



Academic Appeals Procedure

Introduction

1. This procedure deals with academic appeals. An academic appeal is here defined as a request for the review of a decision of the Examination Board. Any other issues are here called either complaints or grievances and students are referred to the appropriate policy to understand their scope and operation.
2. In the procedure outlined below all proceedings must remain confidential to those involved.
3. In writing this procedure advice and guidance for Concerns, Complaints and Appeals from the Quality Code of the Quality Assurance Agency has been consulted.

Scope

4. This procedure is applicable to all registered students of Spurgeon's College on a course leading towards a doctoral degree, a Master's degree including a Postgraduate Diploma or Postgraduate Certificate, an undergraduate degree, Diploma, Certificate, Commendation or Award, including candidates who have (subject to section two below) completed such a course within the last twelve months.
5. Students are advised that the Procedure consists of two distinct stages: firstly, an application for verification of the result and, secondly, following completion of the verification process, an appeal.

Verification

6. A candidate is entitled to ask for verification of one or more of the following in respect of any assessment:
 - that the assessment published by the College is free of arithmetical or other errors of fact;
 - that the examiners were aware of exceptional personal circumstances reported by the student prior to the meeting of the Examination Board concerned and which might, in the student's opinion, have had an adverse effect on their academic performance;
 - that the examiners were aware of defects or irregularities in the marking of coursework or the conduct of an examination or in written instructions or in advice relating thereto, when such defects or

irregularities or advice might, in the student's opinion, have had an adverse effect on their performance.

7. A candidate can request such verification by writing to the College's Registry Team. A letter must normally reach the Registry Team within fifteen working days after the date of the meeting of the Examination Board. Applications for verification submitted outside this timescale with good reason may be accepted at the discretion of the Registry Team where there are mitigating circumstances. Requests for verification must include details and evidence of the alleged irregularity or the exceptional personal circumstances.
8. Upon receipt of such written application, the Academic Registry Team will ask the Academic Director, or appropriate nominee, to take the necessary steps to verify the facts to which the application refers. The Academic Director will verify the facts within fifteen working days of the date of the application. The Registry Team will acknowledge receipt of the application within five working days, informing the candidate of the action being taken.
9. If the verification procedure indicates that:
 - there has been an arithmetical or other factual error;
 - or the candidate has provided evidence of defects or irregularities in the conduct of the examinations or in written instructions or advice relating thereto of which the Examination Board had been unaware;
 - or exceptional personal circumstances reported by the student prior to the meeting of the Examination Board(s) concerned were not, in fact, considered at the meeting(s);
 - or a candidate, in the course of requesting verification, has provided additional evidence of exceptional personal circumstances which were previously notified prior to the meeting of the Examination Board.

The Academic Director will arrange for the Examination Board to re-consider the candidate's examination performance. The Academic Director will then inform the Registry Team in writing of the full circumstances of the case. The candidate will be informed of the action being taken within five working days of the Academic Director's decision.

10. If the verification procedure indicates that:
 - there has been no error;
 - or any exceptional personal circumstances reported by the candidate have already been considered;
 - or there are no defects or irregularities in the conduct of the examinations or in written instructions or advice relating thereto.

The Academic Director will inform the Registry Team of this conclusion in writing. The Registry Team will inform the candidate of this conclusion within five working days. They will also inform the candidate of the right of appeal and that an appeal may only be made on the grounds stipulated in paragraph 13 below.

Grounds for appeal

11. Appeals which question the academic judgement of examiners are not admissible.
12. Candidates are only entitled to appeal against a decision reached following the above process of verification. Any appeal will be sent in writing to the Senior Registrar and must reach him or her not later than fifteen working days after the despatch to the candidate of the verification of their result. Simple notice of appeal given in writing by a candidate will not be deemed to constitute an appeal proper.
13. Appeals can only be considered on one or both of the following grounds:
 1. defects or irregularities in the conduct of the examinations or in written instructions or in advice relating thereto, where there is a prima facie case that such defects, irregularities or advice could have had an adverse effect on the candidate's performance;
 2. exceptional personal circumstances where there is a prima facie case that such circumstances could have had an adverse effect on the candidate's performance. In appeals based on these grounds, the appellant must show good reason why such personal circumstances were not made known to the Examination Board before its meeting. Where a candidate could have reported exceptional circumstances to the Examination Board prior to its meeting, those circumstances cannot subsequently be cited as grounds for appeal.

