



VERIFICATION AND APPEAL PROCEDURE

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.

In the procedure outlined below all proceedings must remain confidential to those involved.

In writing this procedure chapter B9 of the Quality Code of the Quality Assurance Agency has been consulted.

Applicability

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 or award, including candidates who have (subject to section two below) completed such a course within the last twelve months.

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

1. 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

2. 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.

3. Upon receipt of such written application, the Academic Registry Team shall ask the Director of Studies, or appropriate nominee, to take the necessary steps to verify the facts to which the application refers. The Director of Studies shall verify the facts within fifteen

working days of the date of the application. At the same time, the Registry Team shall acknowledge receipt of the application, informing the candidate of the action being taken.

4. 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, then the Director of Studies shall arrange for the Examination Board to re-consider the candidate's examination performance. The Director of Studies shall then inform the Registry Team in writing of the full circumstances of the case, and, at the same time, the candidate shall be informed of the action being taken. If necessary the College will, in consultation with the University of Manchester, arrange for the publication of a supplementary pass-list.

5. 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, then the Director of Studies shall inform the Registry Team of this conclusion in writing. The Registry Team shall in turn inform the candidate of this conclusion, of the candidate's right of appeal and that an appeal may only be made on the grounds stipulated in paragraph 8 below.

Appeal

6. Appeals which question the academic judgement of examiners are not admissible.

7. Candidates are only entitled to appeal against a decision reached following the above process of verification. Any appeal shall 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 shall not be deemed to constitute an appeal proper.

8. Appeals can only be considered on one or both of the following grounds:

- 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
- 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.)

9. On receipt of an appeal the Senior Registrar shall acknowledge receipt normally within three working days. The appellant shall be provided with a written progress report within 25 working days detailing the outcome of the appeal and reasons for that decision.

10. The Senior Registrar will disallow any appeal normally within twenty working days of its receipt:

- which is based on factors which were known to the Examination Board concerned when the candidate's result was determined
- which introduces information which was known to, and could have been reported by, the candidate prior to the meeting of the Examination Board

11. If it is decided by the Senior Registrar that there is a prima facie case to be considered, it shall be referred to an Appeal Board. The College Principal shall appoint an Appeal Board which will consist of three persons, at least one of whom shall not be a member of the College's employed staff. This shall normally happen within twenty working days of receipt of the appeal.

12. 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. 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. 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. The appellant and any accompanying person will be permitted to speak and to question any persons giving oral evidence to the Panel.

13. The Director of Studies and the Senior Registrar shall be invited to attend the hearing and, at the invitation of the Appeal Board, to contribute to it. Neither the Director of Studies nor the Senior Registrar shall be a voting member of the Appeal Board.

14. The Appeal Board shall base its decision on the evidence of the appellant's submission and the testimony of any relevant contributors e.g. the Director of Studies, 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.

15. The decision of the Appeal Board shall be provided via a written progress report by its Chair as soon as possible to the appellant, the Director of Studies, the Senior Registrar and the Registry Team.

16. The Appeal Board can take the following decisions:

- that the appeal be rejected and no further action be taken
- that the matter be referred back to the Examination Board
- that the appellant be remunerated for any reasonable costs incurred in the appeals procedure

17. If the appeal is rejected and this procedure has been completed, the candidate can request a review of their appeal to the Registrar, Secretary and COO of the University of Manchester. See the Appendix below.

18. 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 - shall be sent by the Chair of the Appeal Board to the Director of Studies for consideration by the Examination Board. The Examination Board shall 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 shall be reported back to the Appeal Board and shall be final.

19. 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 Director of Studies shall arrange for the University of Manchester to publish any supplementary pass-list which may be necessary. The Registry Team shall inform the appellant in writing of the decision of the Examination Board, and of the reasons for the decision.

20. 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 shall be amended. In such cases, the University of Manchester shall be asked to issue a replacement certificate upon the return by the candidate of the original certificate.

The Appeal Board may make recommendations for consideration by the Director of Studies, the Academic Board or the College's Leadership Team as appropriate on any matter arising from the consideration of appeals.

21. In a case where an appeal is raised by a group of students who believe that they have been treated unfairly regarding the same issue, they will appoint a lead representative from among their number as the point of contact with the College.

22. At all points of the above procedure due care must be given to issues of data protection.

23. 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.

Appendix to 4.10: 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]

Document control box			
Title	Appeals and Verification Procedure		
Date approved	Jan 2016	Implementation date	Jan 2016
Reviewed			
Next review date	Jan 2017		
Version	2015-16	Supersedes version	2014-15
Approving body	Leadership Team		
Quality Code consulted	B9		
Member of staff responsible	Director of Studies		