

10.4 Procedures for the submission of Appeals against decisions of Assessment Boards

Introduction

- 1 These Procedures are intended to protect students in University examinations and/or course assessments, including APL assessment, against the possibility of unfair assessment resulting from omission or error on the part of the appropriate University authorities, or from unforeseen circumstances affecting a student. No student appealing under these Procedures, whether successfully or otherwise, shall be treated less favourably than would have been the case had an appeal not been made.
- 2 If a student wishes to present a complaint about the University, its courses or services or the individuals concerned in their delivery, the Student Complaints Procedure should be used. In cases where delay has occurred as a result of confusion over which is the correct procedure to follow, the date of the first enquiry shall be considered to be the date on which the appeal was lodged.
- 3 Research degree students should use the appeals process outlined in the Research Degree Regulations. Students who wish to appeal against an Academic Misconduct decision should refer to the appeals section of **those** procedures. Students enrolled on a course of the University delivered via a collaborative arrangement by another institution shall be subject to these Procedures unless otherwise indicated in the Administrative Schedule.
- 4 'Appeals' below means 'appeals against decisions of Assessment Boards'. 'Assessment Board' means the relevant Awards Board or the relevant Subject Standards Board, depending on the context.
- 5 The Director of Academic Administration has overall responsibility for the Procedures for Appeals against decisions of Assessment Boards.

Validity and Invalidity

- 6 An appeal in respect of an academic judgment arrived at through due process shall be deemed invalid.
- 7 For an appeal to be valid it must:
 - 7.1 Be made in writing on the appropriate Appeal Form¹;
 - 7.2 State the title and code of the module, the component(s) affected and the assessment period and academic year in respect of which the appeal is being made;
 - 7.3 Include all appropriate, supporting independent evidence;
 - 7.4 Be dated and bear the full name, student number and signature of the student;
 - 7.5 Be received within ten working days of the date of publication of the result(s) of the assessment(s) concerned;
 - 7.6 Be submitted in person at the Student Casework Office or at an Undergraduate or Postgraduate Registry or if submitted by post, must be addressed directly to the Student Casework Office. The University does not accept responsibility for the receipt or late delivery of appeals submitted by post.

¹ Appeal Forms can be downloaded from the Student Casework Office web page.

Grounds of appeal

8 An appeal can only be made on the following grounds:

8.1 that the University did not act in accordance with the relevant Regulations and/or Procedures in the provision and execution of the assessment process and that this, in turn, had a significant impact on the student;

Such appeals must be made on an 8.1 Appeal Form and must:

- *identify the Regulations and/or Procedures concerned;*
- *explain the way in which the University's actions differed significantly from those set out under those Regulations and/or Procedures,*
- *include independent third party evidence which corroborates the claim*

8.2 that the student had been affected by mitigating circumstances which prevented him or her from submitting an item of assessed work by the due deadline or attending an examination, to which the student was unable, for good reason, to draw proper attention via the University's Mitigating Circumstances Procedures*.

Such appeals must be made on an 8.2 Appeal Form and must:

- *explain why the student was unable to submit a claim of Mitigating Circumstances via the University's standard procedure for such claims;*
- *explain the circumstances which occurred and show how these prevented the student from submitting the item(s) of assessed work by the due deadline or from attending the examination(s) in question;*
- *include independent third party evidence which corroborates both of the above claims.*

* Appeals made under 8.2, will be assessed against the criteria set down in the Procedures for submission of Mitigating Circumstances.

8.3 that the student's academic performance** in an exam or in an item of coursework submitted by the due deadline, had been significantly impaired by mitigating circumstances which occurred immediately prior to the assessment date.

Such appeals must be made on an 8.3 Appeal Form and must:

- *explain the circumstances which occurred and how these would have significantly impaired the student's academic performance in the item of assessment;*
- *include independent third party evidence which corroborates the claim.*

** Before submitting an appeal under 8.3, it should be noted that, if successful: (i) the student shall surrender any mark achieved for the item of assessment concerned (see 13, below) and (ii) a student may have a mitigating circumstances/academic performance claim accepted on two occasions only for a particular item of assessed work. A mark of zero will be awarded for that item of assessed work with no further entitlement to be reassessed, if it is not then attempted at the next available opportunity.