Appeals procedure

14. On receipt of an appeal the Senior Registrar will acknowledge receipt normally within five working days. The appellant will be provided with a written progress report within 25 working days detailing the outcome of the appeal and reasons for that decision.
15. The Senior Registrar will disallow any appeal that:
 - is based on factors which were known to the Examination Board concerned when the candidate's result was determined;
 - introduces information which was known to, and could have been reported by, the candidate prior to the meeting of the Examination Board.
16. This is normally notified in writing within twenty working days of its receipt.
17. If it is decided by the Senior Registrar that there is a prima facie case to be considered, it will be referred to an Appeal Board. The College's Principal will appoint an Appeal Board which will consist of three persons, at least one of

whom will not be a member of the College's employed staff. This will normally happen within twenty working days of receipt of the appeal.

18. The appellant will be given ten working days' notice of the date and time of the Appeal Panel meeting and will be invited to attend the meeting of the Appeal Panel to present his or her case. Where the appellant decides not to attend, the Panel may proceed in his or her absence.
19. The student may be accompanied at the meeting by a fellow student, a member of staff or one of the College's Student Representatives. The appellant will be sent copies of all documents to be made available to the Appeal Panel.
20. The Appeal Panel is empowered to call members of staff with knowledge of the case to attend the meeting to give evidence and to correspond with external examiners or others as appropriate.
21. The appellant and any accompanying person will be permitted to speak and to question any persons giving oral evidence to the Panel.
22. The Academic Director and the Senior Registrar will be invited to attend the hearing and, at the invitation of the Appeal Board, to contribute to it. Neither the Academic Director nor the Senior Registrar will be a voting member of the Appeal Board.
23. The Appeal Board will base its decision on the evidence of the appellant's submission and the testimony of any relevant contributors e.g. the Academic Director, together with any further evidence which it considers relevant. The Appeal Board has discretion to declare inadmissible any matter introduced by the appellant, or by any person accompanying the appellant, if they deem it not directly related to the contents of the appeal previously lodged in writing.

Appeal decision

24. The decision of the Appeal Board will be provided in writing (via its Chair) within 10 working days. The report will be sent to the appellant, the Academic Director, the Senior Registrar and the Registry Team.
25. The Appeal Board can take the following decisions:
 1. that the appeal be rejected and no further action be taken;
 2. that the matter be referred back to the Examination Board;
 3. that the appellant be remunerated for any reasonable costs incurred in the appeals procedure.
26. If the matter is referred back to the Examination Board, a full report, including recommendations or advice where appropriate to the circumstances of the case - including all supporting documentation - will be sent by the Chair of the Appeal Board to the Academic Director for consideration by the Examination

Board. The Examination Board will decide as soon as is practicable. The decision of the Examination Board on whether any adjustment should be made to marks or grades previously awarded will be reported back to the Appeal Board and will be final.

27. A decision by the Examination Board on whether or not to adjust marks or grades previously awarded may or may not alter the appellant's overall examination result. If the overall result is altered, the Academic Director will arrange for the University to publish any supplementary pass-list which may be necessary. The Registry Team will inform the appellant in writing of the decision of the Examination Board, and of the reasons for the decision.
28. The Examination Board has authority to deem a candidate who has already been admitted to a degree to have been admitted to a different class of degree if, following a successful appeal, it decides that the candidate's degree classification will be amended. In such cases, the validating University will be asked to issue a replacement certificate upon the return by the candidate of the original certificate.
29. The Appeal Board may make recommendations for consideration by the Academic Director, the Academic Board or the College's Senior Management Team as appropriate on any matter arising from the consideration of appeals.

Group appeals

30. Where an appeal is raised by a number of students who believe they have been treated unfairly regarding the same issue, it can be dealt with as one collective appeal. In this case a 'Group Appeal-Complaint Consent Form' should be completed to confirm and clarify exactly which students have been materially affected by the issue and authorising the College to correspond with a single named spokesperson (Lead Student) to represent the group. The College will then only communicate with the lead student throughout the process, sending all documents and correspondence to them.
31. Once the Group Appeal Form is submitted, the College will not normally allow other students to join the group at a later date. Usually only the lead student can attend meetings about the appeal. Usually only the lead student plus one other representative from the group can attend meetings about the complaint. They have a duty to liaise with other students in the group complaint, collecting evidence and providing regular feedback.

Completion of procedures and independent review

32. Once a student has finished the internal appeals procedures the College will promptly send them a Completion of Procedures letter. This will set out clearly what issues have been considered and the College's final decision.
33. If the appeal is rejected and this procedure has been completed, students registered with validating Universities can request a review of their

appeal.

