

Academic Appeal Policy and Procedure

Document Summary

Date of approval: 18/11/2019

Authorised by: Academic Board

Revision date: 31/08/2023

Next revision date: 31/08/2024

1: Introduction

1.1 The City College believes that all students are entitled to a high-quality student experience but recognise that sometimes there may be student dissatisfaction. If a student wishes to submit an academic appeal, they should follow the following guidance:

2: Principles involved

2.1 The principles involved are that:

- Staff and students are partners in the overall process of learning, development and assessment.
- As an element in this partnership, students are encouraged to discuss their progression with tutors to explore and understand the underlying reasons for their learning development.
- Assessment and internal verification of BTEC programmes always take place within the guidelines set by Pearson and is the subject of external verification via the annual visits of Pearson External Examiners.
- The involvement of The City College in appeals should always comply with the process and procedure developed by the College.
- The procedure must be followed by students as well as by the College itself.

Where references are made to “working days” in this policy, these are considered to be Monday to Friday (inclusive).

3: Grounds for Appeal

The policy and procedure applies to all current students registered on academic courses who wish to appeal against an assessment, progression or withdrawal decision. A current student includes:

1. Those currently registered on a programme, those on an interruption of studies, those on a temporary suspension and those who have recently left but are within the time limit to make an appeal.
2. Those students who have been withdrawn for non-academic reasons, such as not registering on time because they have not followed procedures clearly, or for misconduct, cannot use this appeal procedure. They must follow the Complaints Procedure Policy.

Grounds for Academic Appeal may be lodged on the following grounds:

1. There is evidence of a significant irregularity in the assessment process.
2. Information is or was available which could have been a significant factor on the assessment or mark but which was not taken into account by the assessors or was unreasonably rejected. This includes complaints about the consideration of extenuating circumstances. However, information regarding extenuating circumstances will only be considered if there is evidence to show why it could not be presented at the correct stage/time.
3. Bias or perception of bias.

The following are not considered to be legitimate grounds for an academic appeal:

1. Where a student questions the integrity of academic judgement or the decision made by academic staff on the quality of the work or the criteria being applied to mark the work.
2. Where there is disagreement about the way in which extenuating circumstances were considered, unless there is clear evidence that the defined procedures were not followed by the extenuating circumstances panel and/or the extenuating circumstances recommendations was not properly followed by the academic body.
3. Complaints about academic misconduct penalties affecting results will only be considered if there is clear evidence that the defined procedures were not followed correctly and/or the academic misconduct outcome was not appropriately considered by the Assessment Board.

Academic Appeal Procedure

3: Stage 1

3.1 A student wishing to make an academic appeal must register their intention to do this within five working days after the assignment grade has been sent. This means that the student should download the Stage 1 academic appeal form from Sharepoint and then complete and return it to the Director of Student Records within the next five working days.

3.2 The assessor concerned will then be asked for a written response based on the evidence, and this will be sent to the student. The tutor will respond, in writing, within five working days of receiving the appeal.

4: Stage 2

4.1 If the appeal is not resolved at this point, the student should download the Stage 2 academic appeal form from Sharepoint. After completion, the form must be returned with a copy of the original assignment/exam script exactly as it was submitted, plus a copy of the grading form to the Director of Student Records. They will pass both copies to the appropriate Internal Verifier (IV). This must be done within five working days of receiving the assessor's response to the appeal, along with any evidence as to why an appeal will be made (formatting issue).

4.2 The IV will review the assignment (or exam script), the reasons for the appeal and the assessor's response. The Internal Verifier will give a written response to the student within five working days.

5: Stage 3 (the final internal stage)

5.1 If the matter remains unresolved, the student should download the Stage 3 academic appeal form from SharePoint. This form must be completed and returned within five working days to the Director of Student Records. Then all the documents will be passed to the Appeals Panel, who will consider the appeal and, if appropriate, set a date for a Hearing within five working days.

5.2 The Appeals Panel will consist of the Lead Internal Verifier, two senior staff members and a specialist subject assessor. The student, assessor and/ or IV will be asked to make a case to the Panel. The final decision made by the Panel will be communicated to the student and the assessor within five working days.

5.3 The student has the right to be accompanied by a 'Friend' if a Hearing is held. The role of the 'Friend' is outlined in 8.1 below.

6: Stage 4 (Pearson programmes only)

6.1 If the matter is still not resolved by the Appeals Panel, it will be referred to Pearson by the Quality Nominee, and the student will be offered the opportunity to make a formal appeal to Pearson.

6.2 It should be noted that all academic appeals must be dealt with according to the procedure set out here. The City College Complaints Procedure does not apply to academic appeals.

7: Office of the Independent Adjudicator (OIA)

7.1 Once the appeal stage has been completed and the College's internal procedures for dealing with complaints and appeals are therefore exhausted, the College will automatically issue a Completion of Procedures (COP) Letter. A COP Letter confirms the decision made and that the student has reached the end of the College's internal processes.

Please note that the OIA are independent and are not a further stage of The City College's internal processes. The City College is a member of the independent scheme for the review of student complaints run by the Office of the Independent Adjudicator for Higher Education (OIA). If the complainant is unhappy with the outcome of their complaint they may be able to apply to the OIA for a review of their complaint provided their complaint is eligible under the

OIA's Rules. More information about making a complaint to the OIA, the complaints it can and can't look at and what it can do to put things right if something goes wrong can be found here: <https://oiahe.org.uk/students>

7.2 If the student's appeal is not upheld and the student does not agree with this decision, the student can apply to the OIA to have the decision reviewed. The COP letter is normally needed when applying to the OIA for a review. The student normally needs to have completed the internal complaint procedures before complaining to the OIA. The City College will send out a Completion of Procedures (COP) letter when there are no further internal stages. More information about Completion of Procedures Letters and when you can expect to receive one can be found here: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>

7.3 Applications for review must be submitted to the OIA within 12 months of a COP Letter being issued. The OIA may be contacted by ringing 0118 959 9813. Details of the OIA may be found at <http://www.oiahe.org.uk/students>

7.4 If the matter is concluded before the appeal stage, for example, because the student does not wish to appeal, the student may request a COP Letter if they want one. There is a deadline of one month for the student to make such a request, starting at the point when the relevant College decision was made.

7.5 If the student makes a request after the deadline has passed, the College will issue a COP Letter containing the date upon which the original Fitness to Practise Panel Hearing decision or the Appeal Panel decision was reached. The time for bringing the matter to the OIA will normally run from that date, rather than the date of the COP Letter.

8: The Role of the 'Friend'

8.1 The 'Friend' may be an official Student Representative or another member of the College community and is there to provide moral support and to support the student when the student is asking or answering questions during the meetings and/ or Hearings. The 'Friend' may not be a lawyer or legally qualified adviser or representative. The 'Friend' may also take notes of the meetings for the student. While students are normally expected to speak for themselves, the 'Friend' may speak with the agreement of the Chair of the Panel. In the event that the student is unable to continue the meeting in the absence of the 'Friend', the meeting will continue in the absence of the student, based on the oral evidence heard to date and the written documentation.