

## Policy Coversheet

<b>Name of Policy:</b>	<b>Procedure for a student to appeal against the decision of an Award Board</b>
<b>Purpose of Policy:</b>	<b>To provide details of how students can appeal against an Award Board Decision</b>
<b>Intended audience(s):</b>	<b>All students registered on Staffordshire University awards and staff</b>
<b>Approval for this policy given by:</b>	<b>Academic Board</b>
<b>Last Review Date:</b>	<b>01/07/2017</b>
<b>Review Due Date:</b> (3 years from last review)	<b>01/07/2019</b>
<b>Individual responsible for review:</b>	<b>Registrar</b>
<b>Authorising department:</b>	<b>Student &amp; Academic Services</b>



# Staffordshire University

## Procedure for a Student to Appeal Against the Decision of an Award Board 2017/18

1. **General Principles**
2. **Accessibility**
3. **Legal Notice**
4. **Grounds and Evidence**
5. **Procedure**
6. **Office of the Independent Adjudicator**

## **1. General Principles**

- 1.1 An appeal at Staffordshire University is taken to be a request for a review of any Award Board decision.
- 1.2 Any student, or individual until recently registered as a student, can appeal within the timescales set out in section 5.
- 1.3 Students are encouraged to seek clarification and feedback on their results from course tutors. If a student does decide to appeal, support and guidance is available from Student Guidance Advisors at [http://www.staffs.ac.uk/support\\_depts/studentguidance/index.jsp](http://www.staffs.ac.uk/support_depts/studentguidance/index.jsp) or from the Students' Union Advice Centre at [www.staffsunion.com/advice/](http://www.staffsunion.com/advice/)
- 1.4 If an appeal is upheld, the student is normally offered a further assessment opportunity in the relevant assessment. A successful appeal will not result in a re-mark of an assessment.
- 1.5 All information and evidence submitted with an appeal will be handled in a sensitive manner and confidentiality maintained between those staff reviewing the appeal.
- 1.6 Appeals are considered independently of Schools, by the Academic Regulations and Compliance Team and the Registrar.

## **2. Accessibility**

- 2.1 Should reasonable adjustments be required to support a student with additional needs to submit an appeal, the student (or their representative) will be required to contact the Academic Regulations & Compliance Officer at [regulations@staffs.ac.uk](mailto:regulations@staffs.ac.uk) in order to request that reasonable adjustment is put into action.
- 2.2 Indicative timescales may be adjusted where it is evidenced that a student is disadvantaged by the timescales set out in section 5, for reasons of disability.
- 2.3 All students may be represented throughout the appeals process by a fellow student or representative of the Students' Union.

## **3. Legal Notice**

- 3.1 The University reserves the right to suspend investigations into your appeal if a legal challenge is issued against the University or if there is a police investigation ongoing in relation to your appeal.

#### **4. Grounds and Evidence**

- 4.1** The following constitute the only grounds on which a student may appeal an Award Board decision.
- (a) that there has been a material error or irregularity, for example that the examinations or assessments were not conducted in accordance with the current regulations of the award;
  - (b) that the student's performance was adversely affected by illness or other factors which they were unable, for valid reasons, to declare in accordance with the provisions of the Extenuating Circumstances Procedure.
- 4.2** Appeals based on extenuating circumstances will not normally be accepted unless the student is able to demonstrate valid reasons why these were not divulged before the deadline for presenting extenuating circumstances.
- 4.3** All appeals must be supported by original medical or other documentary evidence. Where appropriate, an appeal must specify the precise dates of the illness or other factor(s) affecting their performance and an assessment from a doctor or other independent person about the impact of these circumstances on the dates when you were preparing or undertaking assessments.
- 4.4** The student is required to meet all of the costs associated with assembling the information they wish to provide in support of an appeal.
- 4.5** If a student is found to have made a false declaration or submitted false evidence in support of an appeal, the Registrar will consider the offence in accordance with the Procedure for Dealing with Breaches of Assessment Regulations: Academic Misconduct.
- 4.6** Appeals are not permitted in the following circumstances:
- (a) Where the student is appealing on the grounds of extenuation against an assessment in a module which is already passed or for a module assessment which is already passed
  - (b) Where a student is challenging the academic judgement of a properly convened and constituted Award Board. This means, amongst other things, appealing on the grounds that the marks awarded were too low.
  - (c) Where the student is complaining about perceived or real failures in duty of care or quality of education. These are dealt with separately under the University's Complaints Procedures.
  - (d) Where the student is appealing on the grounds that they did not understand, or were not aware of, the University's regulations or procedures.

