

Section 17B

Nottingham Trent University

Quality Handbook

Part E: Regulations

**Section 17B: Academic
Appeals Policy and Process**

Section 17B

Contents

POLICY	2
1. Definitions	2
2. Scope and Coverage	2
3. Responsibilities	3
4. General Principles.....	4
5. Key stages of the Academic Appeals Process.....	6
REQUEST FOR RECONSIDERATION	7
6. Permitted Grounds for a Request for Reconsideration.....	7
7. Request for Reconsideration Process	8
ACADEMIC APPEAL	9
8. Decisions for Appeal	9
9. Permitted Grounds for an Academic Appeal	10
10. Submitting an Academic Appeal	10
11. Academic Appeal Process Part I.....	10
12. Academic Appeal Process Part II (Academic Appeal Hearing)	11
PROGRAMMES OPERATED UNDER COLLABORATION AND PARTNERSHIP ARRANGEMENTS	13
13. Collaboration and partnership arrangements.....	13
THE OFFICE OF THE INDEPENDENT ADJUDICATOR (“OIA”).....	13
14. Conclusion of the University’s Internal Procedures	14
APPENDIX 1: CIRCUMSTANCES AND EVIDENCE.....	15
APPENDIX 2 – STANDARDS OF EVIDENCE	20
APPENDIX 3 – ACADEMIC APPEALS WORKFLOW	21
APPENDIX 4 – CONDUCT OF THE ACADEMIC APPEALS HEARING.....	22
APPENDIX 5 – THE ACADEMIC APPEALS COMMITTEE	24

Section 17B

POLICY

1. Definitions

The “Centre” means the institution where a student is studying for an award of Nottingham Trent University under the University’s collaboration and partnership arrangements.

“R4R” means Request for Reconsideration defined at Section 5 of this Process.

“RP” means the Reconsideration Panel defined at Section 5 of this Process.

“Working days” means University working days during the working week from Monday to Friday, excluding weekends, UK Bank Holidays and all University closure days (e.g. Christmas vacation, Easter).

2. Scope and Coverage

- 2.1 This Academic Appeals Process (“this Process”) allows a student to appeal against the decision of a Board of Examiners. It is a formal request for the reconsideration of an academic result.
- 2.2 Disagreement with the academic judgement of a Board of Examiners’ decision does not in itself constitute a reason to appeal. Academic judgement is a judgement that is made about a matter where only the opinion of an academic expert will suffice. For example, a judgement about assessment or degree classification or a judgement about a decision where a student is required to repeat or take further assessment will usually be academic judgement, and a student cannot appeal simply because they believe they ought to have received a higher grade or mark. An Academic Appeal can be made in relation to fairness of procedures or facts of a case; however, the student’s academic performance must have been materially affected.
- 2.3 This Process applies to all students of the University except Research Degree students (i.e. those students pursuing MPhil, PhD, or Professional Doctorate degrees) for whom a separate procedure applies (please see Quality Handbook Section 17F: Research Degrees Appeals). Students studying for a Nottingham Trent University award at another institution under the University’s collaborative and partnership arrangements or validation services are referred to Section 13 of this process.

Separate procedures and frameworks also exist for the following:

- a. Notification of Extenuating Circumstances Policy and Process (QH Section 17A): enables students to request a coursework extension or next opportunity assessment attempt;
- b. Academic Irregularities (QH Section 17C): enables the University to address academic misconduct;
- c. Student Complaints Procedure (QH Section 17E): enables students to raise concerns about the learning experience;
- d. Student Code of Behaviour: enables the University to address disciplinary issues.

17B

Section

- 2.4 This Process enables students to request a review of a decision ratified by the Board of Examiners. This Process should not be used where students wish to report dissatisfaction about teaching-related or service-related provision, which should be dealt with under the University's Complaints Procedure for Students (see QH Section 17E).
- 2.5 The University will ensure that students with protected characteristics, as defined under the Equality Act 2010, are treated fairly and without discrimination.
- 2.6 Students appealing in good faith will not be disadvantaged as a result of making a submission under this Process.

