

**ACADEMIC AWARD REGULATIONS
Procedure for the Review of an Examination Board Decision**

Name of regulation :	Procedure for the Review of an Examination Board Decision
Purpose of regulation :	To provide details of how students can appeal against an Examination Board Decision
Approval for this regulation given by :	Academic Board
Responsibility for its update :	Dean of Students and Academic Registrar
Regulation applies to :	To all students registered on Staffordshire University awards.
Date of Approval :	29 June 2011
Proposed Date of Review :	May 2012

1. General

- 1.1** The University recognises that there may be circumstances in which students may wish to appeal against the decision of their Examination Board and the procedures set out below are designed to ensure that such appeals are dealt with in a fair and consistent way.
- 1.2** All Examination, Assessment and Awards Boards shall conduct examinations and assessment in accordance with the approved examination regulations of the award and of the University and in accordance with the principles and regulations laid down by other appropriate validating bodies.
- 1.3** The **ONLY** grounds for requesting an Examination Board to reconvene in order to review its decision are:

- (a) that there has been a material error or irregularity;
- (b) that the examinations or assessments were not conducted in accordance with the current regulations of the award; or
- (c) that your performance was adversely affected by illness or other factors which you were unwilling, for valid reasons, to divulge before the decision concerned was reached. Such a request must be supported by a full medical report or other documentary evidence, together with an explanation of why this information was not divulged before the decision concerned was reached.

IN THE CASE OF MEDICAL CIRCUMSTANCES, A MEDICAL CERTIFICATE WILL NOT BE SUFFICIENT. A FULL MEDICAL REPORT IS REQUIRED, THE COST OF WHICH MUST BE BORNE BY YOU. THE REPORT SHOULD INCLUDE, WHERE POSSIBLE, THE PRECISE DATES OF THE ILLNESS AND COMMENT ON THE EFFECT OF THE ILLNESS ON YOU ON THE DATE(S) OF THE EXAMINATION(S) (OR OTHER FORM OF ASSESSMENT USED FOR THAT AWARD).

N.B. Appeals based on extenuating circumstances which you could, in the opinion of the University, have been disclosed to the University through its Extenuating Circumstances Procedures during the academic year in question will not be accepted and the University reserves the right to reject your claim on these grounds.

1.4 It is your responsibility to inform the person chairing the Examination Board, in writing, if your examination (or other form of assessment used for that award) performance is adversely affected by illness or other factors. This information should be made known prior to the examinations (or other form of assessment used for that award) by completing an Extenuating Circumstances Claim Form available from your Faculty/School Office or the Information Centre. Where this is not feasible, the extenuating circumstances should be made known before the Examination Board, in writing, to the person chairing the Board.

NOTE: The following do not constitute ground for review:-

- (a) A challenge to the academic judgement of a properly convened and constituted Examination Board. This means, amongst other things, appealing against a mark because, in your view, it is not justified.
- (b) Complaints about perceived or real failures in duty of care or quality of education. These are dealt with separately under the University's Complaints Procedures.
- (c) A challenge to the decision of a properly convened and constituted Examination Board where the Board has applied the appropriate penalty for a proven case of academic dishonesty

as stipulated in the Procedure for dealing with Breaches of Assessment Regulations: Academic Dishonesty.

(d) An appeal based on falsified evidence.

1.5 In any case, an intention to lodge a request for a review of an Examination Board decision must be sent, in writing, to the Dean of Students and Academic Registrar within five working days of the publication of the examination results and the full request sent to the Dean of Students and Academic Registrar within 15 working days of the publication of the examination results. Requests received after this time will only be considered in the most exceptional circumstances where the Dean of Students and Academic Registrar accepts that it was impractical for you to lodge a request within fifteen working days.

1.6 The written request for a review must include:

(a) Your full name, award title and year of study.

(b) Details of the decision a review of which is requested (this is usually the examination result).

(c) The name of your Tutor.

(d) Full details of the grounds for the request.

(e) If these grounds relate to illness or other extenuating factors, full and valid reasons as to why this information was not made available to the Examination Board before the meeting at which the decision was made, together with appropriate evidence as in 1.3(c) above.

1.7 The Dean of Students and Academic Registrar or nominee shall acknowledge receipt of a request for review of an Examination Board decision within five working days of its receipt, and inform the person who chaired the Examination Board that such a request has been lodged.

1.8 You are strongly advised to seek advice from the Students' Union Advice Centre before submitting your full request for a review.

1.9 The Dean of Students and Academic Registrar has appointed the Student Appeals, Complaints and Conduct Manager to undertake various duties on her behalf in relation to appeals.

1.10 The Dean of Students and Academic Registrar shall ask the Student Appeals, Complaints and Conduct Manager or nominee to make an assessment of the case to ascertain initially whether the request is based upon approved grounds as outlined in paragraphs 1.3(a), (b), and (c) and 1.5 above.