Common reasons why appeals are unsuccessful

9 The following list is not exhaustive but details the most common reasons why appeals are rejected or deemed to be invalid.

9.1 The appeal was received outside the deadline of ten working days from the publication of the result(s) concerned without **good reason** and evidence for the delay (*In cases where a delay is unavoidable, the appeal must be submitted as soon as*

possible after the deadline and must include an explanation and independent supporting evidence covering the entire period.)

- 9.2 The student claims, under grounds 8.1, that a computational error occurred in arriving at a final mark but did not query this by submitting a Module Query Form (MQF) to the appropriate Registry within ten working days of publication of the result concerned, and the appeal does not include good reason and evidence for their failure to do so.
- 9.3 The student claims, under grounds 8.1, that a computational error occurred in arriving at a final mark, despite having already queried this via a Module Query Form and having received a response from Registry within 20 working days.
- 9.4 The appeal is made on grounds 8.2 but does not meet the criteria set down in the Procedures for the submission of Mitigating Circumstances. *(Students who wish to appeal on grounds 8.2 are strongly advised to familiarise themselves with these criteria).*
- 9.5 The appeal does not relate to decision of an Assessment Board.
- 9.6 The student's claim of mitigating circumstances could, in the opinion of the University, have been disclosed via the Mitigating Circumstances Procedure.
- 9.7 Although frequently cited in appeal applications, the following situations do not constitute valid grounds for appeal:
 - The student disagrees with the academic judgement of an Assessment Board in assessing the merits of an item of academic work or the classification of a final award, where the Board's decision was reached in accordance with the regulations. *(In such circumstances the student should request feedback from the relevant tutor /module tutor.)*
 - The student was ignorant of the published assessment regulations and procedures, including deadlines for the submission of assessments, claims of Mitigating Circumstances and Appeals against decisions of Assessment Boards.
 - The student's academic performance was affected by poor teaching, supervision or guidance. *(In such circumstances the student should submit a complaint in accordance with the Student Complaints Procedure).*

Consideration of an appeal

- 10 The Student Casework Office shall check each appeal against the criteria listed in 6 and 7 above. Any appeal that does not meet these criteria shall be deemed invalid and the student shall be informed of this decision at the earliest opportunity.
- 11 The Student Casework Office shall consider each valid application and determine whether the ground(s) listed in Regulation 8 has/have been clearly demonstrated. In such cases the appeal shall be upheld and the Assessment Board shall be advised of the action to be taken. In cases where an appeal has not clearly demonstrated that the ground(s) of appeal have been met; the appeal shall be rejected. The student shall be informed of this decision at the earliest opportunity and granted a further ten working days in which to submit relevant additional evidence to clearly demonstrate the ground(s) on which the appeal has been made.
- 12 The Student Casework Office shall consider any further relevant additional evidence submitted for the deadline set down in 11 above, and determine whether the grounds have been clearly demonstrated. In cases where the additional evidence clearly demonstrates that

the grounds have been met, the appeal shall be upheld and the Assessment Board shall be advised of the action to be taken. In cases where the additional evidence does not clearly demonstrate that the grounds of appeal have been met, the appeal shall be rejected and the student shall be informed of this decision at the earliest opportunity. The student shall also be informed that the University's internal procedures for appeal have been exhausted.

- 13 For appeals made under 8.3, the outcomes shall be as follows:
 - 13.1 If successful, the assessment/reassessment concerned will be voided and any mark achieved **must be surrendered**. The student will then be granted a further assessment/reassessment, at the next available opportunity, in place of the voided attempt.
 - 13.2 If unsuccessful, the published result for the assessment/reassessment concerned will stand.
- 14 If, after the appeal procedure has been followed to its conclusion, the student remains dissatisfied with the outcome they may pursue the appeal further with the Office of the Independent Adjudicator for Higher Education². In such a case the student should request in writing, a Completion of Procedures letter from the Student Casework Office.
- 15 The Vice-Chancellor, on behalf of the University, shall have power to re-open any appeal where it appears that it would be in the interests of fairness to do so. When deciding whether to exercise this discretion, the Vice-Chancellor shall not normally exercise this power more than six months after the conclusion of the relevant proceedings.

Note

- 16 Fraudulent claims will lead the University to take action under its disciplinary procedures.

² www.oiahe.org.uk