3. Responsibilities

Student Responsibilities

- 3.1 Students are responsible for ensuring that they:
 - a. read and understand this Process and the [Common Assessment Regulations](#) (Quality Handbook Sections 16A-D), and seek guidance from their School as required;
 - b. disclose, in line with the University's Notification of Extenuating Circumstances Policy and Process and the Academic Appeals Policy and Process, any extenuating circumstances they would like taken into consideration where their academic performance has been compromised;
 - c. submit requests through the [online Appeals Portal](#) along with all appropriate documentary evidence;
 - d. clearly indicate which modules and related assessments have been affected;
 - e. provide documentary evidence which meets the standard of evidence required by the University (see Appendix 1);
 - f. maintain up-to-date contact details with the University.

School Responsibilities

- 3.2 Schools are responsible for ensuring that:
 - a. all students are aware of this Process. At a minimum, Schools are expected to include information in the School and / or Course Handbook; and to include this information in induction sessions for new students and similar sessions for returning students. Schools should keep records of this information and these reminders;
 - b. all students are made aware of the primary contacts for seeking advice on this Process within each School. These contacts should be clearly stated in each School / Course Handbook. These may be course team members and / or School administration teams;
 - c. deans nominate one or more individuals for the role of 'School Champion' for this Process, who will act as a key contact for promoting this Process and related best practice to staff within their School;
 - d. School procedures enable rapid responses to students;

17B

Section

- e. the relevant course team and administrative team in the partner School(s) are notified of decisions concerning students on courses which are delivered collaboratively with another academic School;
- f. a record is retained on individual student files of advice provided by Schools to individual students and of referrals to the University's Student Support Services on individual students' files.

4. General Principles

Fairness

- 4.1 All reasonable efforts have been made in the design of this Process to ensure it embodies the principles of fairness. The principles of fairness include:
- a. giving reasons for actions taken and decisions made by the University;
 - b. avoiding potential bias by ensuring independent consideration at each stage of the process;
 - c. operating reasonable timescales for both submissions to and responses from the University;
 - d. providing an opportunity for both the student and the University to be equally heard and have equal access to documentation where matters proceed to a hearing.
- 4.2 It is not the policy of the University to adjust marks, grades or degree classifications where a submission by a student is upheld at any stage of this Process (unless correcting marks entered in error), but to provide circumstances in which a student can demonstrate their academic ability unhindered.

Informal Resolution

- 4.3 Once a student has received their results they may wish to make contact with their Course Leader or Subject Administrator to discuss their results in person. In cases where a simple error has been made, it may be most expedient to resolve this immediately via Board of Examiners Chair's Action, without the need to invoke this Process. If it is not possible to resolve the matter informally, the student may submit a Request for Reconsideration (as described at 5 below).

Advice

- 4.4 Students are advised to contact the Independent Advice Service of Nottingham Trent Students' Union (NTSU); details of their services are available at the following link <http://www.trentstudents.org>. In addition, students may also seek advice from academic members of staff at the University.

Third Party Representation

- 4.5 A third party, including a parent, guardian or spouse, cannot submit an NEC form on a student's behalf unless written consent is received from the student. Where consent is provided to and accepted by the University, all communications relating to this process will be made through the nominated individual only.
- 4.6 If an appeal is made under this Process by a student who is under the age of 18 (a 'minor') at the time the submission is received, the University will notify the parent or guardian of the student in writing and keep them informed of the progress. The

17B

Section

University will permit the parent or guardian of the student to act on the student's behalf during the process, provided the student has given the University prior written consent.

Transfer to other procedures of the University

- 4.7 Where, on receipt and subsequent investigation of an appeal, it appears to the University that the matter can, in the interests of the student, be better dealt with via the University's Student Complaints Procedure, it will be transferred to that procedure and the student will be informed of the transfer. Where only a part of the matters raised within an appeal are transferred to the Complaints Procedure for Students, the appeal will be put on hold pending the outcome of the complaint investigation. The student will be informed and made aware of the change in time limits for dealing with the appeal.
- 4.8 If the student submits a complaint and an appeal, the complaint will be investigated first and the appeal put on hold pending the outcome of the complaint investigation.

Confidentiality

- 4.9 Information provided by students under this Process will be treated confidentially. It will only be shared with those persons necessary to progress the application or help support a satisfactory outcome in the student's School.