- 1.11** When an initial assessment of the case has been made s/he shall discuss each case with the Dean of Students and Academic Registrar who shall determine how to proceed. If, in the view of the Dean of Students and Academic Registrar, the request for review does not satisfy any of the approved grounds for review and there are no reasonable grounds for the decision of the Examination Board to be reviewed, you will be notified, in writing, stating the reasons why. The letter will also confirm that the request for review procedure is concluded.
- 1.12** If, in the view of the Dean of Students and Academic Registrar, the request for review does satisfy one or more of the grounds laid down in 1.3 above, the request will be forwarded to the relevant Faculty Director for Learning and Teaching (or nominee) for comment. A copy of the minutes of the relevant Examination Board may also be sought.
- 1.13** The Dean of Students and Academic Registrar tries to deal with all requests as quickly as possible and will undertake to inform you of the results of her investigations within 25 working days of receipt of your request. However, for various reasons such as unavailability of key staff members at certain times of the year, it is not always possible to obtain comments from the Faculty/School Dean and/or the person chairing the Examination Board promptly. In such cases, where it is likely that it will not be possible to respond to you within the specified timescale, the Dean of Students and Academic Registrar, or nominee, will keep you informed, in writing, of progress.

2. Procedures

- 2.1** If, having investigated the request for review in accordance with 1.12 above, the Dean of Students and Academic Registrar does not consider that the decision of the Examination Board should be reviewed, s/he shall write to you giving reasons why the request is not supported and inviting you to an informal meeting to discuss your case with the Faculty/School Dean, or nominee. You must request the informal meeting, in writing, within 5 working days of receipt of the outcome of your appeal.

You will be given at least 5 working days' notice of the date of the meeting. You may be accompanied by a Students' Union representative or fellow student. The Dean of Students and Academic Registrar, or nominee, will also attend the meeting. A brief written summary of the meeting will be sent to you within five working days of the meeting.

- 2.2** If, following the above meeting, you remain dissatisfied with the outcome and wish to pursue the matter further, you may do so by informing the Dean of Students and Academic Registrar, in writing, within five working days of receipt of her written summary. The Dean of

Students and Academic Registrar, or nominee, shall then convene a meeting of the Assessment Review Board; the membership and procedures which are set out below:-

2.3 The Dean of Students and Academic Registrar, or nominee, shall inform you and the person who chaired the original Examination Board of the date, time and venue of the meeting of the Assessment Review Board.

2.4 If in the opinion of the Dean of Students and Academic Registrar, there appears to be a case for the decision of the Examination Board to be reviewed, the Dean of Students and Academic Registrar will, having consulted with your Faculty/School, confirm that your appeal is upheld. The Dean of Students and Academic Registrar will also relay any amended decision of the Examination Board which may have been taken by Chair's Action.

Should this be the case, it will not be necessary for the Assessment Review Board to meet.

2.5 The Dean of Students and Academic Registrar or nominee shall inform you, in writing, of the Examination Boards decision immediately following the meeting of the Examination Board and shall submit an appropriate report of the case to the Academic Board.

2.6 In the event that the person chairing the Examination Board declines to accept the Dean of Students and Academic Registrar's advice and does not reconvene the Examination Board, the Dean of Students and Academic Registrar shall immediately refer the case to the Assessment Review Board. (see Regulations 3 and 4 below for the composition and procedures for hearing the request).

3 Membership Of The Assessment Review Board

The membership of the Assessment Review Board shall be nominated by the Chair of the Academic Board and shall comprise:

- (a) Deputy Vice-Chancellor or Pro Vice-Chancellor or Faculty/School Dean who has no direct connection with you who shall chair the meeting.
- (b) Three Academic Staff representatives who shall also be members of the Academic Board, having no direct connection with your case.
- (c) The Student Appeals Complaints and Conduct Manager or nominee.

The Student Appeals Complaints and Conduct Manager or nominee will act as Secretary of the Board.

Members of the Examination Board responsible for the decision concerned shall not be members of the Assessment Review Board.

4 Procedures For The Hearing Of The Assessment Review Board

- 4.1** The Secretary to the Board shall provide the Assessment Review Board and you with:
- (a) The application for review with any supporting documentary evidence.
 - (b) The regulations governing the award and its assessment.
 - (c) A statement from the Chair of the appropriate Examination Board responding to your request for review.
 - (d) Copies of any other written information considered relevant by the Dean of Students and Academic Registrar.
 - (e) A copy of these procedures.
- 4.2** You will be invited to submit further written documentation prior to the Board meeting and to attend the meeting of an Assessment Review Board to substantiate your case for a review. You will be informed of your right to be accompanied by a fellow student or a representative from the Students' Union who can speak on your behalf. All correspondence to you will be sent by Recorded Delivery to the address given by you at the time of your request for review. The University cannot be held responsible for correspondence not reaching you if it was correctly addressed in accordance with the above.
- 4.3** The person chairing the Examination Board or his/her nominee from the members of the Examination Board, shall be invited to attend the meeting of the Assessment Review Board to put the case of the Examination Board in relation to the case under review.
- 4.4** The non-attendance at the meeting of any participant shall not invalidate the proceedings.
- 4.5** The Chair, in consultation with the Secretary of the Board, may also determine whether it is appropriate for other members of staff to give evidence to the Review Board. Names of such staff will be sent to you in advance of the meeting.
- 4.6** In cases where there is a potential or real conflict of interest between the Chair of the Examination Board and other staff witnesses or where the Chair of the Examination Board is unavailable for good reason, the Chair of the Assessment Review Board may, in consultation with the Secretary of the Board, require another person who was present at the Examination Board to represent that Board at this meeting.

