3.2 Where an appeal has been upheld by the Appeals Committee the Board of Examiners shall agree to amend its original decision.
- 3.3.3 Should the Appeals Committee decide that the student has produced satisfactory evidence to support his/her appeal that their performance had been affected within either of the Academic Board's two categories of appeal (ie. 2.3.1 or 2.3.2 of these regulations), then that student will be reassessed as if for the first time in any or all of the elements of assessment, as specified by the Board of Examiners.
- 3.3.4 If an assessment was itself a second attempt, the student shall be required to be re-assessed as if for the second time.
- 3.3.5 If an error or irregularity is found to have affected more than one candidate, the Academic Board may annul the whole examination and/or assessment, or any part of it, and take any further action necessary for the upholding of the standards of the awards.

### **3.4 Stage 3: Review**

- 3.4.1 A student may request a review of their appeal if they remain dissatisfied with the outcome of the formal process.
- 3.4.2 A request for a review must be submitted in writing to the Academic Registrar within 10 working days of receipt of the outcome of the appeal. The request for a review must be acknowledged within 5 working days.
- 3.4.3 A review is allowed on the grounds of:
  - 3.4.3.1 a potential error in the formal proceedings;
  - 3.4.3.2 new material evidence which, for valid reasons, the student was unable to provide earlier.
- 3.4.4 The request for a review will be allocated to a member of the Maryvale Council who will review the procedures, the outcome and any new material. For HIRS

programmes it is recommended that the review might be allocated to a member of the HIRS permanent faculty, not previously involved in the case.

- 3.4.5 The individual will review the procedures, the outcome and any new material; but he/she will not be required to re-consider the case.
- 3.4.6 If the appeal is upheld the student will be advised of how and when any remedial action will be implemented and, if requested, will be issued with a “completion of procedures” letter. The Institute shall reimburse the student for any reasonable and proportionate expenses which he or she has necessarily incurred in the programme of the appeal.
- 3.4.7 If the appeal is not upheld the outcome should be communicated to the student by the issue of a “completion of procedures” letter.
- 3.4.8 A full record is kept of these proceedings.
- 3.4.9 A student, having exhausted the Institute’s appeal procedures, has the right to submit an appeal using the relevant validating body’s procedures; for HIRS programmes this would be the HIRS Council, but calling only on those members who had not previously been involved in the case.

## 4. Appeals form



### ACADEMIC APPEAL FORM

Before completing this form please ensure that you have read and understood the policies and regulations relating to academic appeals found in the Institute-wide Policies, Regulations and Guidelines (IPRG) which can be found on the Institute website.

This process cannot be used to challenge an academic judgement.

You must have made an attempt to resolve your query through informal means, as described in the IPRG, before submitting a formal academic appeal.

(Please note boxes will expand as you type)

Section 1: Student details			
First name		Surname	
Student ID number		Contact email	
Address for correspondence about your appeal			
Telephone number			
Mobile number			
Course of study			
Year group		Postcode	
Section 2: Informal stage (Stage 1)			
Have you tried to resolve your query by informal means? YES / NO delete as applicable			
YES		NO	
With whom		Please indicate below your reason(s) for not following the procedure as described in the IPRG	
Date			
Outcome			
Why do you remain dissatisfied with the outcome (please explain below)			
Section 3: Details of academic appeal			
Academic appeals may only be submitted on the grounds of:			
<input type="checkbox"/> a) material administrative error or procedural irregularity <input type="checkbox"/> b) personal extenuating circumstances not previously divulged			
Please indicate <input checked="" type="checkbox"/> under which grounds you are submitting your academic appeal (refer to the IPRG for full definition) and enter the details under section 3a) or 3b) below			
3a) material administrative error or procedural irregularity			
Which assessment was affected? (Module title, form of assessment and date)			
Describe the error or irregularity			

	How did this affect the outcome of the assessment?		
	Have you provided evidence to support your appeal	YES / NO (see section 4)	
<b>3b) personal extenuating circumstances</b>			
	Which assessment was affected? (Module title, form of assessment and date)		
	Have you provided evidence to support claim of extenuating circumstances	YES / NO (see section 4)	
	Why was this detail and evidence not provided prior to the assessment?		
<b>Section 4: Evidence</b>			
Please list any documentary evidence you have supplied to support your academic appeal with a brief explanation of how it supports the case. Ensure each document is labelled with the item letter (Item A, Item B and so on). If you have just one or two items of evidence leave the other rows blank. If you have more than five items of evidence please include a supplementary list.			
<b>Item</b>	<b>Title of document</b>	<b>How it supports your appeal</b>	
Item A			
Item B			
Item C			
Item D			
Item E			
<b>Section 5: Resolution</b>			
Please explain below what resolution you are seeking?			
<b>Section 6: Declaration</b>			
I have read and understood the policies and regulations relating to academic appeals found in the Institute-wide Policies, Regulations and Guidelines (IPRG).			
I confirm that the information given on this form and the supporting evidence is true and accurate. I understand that if my academic appeal is believed to be frivolous, vexatious, or non-meritorious the Institute will terminate its consideration of this appeal and will write to me to explain the reasons.			
I understand that the Institute may need to share information with other persons as part of any investigation to resolve my academic appeal.			
By submitting this form I authorise the Institute to investigate my academic appeal.			
Signed		Date	
Please send your completed form and all accompanying evidence to: The Academic Registrar Complaints and Appeals Maryvale Institute Old Oscott Hill Kingstanding			



## 5. Appeals flowchart