Evidence

- 4.10 Submission of an Academic Appeal in the online Appeals Portal under this Process is not evidence. The student needs to be able to substantiate their own case with independent documentary evidence (i.e. something which is not their assertion alone). Scanned copies of original documents will be accepted for upload to the portal. However, original hard copies may be requested at any time; therefore, the student should ensure they retain the original hard copy evidence (e.g. a doctor's note). If the student has difficulty with this, they should immediately contact their Subject or Course Administrator with regard to a Request for Reconsideration or the Academic Registrar or nominee with regard to an Academic Appeal.
- 4.11 Appendix 1 gives examples of acceptable circumstances for consideration of either an R4R or Academic Appeal and examples of associated evidence that is normally required. The University considers each application for R4R or Academic Appeal on its own merits, as an individual case, and according to the relevant Process. The examples below are indicative. Students should seek guidance from their School Office about the type of evidence required in their particular circumstances in case of doubt. For standards of evidence required, please see Appendix 2.
- 4.12 Where the relevant Appeal is submitted online within the required timescales, it is expected that the supporting evidence will be submitted at the same time. In the event that the student cannot do this, the student must indicate the type of evidence they intend to submit and the reason why it cannot be submitted at the time with an indication of when the evidence will be submitted.
- 4.13 Acceptance of submissions without evidence, or indication of evidence (as appropriate) is at the discretion of the Reconsideration Panel ("RP") or the Academic Registrar who will make a decision (or appoint a designated officer to make a decision) on such submissions and notify the student accordingly. This decision is final.

17B

Section

- 4.14 Where a Request for Reconsideration and/or Appeal is submitted on grounds of the student having new material information which could not have previously been made available for consideration by the NECC, NECP, Board of Examiners or RP, the student must ensure that the evidence:
- is genuinely new (i.e. it has not been considered in any form in any of the previous stages of the process);
 - is material to the original appeal (i.e., significant and relevant);
 - could not have been presented at an earlier stage in the appeals process for reasons beyond the student's control.

Responsibility and Authority

- 4.15 This Process refers to aspects of the structure and staffing of the University and recognises that there may be some variation in structures and nomenclature across Schools and departments. It is therefore implicit that those of appropriate seniority and experience will operate this Process at the appropriate equivalent level throughout the structure of the University. Similarly, where mention is made in this Process of action by the holders of specific posts, it is implicit that this activity may be delegated to an appropriate nominee, having sufficient experience and skill and being sufficiently senior to act on behalf of the designated post holder.

Timescales

- 4.16 The University considers that students will normally be able to meet the timescales in communicating with the University, including by electronic means, unless affected by circumstances beyond their reasonable control.
- 4.17 The University will reasonably endeavour to comply with the timescales prescribed within this Process. Where the University is unable to do so it will notify the student of any adjusted timescale or deadline.

5. Key stages of the Academic Appeals Process

- 5.1 There are two stages to the Academic Appeals Process:

- Request for Reconsideration ("R4R")

A student may submit an R4R where they seek to appeal against the decision of a Board of Examiners. Such a submission must be made within the permitted grounds set out in Section 6 below; and

- Academic Appeal

A student may submit an Academic Appeal where they seek to appeal against the original decision of a Board of Examiners and the subsequent outcome of the Request for Reconsideration. Such a submission must be made within the permitted grounds set out in Section 7 below.

- 5.2 The following are matters which cannot constitute grounds for either an R4R or an Academic Appeal and will not be eligible for consideration (please also see the tables set out in Appendix 1 for more detailed guidance):

- disagreement with the academic judgement of the Board of Examiners as detailed in paragraph 2.2 earlier in this Process;

Section 17B

- b. claims that academic performance was adversely affected where there is no contemporaneous, independent, medical or other evidence to support the application;
- c. frivolous, vexatious or mischievous appeals.

5.3 A frivolous or vexatious appeal may be:

- a. designed to cause disruption or annoyance, possibly through demands for redress which lack any serious purpose or value or are otherwise unmeritorious; and/or
- b. pursued in an obsessive, persistent, harassing or otherwise unreasonable way.

The University is sensitive to the fact that if a student raises the same or similar issues repeatedly despite receiving a full response, there may be underlying reasons for this persistence.

Deciding whether a request is frivolous or vexatious is a balancing exercise, taking into account all the circumstances of a case.

In dealing with the unreasonably persistent behaviour of a student, the University will have recourse to the [Student Code of Behaviour](#).

