

Policy/Procedure Name: Higher Education Academic Appeals Policy and Procedure

Policy/Procedure Number: HE007

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Role Responsible: Assistant Principal Curriculum

Approved by: Executive Team

1. Purpose and Scope

This policy and procedure applies to all students undertaking HE courses delivered at Brooklands Technical College. The purpose of this policy is to facilitate students to request that the College reconsiders a decision about their academic progress that could have the effect of hindering progress, terminating studies, or affecting the level of award and also to ensure consistency of practice and adherence to the requirements of the award partner.

All appeals and queries shall be conducted in accordance with these regulations and the precepts set out in the UK Quality Code for Higher Education (November 2018) and the Office of the Independent Adjudicator's Good Practice Framework for handling complaints and academic appeals (December 2016). The appeals are also subject to university partner regulations.

2. Definitions

2.1 Assessment Board

Throughout these Regulations, use of the term 'Assessment Board' means a Progression and/or Award Board. An Academic Appeal Committee is not constituted as an Assessment Board and does not have the authority to set aside the decision of an Assessment Board, but it can ask an Assessment Board to reconsider a decision. The College will not adjust marks, grades or degree classifications as a result of this process.

2.2 Academic Judgement

The mark to be awarded for an individual piece of work - whether coursework, written examination or similar, and whether formative or summative - or the award of an overall mark or classification for an award shall be regarded as the academic judgement of the examiner or examiners, or Assessment Board concerned, and as such shall not be appealable under these or any other regulations or procedures of the College or university partner.

A candidate who wishes to question academic judgement shall be entitled to ask the examiner, or Assessment Board to confirm that the work has been marked in accordance with the regulations and procedures in force at the time governing such matters as second marking, and referral to the external examiner. Provided such confirmation is stipulated in writing, with an explanation of the procedures followed, the matter shall be deemed closed and the mark or other decision upheld.

2.3 Distinction between an Academic Appeal and a Complaint

This policy and procedure relates solely to disputes in relation to academic decisions and progress. Other matters of dispute involving a student and the College or curriculum area, shall be termed "complaints" and subject to the College's Higher Education Complaints Procedure.

3.0 Principles

This policy and procedure will be applied fairly and consistently and outcomes will be monitored and reviewed on an annual basis at the HE Panel. The following principles will be applied:

3.1 Impartiality of Decision-Makers

No person shall be permitted to take part in the making of a decision regarding an appeal where s/he has an interest through being a member of the same academic department in which the student is registered.

Any person who may be involved in the making of a decision regarding an appeal shall be required to declare an interest where s/he has any other material connection with the student, and shall thereby be disqualified from being involved in the making of the decision.

3.2 Privacy, Confidentiality and Data Protection

All evidence submitted by a student in support of an appeal shall be treated with respect for the privacy of the student, and shall be confidential to those members of staff concerned with the matters raised in the appeal.

While all evidence submitted by a student will normally be seen by those in the Department(s) against whom the appeal is lodged, exceptionally, the student may request in writing that information which s/he specifies not be so disclosed. The Chair of the relevant committee shall determine whether such exceptional circumstances exist. Where the Chair determines that they do not exist s/he shall inform the student in writing of that decision and the reasons for it, and shall provide the student with the opportunity to have a summary of the evidence, which balances the request for confidentiality against the ability of the Department to respond to the appeal, disclosed. If the student is unable to accept either option the appeal shall be deemed to have been withdrawn by the student.

Any member of staff involved with an appeal in any capacity will ensure that the relevant current legislation is complied with at all times. Matters raised or disclosed during the hearing shall be deemed confidential.

3.3 Decisions which may be appealed

A candidate for an undergraduate or taught postgraduate programme of study may appeal against the recommendation or decision of an Assessment Board for any of the following reasons:

- a) to terminate the candidate's programme of study for non-compliance with the attendance and/or submission requirements of the programme;
- b) to terminate the candidate's programme of study on grounds of professional unsuitability or professional misconduct;
- c) to exclude the candidate from an examination, dissertation, placement or other form of study or assessment forming part of the candidate's programme of study;

- d) to award or refuse to award the candidate the qualification or classification of the qualification;
- e) decisions made regarding partial or contained awards to which a student has been awarded at an Assessment Board;
- f) any other decision of a Curriculum or Assessment Board concerning the academic progress of a candidate.