## 5. Procedure

### Formal Stage

- 5.1 Appeals must be submitted to the Academic Regulations & Compliance Officer at [regulations@staffs.ac.uk](mailto:regulations@staffs.ac.uk) within 15 working days of the publication of results. Appeals submitted after this timescale will only be accepted where the student has provided evidence of exceptional circumstances which mean that they were unable to submit an appeal within the stipulated timescale.
- 5.2 The Academic Regulations & Compliance Officer or nominee shall acknowledge receipt of an appeal within five working days.
- 5.3 The Academic Regulations & Compliance Officer, or nominee, will make an assessment of the case, in order to determine whether the appeal satisfies the grounds as outlined in paragraph 4.1. It may be helpful for the University to speak with the student directly about the appeal if there are issues to be clarified.
- 5.4 The Academic Regulations & Compliance Officer or nominee will make such enquiries as necessary in order to make a reasonable decision in accordance with this procedure and in view of all of the circumstances. This may involve consultation with the appropriate Course Leader.
- 5.5 The Academic Regulations & Compliance Officer or nominee will deal with all appeals as quickly as possible and will seek to respond within 25 working days of receipt of an appeal and supporting evidence. If it is not possible to respond within this timescale, the Academic Regulations & Compliance Officer, or nominee, will keep the student informed, in writing, explaining the reasons for the delay.
- 5.6 The Academic Regulations & Compliance Officer or nominee will take one of the following decisions and notify the student accordingly:
  - (a) dismiss the appeal as ineligible
  - (b) not uphold the appeal
  - (c) uphold the appeal and overturn or vary the Award Board decision.

### Review Stage

- 5.7 If a student remains dissatisfied with the outcome of an appeal, they may write to the Registrar at [regulations@staffs.ac.uk](mailto:regulations@staffs.ac.uk) requesting a review within 10 working days of receipt of the decision. A review can be requested on the following grounds:
  - (a) that there was a material procedural irregularity with regard to the appeal decision, which demonstrably affected the outcome of the claim;
  - (b) that the decision in relation to the appeal was manifestly perverse. In this context, perverse is taken to mean that the appeal decision made was not a possible conclusion that a similar investigation might have reached.

- 5.8** The review will not normally consider the issues afresh or involve a further investigation. The Registrar or nominee will review whether procedures were followed at the formal stage and whether the outcome was reasonable in all of the circumstances.
- 5.9** The Registrar or nominee will make such enquiries as necessary in order to make a reasonable decision in accordance with this procedure and in view of all of the circumstances. This may involve consultation with a senior academic colleague in the appropriate School.
- 5.10** The Registrar or nominee will aim to respond within 15 working days. If it is not possible to respond within this timescale, the Registrar or nominee will keep the student informed, in writing, explaining the reasons for the delay.
- 5.11** The Registrar or nominee will take one of the following decisions and notify the student accordingly:
- (a) confirm that the appeal was ineligible
  - (b) confirm the decision of the Academic Regulations & Compliance Officer not to uphold the appeal
  - (c) overturn or vary the decision of the Academic Regulations & Compliance Officer.
- 5.12** In the case of 5.12 a-c the appeals procedure will be completed and the student will be advised of their right to refer the appeal to the Office of the Independent Adjudicator.

## **6. Office of the Independent Adjudicator (OIA)**

Under the Higher Education Act 2004, Staffordshire University subscribes to the independent scheme for the review of student appeals. Once the University's internal procedures for the review of a student appeal have been exhausted, the University will issue the student with a 'completion of procedures letter' to confirm that the University's procedures are complete and to advise the student to contact the OIA if they wish to have their appeal reviewed further (provided that it is considered eligible under the OIA's rules).

**Equality issues have been taken into account during the development of this policy and all protected characteristics have been considered as part of the Equality Analysis undertaken.**

## **APPENDIX 1**

### **Appeal Submissions**

Please address your appeal to: Stephanie Bates, Academic Regulations & Compliance Officer at [regulations@staffs.ac.uk](mailto:regulations@staffs.ac.uk)

You need to include the following information in your e-mail:

You need to include the following information in your e-mail:

Full Name:

Student Reference number:

Award Title:

School:

Address: (the decision will be sent to the address you put here)

Modules you are claiming for:

Module code:

Module title:

Type of assessment: (eg exam, assignment, class test etc)

Supporting Statement: (describe what has happened and how this effected your assessments.)

Supporting evidence – all appeals need supporting evidence. This can be from either a professional or agency. For example, if your circumstances relate to a health issue please provide a letter from your doctor, counsellor or other health professional or your employer if they are aware of your circumstances.

If you are appealing an extenuating circumstances decision please provide the original reference number for your on line claim. You must submit an appeal in writing within seven working days of receiving notification of the decision of the School Extenuating Circumstances Panel.

If your claim is submitted after the deadline date for Extenuating Circumstances has passed, you will need to wait until you have received an award board decision. Only then are you able to submit an appeal in line with the Procedure for a student to appeal against the decision of an Assessment/Award Board.

If you did not use the extenuating circumstances process for these assessments please explain why you did not or were unable to submit an extenuating circumstances claim at the time of hand-in.

Your appeal may take up to 25 working days for a decision to be made.