REQUEST FOR RECONSIDERATION

6. Permitted Grounds for a Request for Reconsideration

- 6.1 Following the publication of a student's results after a Board of Examiners meeting, a student may request a reconsideration of the decision of a Board of Examiners on the following grounds only:
 - a. the student believes that there has been a material error or irregularity in the assessment process or one or more of the constituent parts which have made up a student's final outcome are incorrect;
 - b. the student has additional material information which could not have previously been made available through the Notification of Extenuating Circumstances (NEC) Process or to the Board of Examiners (previously undisclosed extenuating circumstances).
- 6.2 An R4R must be submitted in writing via the online Appeals Portal. An R4R must be submitted no later than **ten working days** from the published date of electronic posting of the student's results and must demonstrate that it meets one or both of the permitted grounds for appeal. Where a student is unable to meet this timescale, they must explain in their R4R application why the submission is late and provide appropriate evidence to corroborate their explanation. The Reconsideration Panel ("RP") will then decide, on the basis of the explanation and evidence, whether to accept the R4R application for consideration.

17B

Section

- 6.3 The RP must first decide whether the late submission is justified; it should do so by assessing the explanation and evidence for the delay (and not the evidence or lack of evidence with the R4R application itself). Only if the R4R is accepted for consideration will it be reviewed according to the process in section 7; the RP will then decide whether the application itself is substantiated.

Final Year Awards

- 6.4 A student with a Request for Reconsideration or Academic Appeal under investigation (an “open” R4R or appeal) cannot attend a graduation ceremony until the appeals process is complete and the final award classification has been determined. Once this process is complete the student will be invited to attend the next available graduation ceremony. The Academic Registrar or their nominee will decide what constitutes the next available graduation ceremony.
- 6.5 If a student attends a graduation ceremony before the appeals process is complete, the University will take the view that the student has accepted their award as it stands at that time and conclude that the student has withdrawn their R4R or appeal. Graduation attendance will also preclude the student from making further submissions under the Academic Appeals Process.
- 6.6 Schools must inform the Academic Registry of students with open R4Rs who have been invited to attend a graduation ceremony.

7. Request for Reconsideration Process

- 7.1 A student who has submitted an R4R will receive an acknowledgement confirming receipt of the R4R submission.
- 7.2 An R4R will be considered by a Reconsideration Panel (“RP”) which shall consist of three appropriate and independent academics (i.e. academics not part of the Notification of Extenuating Circumstances (NEC) process and not members of the relevant Board of Examiners or course team). The RP membership will be determined by the Dean or Deputy Dean of the School.
- 7.3 For practical purposes, the RP may be either a physical meeting or virtual meeting.
- 7.4 The RP will determine whether the R4R submission:
- is made on the permitted grounds; and
 - appears to be substantiated by the evidence provided.
- 7.5 The RP **may** consult with the Course Leader, the Chair of the Board of Examiners, the Notification of Extenuating Circumstances Panel (NECP) and any other relevant persons where the RP believes that it is appropriate to do so.
- 7.6 The decision of the RP, including reasons for that decision, will be communicated to the student (with a copy being provided to the Course Leader) within **25 working days** of receipt of the R4R and supporting evidence. This time period will include any referral and subsequent decision of a Board of Examiners. Schools are therefore required to manage this timeframe locally. (Please see note at 6.5 above pertaining to Final Year Awards and requirement to notify Academic Registry.)
- 7.7 The decision of the RP may include, but is not limited to, one of the following:
- the submission is deemed not to have been made on one or more of the permitted grounds;

