



# DERBY COLLEGE GROUP POLICY

## PROCEDURE

### HE Academic Appeals Procedure

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**POLICY - PROCEDURES - GUIDELINES - RELATED DOCUMENTS**

# 1. The Academic Appeals Process

## *Stage 1 Informal Procedure*

- 1.1. Where a student feels a mark awarded is not appropriate or not justified, they should seek an individual tutorial with the module tutor as soon as the query arises to discuss the matter and receive feedback on their assessment performance.
- 1.2. Where a student wishes to appeal the process of marking or moderation of an assessment, they should first discuss the matter with the personal tutor or programme leader. Attempts should be made to resolve the matter.
- 1.3. This can help students fully understand why they were given a particular assessment mark or grade, or the reasoning behind, and implications of, a progression or award decision. This may also assist students to decide whether it is appropriate to submit a formal academic appeal. It is important to understand that the College must maintain academic standards, so an assessment outcome will only be changed as a result of an appeal where there is clear evidence that the original outcome was unsound.
- 1.4. Staff should make every effort to resolve appeals informally but, in the interests of the student, may suggest a formal academic appeal if an informal resolution cannot be reached, or the issues raised are complex and require detailed investigation.
- 1.5. If the matter remains unresolved the student may request a meeting with the Higher Education and Higher Level Skills Manager (or appointed nominee). This interview should be arranged within five working days of the submission of the request and the student may be accompanied by another person (who may be a student member of the College, a relative, employer representative).
- 1.6. If a student remains dissatisfied with the response to their informal appeal-related query, and if there are relevant grounds to take it further (refer to paragraph 3.3. Grounds for Appeal), they can move to the formal academic appeal stage.

## *Stage 2 Formal Procedure*

- 1.7. The Formal stage is started when:
  - the student declines to engage with early resolution and initiate the formal process in line with this policy;
  - early resolution was attempted but the student remains dissatisfied and initiates the formal process in line with this policy;
  - the issues raised are complex and will require detailed investigation.
- 1.8. Students who decline to engage with early resolution may be asked to provide an explanation as to why they did not pursue this option. On receipt of an academic appeal which has not been through the informal procedure, it will be considered for the formal stage only when the possibility of early resolution has been considered.
- 1.9. Normally, a formal academic appeal must be made within 10 working days of a students being notified of the relevant results. Students can make their academic appeal via an online form that they can access via the website or from the course VLE page.
- 1.10. Upon receiving an academic appeal the Director of Quality (or appointed nominee) will consider whether the academic appeal is within the time limit and has sufficient grounds.
- 1.11. If the academic appeal is outside of the timeframe the student will be notified and the academic appeal will not be accepted. If the academic appeal does not meet the criteria for grounds of appeal (see paragraph 3.3) then the request for review will be referred back to the student; if no subsequent representation is received within the 10 working

days of notification of the date of notification of results or 10 working days of the matter being referred back (whichever is the later) then the request will be judged to have lapsed and the case will be closed.

- 1.12. If an academic appeal has been sufficiently established the Director of Quality will, within 5 working days of receipt, write to the student confirming the next steps and outlining when a response can be expected.
- 1.13. The Director of Quality (or appointed nominee) will investigate the details of the academic appeal and provide a response to the student within 15 working days of the start of the investigation stage.
- 1.14. The Director of Quality (or appointed nominee) will investigate the facts of the academic appeal, including; any evidence supplied by the student, relevant regulations and policies, and will consult with staff of the College as appropriate; including the chair of the Board of Examiners and other colleagues in relation to an academic appeal where necessary in the interests of minimising delay and resolving the case. If required, an academic appeal panel will be formed to hear the case and make their recommendations. This is the role of the Academic Quality and Standards Committee.
- 1.15. The Director of Quality (or appointed nominee) will complete a report of the investigation and present the facts to the Chair of the Board of Examiners with a recommended outcome. The Chair of the Board of Examiners will consider the outcome of the investigation and may confirm one of the following outcomes.
  - (a) re-affirm the original Board of Examiners decision on the grounds that the matters raised in the case presented were previously known to the Board and were taken into account and given due allowance or where matters raised were not previously known, were such as not to alter the outcome of the decision;
  - (b) review its decision and report an amended recommendation; any such recommendation should be referred to the Chair of the Board of Examiners for ratification. Any amended recommendation which would result in a recommendation to raise the classification of a degree, or to award a degree where no award was previously recommended must be endorsed by the appropriate external examiner;
  - (c) report a description of any administrative error found, together with revised, recompiled or corrected mark(s), grade(s) or result(s);
  - (d) make recommendations where it considers appropriate to permit the student to undergo further assessment, subject to the provisions of the regulations or exceptionally subject to special approval by or on behalf of the Academic Board; any such recommendation should be referred to the Chair of the Board of Examiners for ratification;
  - (e) report its response to any allegation and evidence submitted of regulatory irregularity or irregularity in the application of policy in the conduct of the relevant assessment(s), and if appropriate its recommendations for action to remedy the matter. Any such recommendation should be referred to the Chair of the Board of Examiners for ratification.