4.7 The proceedings shall be heard in private. All participants will be expected to behave in a professional, orderly and non-confrontational manner. The Chair may adjourn the meeting at any time if he/she believes that the progress of the meeting is being impeded.

(a) You (or your representative) shall be asked to put your case in the presence of the representative of the Examination Board and to call such witnesses as you wish.

(b) The Chair of the Examination Board (or nominee) shall have the opportunity to ask questions of each witness called by you. You may agree to answer questions put by the representative of the Examination Board if you wish.

(c) Members of the Assessment Review Board shall have the opportunity to ask questions of each witness called by you. You may agree to answer questions put by the Assessment Review Board if you wish.

(d) The representative of the Examination Board shall put your case in the presence of you and that of your representative and may call witnesses (as in 4.6 above).

(e) You (or your representative) shall have the opportunity to ask questions of each witness called by the representative of the Examination Board.

(f) The members of the Assessment Review Board shall have the opportunity to ask questions of each witness called by the representative of the Examination Board and to ask any further questions of you.

(g) The representative of the Examination Board and you (or your representative) shall have the opportunity to sum up their cases if they so wish.

(h) The representative of the Examination Board, you and your representative, and any witness present shall then be asked to withdraw.

5. Decision of The Assessment Review Board

5.1 The Assessment Review Board's decision shall be either:-

a) that grounds for review have been established in which case it shall require the Examination Board to review its decision in the light of those grounds; or

(b) that no grounds for review have been established, in which case your application shall be rejected.

5.2 The Secretary of the Board shall inform you and the person chairing the Examination Board, in writing, of the Assessment Review Board's decision with reasons as soon as possible after the decision has been arrived at, and in any event within seven working days of the conclusion of the hearing.

5.3 The proceedings of the Assessment Review Board, other than the actual decision made, shall remain confidential to that Board's members.

6. Decision Of The Reconvened Examination Board

6.1 If grounds have been established and the Examination Board is required to reconvene, or where the Chair of the Examination Board decides to reconvene the Board following the advice of the Dean of Students and Academic Registrar (see section 2.4 above), it will do so at the next available opportunity.

The Examination Board after duly considering the information presented to it shall agree either to amend or to confirm its original decision.

6.2 Where the Examination Board agrees to amend its decision, but is uncertain as to the most appropriate alternative recommendation, it may seek additional evidence of the your performance either through reassessment at the next normal opportunity, or through a viva voce examination or through another form of assessment appropriate to your circumstances and the requirements of the programme of study.

6.3 Where the Examination Board agrees to confirm its original decision without taking proper consideration of the Assessment Review Board's decision the Examination Board's decision may be annulled by the Academic Board which will then be responsible for appropriate follow-up action, including, if necessary, the establishment of a new Board of Examiners, in order to make revised recommendations. However, before taking such action the Academic Board will investigate the process of the reconvened Examination Board before accepting the confirmed decision.

6.4 The Dean of Students and Academic Registrar or nominee shall inform you, in writing, of the Examination Board's decision immediately following the meeting of the Examination Board and shall submit an appropriate report of the case to the Academic Board.

7. Disabled students

We take our responsibilities to disabled students seriously. If you need

us to make adjustments in order that you can attend a hearing or interview, please let us know in advance and we will aim to meet your individual needs. This could mean us relocating the hearing to a more accessible venue and/or making arrangements for a communicator or advocate to be present at the hearing. To enable us to do this, please contact the Dean of Students and Academic Registrar on 01782 294960, or email a.j.birch@staffs.ac.uk within 7 days of date of the date of the proposed hearing.

8. Students on Distance Learning Awards and those studying at Partner Colleges in the UK or overseas

- (i) It is recognised that attendance at a hearing or interview in the University might be problematic for students on distance learning awards or studying at Partner Colleges in the UK or overseas.
- (ii) Such students will therefore be given the opportunity to:
 - attend a hearing or interview in the University OR
 - attend a hearing or interview in one of the University's Partner Colleges with the permission of the Partner College. Video conferencing of such a hearing or interview will be considered where appropriate OR
 - respond by correspondence to an identified member of staff in the University in accordance with the particular stage of the regulation in question. It is expected that this will be the norm
- (iii) In all such cases, the timescales for replying to students and requiring replies from students will need to be adjusted. However, both the student and the University will be expected to fulfill their respective responsibilities within a reasonable timeframe.

Staffordshire University's commitment to equality and diversity means that this policy has been screened in relation to the use of gender-neutral language, jargon-free plain English, recognition of the needs of disabled people, promotion of the positive duty in relation to race and disability and avoidance of stereotypes. This document is available in alternative formats on request. If you think we can improve the fairness of this policy, please contact the individual who has responsibility for its update.