3.4 Grounds for Appeal

All candidates registered for an award have the right to appeal on one or more of the following grounds:

- a) that there was a procedural irregularity in the conduct of the examination or assessment or material administrative error;
- b) That the candidate can demonstrate that the assessment was adversely affected by illness or factors which the candidate was unable, or for valid reasons unwilling, to divulge before the Assessment Board reached its decision.

Any application relating to illness or other form of incapacity relevant to (b) must be accompanied by supporting independent medical or other relevant documentary evidence.

Appeals questioning the academic judgement of the examiners do not constitute valid grounds for appeal and will be dismissed.

3.5 Responsibilities

The Quality & Standards Team and HE Coordinator to receive and record the appeal and arrange for an appeal board if deemed necessary.

The Quality & Standards Team to be designated appeals officers and review the decision and communicate response back to the student, informing the HE Panel of the outcome.

4 Procedure

4.1 Stage 1 – Informal Resolution

If a student considers that they may have grounds to request reconsideration of a decision by an Assessment Board, they are normally expected firstly to attempt to resolve the issue informally. This attempt informally to resolve the issue constitutes the Informal Stage which must be commenced within ten working days of the date of publication of results. Informal resolution is achieved when both parties are in agreement. The College's offer of informal resolution must be made without prejudice to the right of the student to insist that the regulations be applied in full.

A student should in the first instance contact their Programme Manager. It is expected that all teams will publicise to their students the arrangements by which students may seek

advice and guidance at a point where module and programme results are formally published. If the matter has previously been brought to the College's attention and no resolution has been reached, it may not always be helpful to try and resolve the matter informally. Where this is the case, the Programme Manager must decide whether they wish to engage with a student using the Informal Resolution process. Where an academic query has been raised with a Curriculum and they are unsure of the next steps to take to resolve the query, then they should consult with either the Director of Faculty. If necessary, the Programme Manager will inform the student why the Informal Resolution process is not suitable and tell the student that they can make a formal Academic Appeal Application, making clear the timescales for doing so. Informal resolutions should be recorded with the Quality department.

Informal resolution of a dispute, at whatever stage of the process, is always the College and university partner's preferred option and it remains an option available even after the query has reached the formal appeal stage. However, the Informal Resolution Stage does not stop the student from submitting an Academic Appeal Application. Any Academic Appeal must be submitted in accordance with the timescales outlined in these Regulations.

4.2 Stage 2 – Formal Stage

Students must submit their formal request for an Appeal on an Academic Appeal Application Form. An Academic Appeal Application Form is available from the HE Coordinator or the HE Student website page. Completed forms should be returned to the HE Coordinator. It is expected that the supporting documentary evidence will be submitted at the same time as the Academic Appeal Application. Where the submission of supporting documentary evidence is not possible, due to circumstances outside the student's control, the Application Form should be submitted prior to the deadline date together with a clear statement that evidence will follow, normally within 10 days. If no subsequent supporting evidence is received, the Quality Office will process the Academic Appeal Application based on the available documentation.

The student must lodge an appeal within ten working days of results being published or the outcome of an Informal Resolution being communicated, whichever is later. The Quality & Standards team will log the appeal and will investigate and confirm whether the appeal meets the criteria and sufficient evidence has been provided.

Quality & Standards team will, on the basis of the information submitted, determine whether there are sufficient grounds to convene an Academic Appeals Panel and will proceed to notify the university partner. The Academic Appeals Panel reports to the HE Panel and comprises of:

Assistant Principal of Curriculum

Programme Manager and Director of Faculty

HE Coordinator

Head of Quality & Standards

In exceptional circumstances, any other representatives as required by the regulatory framework of the validating partner university or professional body.

The Quality Improvement Committee has formal responsibility for ensuring that any appropriate remedial action is taken in response to proven cases of procedural irregularity. Only the HE Panel has authority to annul a decision of the Assessment Board. Where an irregularity affects more than one candidate, the Quality Improvement Committee may annul the entire examination or part of it subject to any further requirements and authorisation from the relevant awarding body.