17B

Section

- b. the submission is not deemed to be substantiated by the evidence presented;
or
 - c. the submission is deemed to be substantiated.
- 7.8 Where the RP identifies an error in the recording of a mark, the RP will report the matter to the student and to the Chair of the Board of Examiners (the "Chair"). The Chair will arrange for the error to be corrected and for the student to receive a correct report of their achievement, within **five working days** of the decision of the RP being sent to the student.
- 7.9 If the RP deems an R4R submission to be substantiated and deems it to have affected the final degree classification of a student, the Chair of the Board of Examiners will either take Chair's Action in consultation with the (Chief) External Examiner to change the classification, or, where appropriate, convene an exceptional meeting of the Board of Examiners to reconsider the case. The Chair of the Board of Examiners will inform the student of the action that the University intends to take. This action must be taken within 25 working days as stated in 7.6 above.
- 7.10 The appropriate School / Course Administrator(s) will be informed of the outcomes and record these on the student's file.
- 7.11 Where a student provides evidence with an R4R submission where they believe that such evidence was previously unavailable for disclosure through the NEC Process or otherwise, and the RP deems the submission substantiated, the RP will report their findings in writing to the Chair of the Board of Examiners and inform the student of their decision. The Chair of the Board of Examiners shall have discretion either to take Chair's Action and amend the Board of Examiners' original decision or convene an exceptional meeting of the Board of Examiners to reconsider the case. The Chair of the Board of Examiners will inform the student of the action that the University intends to take.
- 7.12 Any such determination that the Board of Examiners should reconsider its original decision does not guarantee a change to that decision.
- 7.13 Both the action of the RP and the Board of Examiners must be taken within 25 working days from submission of the R4R as stated in 7.6 above.

ACADEMIC APPEAL

8. Decisions for Appeal

- 8.1 A student who wishes to submit an appeal against the original decision of the Board of Examiners and subsequent decision of the RP may appeal against:
- a. the decision of the RP to reject the Request for Reconsideration;
or
 - b. the decision of the Board of Examiners, either through Chair's Action or a reconvened meeting, following referral by the RP.
- 8.2 A student may not submit an Academic Appeal until after receipt of the decision of the Board of Examiners and receipt of the decision of the RP. A student may not appeal against the original decision of the Board of Examiners without first making a Request for Reconsideration under Sections 6 and 7 above.

Section 17B

9. Permitted Grounds for an Academic Appeal

- 9.1 An Academic Appeal may **only** be made on one (or both) of the following grounds:
- that the University failed materially to follow its procedures at an earlier stage within this Process;
 - that the student now has material new information which could not have previously been made available for consideration by the NECC, NECP, Board of Examiners or RP.
- 9.2 Please refer to Appendix 1 for guidance on matters / circumstances which may / may not be acceptable under the above grounds for appeal.

10. Submitting an Academic Appeal

- 10.1 An Academic Appeal must be submitted in writing via the online Appeals Portal. Appeals must be submitted no later than **ten working days** from the date of last communication from the University in relation to the R4R, that is, the decision of the RP or, if the R4R has been referred to the Board of Examiners, the decision of the Board of Examiners, whichever is the most recent, to the last address given on the student's file.
- 10.2 Where a student is unable to meet this timescale, they may seek an extension to the timescale from the Academic Registrar or nominee. Such an extension will only be agreed if the Academic Registrar or nominee is satisfied with the reasons for the extension provided by the student. Non-agreed late submissions will be rejected as being out of time. In exceptional circumstances the Academic Registrar or nominee has the discretion to accept late submissions where the student has shown serious and valid reasons for the late submission and the failure to seek an extension earlier.
- 10.3 The Academic Appeal **must** be accompanied by copies of all relevant documentation and evidence, including copies of all documentation submitted for consideration through the NEC process (where applicable), and in support of the R4R, together with a copy of the RP's decision(s). Where a student submits an Academic Appeal on ground (a), the student must indicate where they believe the University has failed materially to follow its procedures and provide evidence. Where a student submits an Academic Appeal on ground (b) the submission should not be a repeat of the R4R submission; it must include relevant new material information which could not have previously been made available for consideration at an earlier stage in the process.
- 10.4 The relevant School Administration Manager will be informed of the Academic Appeal by the Academic Registrar or nominee and will be provided with a copy of the student's submission.

11. Academic Appeal Process Part I

- 11.1 The Academic Registrar or nominee will acknowledge an Academic Appeal within **five working days** of receipt.