- University of Manchester registered students can request a review of their appeal to the Registrar, Secretary and COO of the University of Manchester (See Appendix 1);
- Liverpool Hope University registered students can request a review of their appeal to the Pro Vice Chancellor (See Appendix 2).

34. If the Student believes the issue has not been appropriately addressed, the student may complain to the Office of the Independent Adjudicator (OIA) for higher Education. The OIA review will focus on the final decision. The OIA must receive a student's Complaint Form within 12 months of the date of the Completion of Procedures Letter. For further details see:
<http://www.oiahe.org.uk/rules-and-the-complaints-process.aspx>

Reporting and complex cases

35. At all points of the above procedure due care must be given to issues of confidentiality and data protection.
36. Each year, the Academic Director will prepare an anonymised report for the Governors and the Staff Student Liaison Committee on the number and nature of complaints.
37. Following the outcome of an upheld or partially upheld complaint, the Senior Leadership Team will be responsible for formally deciding what corrective action should be implemented, if any. This will be reported annually to Staff Student Liaison Committee. Examples of corrective action may include, but is not limited to, a change to policy, process or practice and relevant staff training.
38. Documentation relating to a formal complaint brought by a student will be retained for six years in accordance with the College's Records Retention Schedule.
39. In those cases where an academic appeal is part of a broader complaint the issues will be separated and dealt with according to the appropriate procedure. The appellant will be kept informed at all stages as to how the issues raised are being addressed.

Document control box			
Title	Academic Appeals Procedure (formally Verification and Appeals Procedure)		
Date approved	February 2020	Implementation date	February 2020
Next review date	Jan 2021		
Version	Feb 2020	Supersedes version	2015-16
Approving body	Governors		
Quality Code consulted			
Member of staff responsible	Academic Director		

Appendix 1: Extract from University of Manchester Collaborations Policy Discipline, complaints and appeals

Partner institution appeals and complaints procedures are approved and reviewed via the procedures for institutional approval and review.

Following completion of the partner institution's procedures, a student may write to the Registrar and Secretary and Chief Operating Officer of the University of Manchester in connection with the appeal or complaint if s/he feels that his/her case has not been dealt with appropriately. The University of Manchester must receive a letter from the student outlining why s/he does not believe the case to have been dealt with appropriately within one calendar month of the date on which the partner institution formally notified the student of its decision.

On receipt of a letter from the student outlining why s/he does not believe the case to have been dealt with appropriately, the Registrar and Secretary and Chief Operating Officer of the University of Manchester (or his/her nominee) will send a copy to the partner institution asking for a copy of the file relating to the case and for their comments on the student's letter.

The Registrar and Secretary and Chief Operating Officer (or his/her nominee) will check, on the basis of documentary material, that the investigation was conducted properly and fairly, and that the published procedures were followed correctly but will not reinvestigate the appeal or complaint afresh. However in conducting this investigation the University may, if necessary, seek further information from the partner institution and/or the student as appropriate.

The Registrar and Secretary and Chief Operating Officer (or his/her nominee) will write to the student to inform him/her of the outcome of the investigation and the reasons for the decision, normally within 40 working days of receipt of the appeal. There are no further stages in the appeals or complaints procedure beyond those detailed above. Students who believe that their case has not been dealt with properly by the partner institution or by the University of Manchester or that the outcome is unreasonable may be able to complain to the Office of the Independent Adjudicator for Higher Education (OIA) if the complaint is eligible under its rules and once all the above procedures have been concluded. [Information about the role of the OIA and the procedure for submitting complaints can be obtained from the OIA website: www.oiahe.org.uk]

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Appendix 2: Extract from Liverpool Hope University Academic Appeals Policy

Right to Appeal against the decision of the Registrar

The student has the right to appeal against the decision notified by the Registrar by submitting a formal letter to the Pro Vice Chancellor (Student Life and Learning), with any supporting evidence, to Office of the Pro-Vice Chancellor (Student Life and Learning), either in writing to Gateway Building, Liverpool Hope University, Hope Park, Liverpool, L16 9JD, OR by email to brownrk@hope.ac.uk.

This written appeal should be received within 10 working days of the date of the Registrar's notice

In normal circumstances such an appeal against the decision notified by the Registrar will only be accepted for consideration if evidence is submitted that, at the time of the original appeal, the handling of the case was the subject of some procedural irregularity. If a student decides to appeal to the Pro Vice Chancellor it should be noted that the case will be considered initially on the written evidence that is submitted, although, ultimately the student may be required to attend for interview. It is essential that all relevant information is given in the appeal letter and that it is accompanied by all the supporting documents which the Pro Vice Chancellor would need to consider.