#### *Academic Appeal Panel*

- 1.16. The Appeal Panel will comprise of members of the College who are independent of the case, who are not members of the same Curriculum Area as the student making the academic appeal and who are not personally acquainted with the student. The members of the Appeal Panel will normally be:
  - The Director of Quality (Chair)
  - Two Curriculum Area nominees (from a different Curriculum Area to that to which the case relates)

- A member of the Academic Quality and Standards Committee
  - A secretary nominated by the Chair
- 1.17. The student, who may be accompanied by another person, shall be asked to attend this meeting.
  - 1.18. The Appeal Panel will, after reviewing all the information and documentation, make the final decision.
  - 1.19. The Appeal Panel shall make its report in writing stating its decision whether the appeal is upheld or not and with reasons. The report, together with its recommendations will normally be produced within 10 working days of the meeting
  - 1.20. The Panel's report will be communicated in writing to the student, the Chair of the Board of Examiners, the Head (or Team Manager) with responsibility for the relevant Curriculum Area and the Chair of the Academic Board. If the appeal is upheld the Panel's report will also recommend to the Chair of the Academic Board the action to be taken to achieve a fair and reasonable outcome.
  - 1.21. Final responsibility for endorsement of recommendations will be for the Chair of the Board of Examiners, whose decision will be final.
  - 1.22. The decision of any Board of Examiners will normally stand until such time as an appeal is upheld and recommendations approved by the Chair of Academic Board.

#### *Stage 3 Review*

- 1.23. Where the outcome of the formal stage is rejected by the student, they may request that the matter be referred to the Vice Principal (VP) or their designated nominee. Review requests must be based on one or more of the grounds for review outlined here. Requests submitted outside of these grounds will likely be returned to the student.
  - (a) the handling or consideration of the case was not in accordance with the procedure outlined in this Academic Appeals Policy;
  - (b) the decision of the Board of Examiners in response to the representations made contravenes College regulations and/or policy;
  - (c) given the evidence, the decision of the Board of Examiners in response to the representations made could not reasonably be sustained.
- 1.24. Review requests received on the basis of the grounds above will be considered by the VP within 10 working days. The VP or nominee will consider whether the Board of Examiners followed the Academic Appeals Policy correctly in coming to their decision and whether the decision is consistent with the evidence provided by the student.
- 1.25. The VP or nominee will then make one of the following recommendations:
  - (a) The Board of Examiners decision was valid and therefore the review request of their decision is rejected.
  - (b) The Board of Examiners review their decision, in conjunction with newly submitted evidence or instruction from the VP and submit an updated decision within 10 working days. Please note this does not necessarily mean that any prior decision will change but will be re-considered in light of any new evidence.
  - (c) That the case has sufficiently established that the decision of the Board of Examiners may not have been properly considered and the appeal should therefore be heard by an Appeal Panel. The student will be notified of the VP's decision and of the next steps. The outcome of the action recommended by the VP of the review stage will conclude the internal procedures.

- a. Following the completion of Stage 3, a Completion of Procedures letter will be issued. This marks the end of the Academic Appeals Procedure for Derby College Group.

## **2. Action following the completion of Stage 3**

If the student remains dissatisfied with the outcome following Stage 3 (Review) the student will be directed to the awarding organisation, prior to making an appeal to the awarding institution of the qualification. The right to appeal to the awarding institution (and subsequently) the OIA only exists after conclusion of the review stage and the Completion of Procedures letter (from Derby College Group) has been issued. The AO may request evidence that you have followed DCGs procedures. The student will receive a letter that indicates the procedures of DCG have been completed. The Awarding Organisation will issue a CoP letter once their procedures have also been completed. Following this, the student may make an appeal the Office for the Independent Adjudicator (OIA).

- (a) the awarding organisation/institution at which point the student will be directed to the relevant awarding organisation's/institution's appeal procedures;
- (b) the Office of the Independent Adjudicator (OIA), Second Floor, Abbey Gate, 57-75 Kings Road Reading RG1 3AB

# Academic Appeal Procedure

This process should be read in conjunction with the Derby College Higher Education Academic Appeals Procedure

## Stage 1 (Informal resolution)

## Stage 2 (Formal)