The outcome of the Appeals Panel, or decision to halt proceedings will be communicated to the student in writing within ten working days with a clear explanation of the reasons for the decision.

4.3 Stage 3 – Review Stage

In exceptional circumstances, within 7 working days of notification of the decision of the Academic Appeal Panel, a student may make a written request for a review, asking for reconsideration of their Academic Appeal Application. The request should be made to the Quality and Standards team in the first instance. The request must identify the grounds and reasons for the Review.

A Review can only be made on the grounds:

- That the decision of the Academic Appeal Panel was inconsistent with and unsupported by evidence;

and/or

- That there was a material procedural irregularity by the Academic Panel which has prejudiced the student's case;

and/or

- That additional evidence has come to light since the decision of the Academic Panel, which could not reasonably have been expected to have been produced at the time of the consideration of the Academic Appeal Application.

This Review Stage will not usually consider the issues afresh or involve a further investigation. A Review of the decision of the Academic Appeal Panel, submitted on time, will normally be considered by the relevant Principal's nominee.

Where the appropriate panel of the College or professional body determine that the College has not acted in accordance with the regulations or that a decision is not reasonable then a new College hearing, organised by the HE Coordinator, may be set not involving any staff involved in the original decision.

Where the university partner finds that the decision was reasonable and made in accordance with regulations the challenge will be rejected and students will be advised of their rights in relation to the Office of the Independent Adjudicator.

Appendix 1 – Academic Appeal Form

Academic Appeal Form

An Academic Appeal must be submitted in accordance with the timescales outlined in the College

Academic Appeals Policy document which can be found on the College's webpages. Before submitting an appeal, be sure to read the Academic Appeals Policy document carefully.

Guidance for Completion of this form

Complete all four sections of the form.

Please return your completed form to (if you are unable to email the form, you can post it to:

HE Coordinator, Brooklands Technical College, Heath Road, Weybridge, Surrey KT13 8TT

It is your responsibility to ensure that the form has been completed correctly and that any supporting documentation is listed in Section Three and attached.

Receipt of this form will normally be acknowledged within 3 working days of receipt.

Section One

Student Full Name	
Date of Birth	
Student ID Number	
Contact Number	
Email Address	
Contact Address	
Course Title	
Year of Course	
Full or Part time study	
Group Appeal?	No <input type="checkbox"/> Yes <input type="checkbox"/>

Section Two

Grounds for Appeal - Student's Summary

Please summarise your reason(s) for appealing.

Do not exceed one page. The text box below will automatically expand to accommodate your response.

In your summary you should include:

- the date you received notification of the decision against which you are appealing;
- details of the decision you wish to appeal against;
- the outcome you hope to achieve;
- a concise explanation of the circumstances in chronological order, including the key points to support your appeal.

In accordance with Data Protection Act, you should only submit data relating to living third parties if it is strictly necessary for the consideration of your case. Please don't include other people's data if it is not relevant to your case. Additionally, please notify anyone whose data you are including in your paperwork that you are doing so in order that, if they wish to do so, they can contact the College to object to that data being held.

Section Three

Supporting Documentary Evidence

In the box below, please list any supporting documentary evidence you have attached to this application.

- Any evidence relevant to the appeal must be submitted at the same time as the form and clearly referenced and labelled.
- The evidence should normally be the original (for example a Doctor's note) and not a copy.
- Include evidence of the attempt to resolve the issue(s) informally with the Programme Manager (i.e. the Early Resolution Stage).

All documentation should be in English and the translation of any documents should be done by an accredited translator. Please ensure that any additional information is relevant and meets the Policy and Procedure requirements for the presentation of a written case.

Section Four

Student Name (Print in Capitals)	
Student Signature	
Date	

Section Five

To be completed by the HE Coordinator. Complete below and update Student Record

Date Form sent to the Quality office:	
Date of Academic Appeal Panel:	
Panel Decision	
Date Decision communicated to Student/Applicant:	
Date Student Record updated:	

Please retain a copy of this form and supporting documentation. Documents supplied as part of the application process will not be returned. Where photocopies of documents are submitted, you may be required to provide the HE Coordinator with sight of the original documents in order to verify their authenticity. If evidence is provided in a language other than English, it is your responsibility to have it independently translated.