Section 17B

- 11.2 Within **25 working days** of receipt the Academic Registrar or nominee will decide whether the Academic Appeal falls within the permitted grounds and will communicate this decision and the reasons for it in writing to the student.
- 11.3 The Academic Registrar or nominee may consult appropriately during the investigation, including with the Chair of the University's Academic Appeals Committee.
- 11.4 If the Academic Registrar or nominee requires further information or evidence from the student they will give the student **ten working days** to provide it during which time the Academic Appeal will be put on hold. In this instance the investigation will resume from the receipt of additional information or evidence from the student and the days during which the Academic Appeal was on hold will not count towards the 25 working days timescale.
- 11.5 If the Academic Registrar or nominee decides that the Academic Appeal has not been made on any of the permitted grounds, this decision is final and there is no further right of appeal within the University's Academic Appeals Policy and Process.
- 11.6 If the Academic Registrar or nominee considers that the Academic Appeal is submitted within the permitted grounds, they will either:
- refer the submission back to the relevant School for further consideration and action and inform the student of the decision and actions;
 - or
 - convene an Appeal Hearing. (A decision to convene an Appeal Hearing will be taken or approved by the Academic Registrar.)
- 11.7 Where an Academic Appeal has been referred back to the relevant School for further consideration and action, and the outcome is that the appeal is upheld, the Chair of the Board of Examiners shall have discretion to take Chair's Action and amend the Board of Examiners' original decision (where appropriate).
- 11.8 Where the Academic Appeal has been referred back to the School and a final decision reached by the Chair of the Board of Examiners, the School will communicate the outcome to the student and Academic Registrar within **ten working days** of the referral.
- 11.9 Whether an Academic Appeal has been upheld or not upheld, the Academic Registrar or nominee shall provide the student with a Completion of Procedures Letter.
- 11.10 Where the Academic Registrar decides to convene an Academic Appeal Panel, an Academic Appeal Hearing will take place within **30 working days** of the date of the decision. The student and the relevant School will be provided with detailed guidance on the Appeal Hearing Procedure by the Academic Registrar or nominee.

12. Academic Appeal Process Part II (Academic Appeal Hearing)

- 12.1 The Appeal will be considered by a panel of five members ("Academic Appeal Panel"). Academic Appeal Panel membership will be decided by the Chair of the Academic Appeals Committee with advice from the Academic Registrar and will normally comprise:

Section 17B

- a. the Chair or Vice-Chair of the Academic Appeals Committee (“AAC”) (the “Chair”);
 - b. a representative of Nottingham Trent Students’ Union (NTSU);
 - c. at least two other AAC members who must be from Schools not connected with the student.
- 12.2 The Chair may also request the presence of a further person who is not an AAC member for the sole purpose of providing appropriate advice to the Panel. That “adviser” may not participate in the discussions of the Panel nor are they entitled to vote in any decision.
- 12.3 The Academic Registrar or nominee will act as Secretary to the Panel and will appoint a servicing officer to clerk the Hearing.
- 12.4 A decision may be reached by a majority vote.
- 12.5 The Academic Registrar or nominee will ensure that the student and the Panel are sent an invitation and all appropriate information at least **ten working days** before the date of the Academic Appeal Hearing.
- 12.6 The student is entitled to submit additional relevant documentary evidence or a statement in support of their Academic Appeal. The student must submit any such evidence or documentation at least **five working days** before the date of the Academic Appeal Hearing. Late evidence may be submitted only with the consent of the Chair.
- 12.7 Final evidence will be circulated to the student and the Academic Appeal Panel **four working days** before the date of the Academic Appeal Hearing.
- 12.8 If the student is unable to attend the Academic Appeal Hearing, the Chair may take the decision to proceed with the student *in absentia* and on the information already supplied to the Academic Appeal Panel. If a documented acceptable reason for absence is received the Appeal Hearing date may be re-arranged, at the discretion of the Chair.
- 12.9 The student is entitled to be accompanied to the Academic Appeal Hearing by one other person. This person may be a friend, partner, parent, Students’ Union representative or any other person not acting in a legal capacity. The University does not permit students to be legally represented at Academic Appeal Hearings except in exceptional circumstances. For the avoidance of doubt, the definition of exceptional circumstances in this context is a matter for determination by the University. The student must inform the Academic Registrar or nominee of the name and capacity of any person accompanying them to the Appeal Hearing at least **four working days** before the date of the Academic Appeal Hearing.
- 12.10 The Panel may reach any of the following three decisions:
- a. the Academic Appeal is rejected;
 - or
 - b. the Academic Appeal is upheld and the Board of Examiners will be asked to reconvene to reconsider its decision along with any additional recommendation made by the Panel;
 - or

Section 17B

- c. there is evidence which raises doubts about the competence of, or the standards and / or procedures applied by, the Board of Examiners. In such cases, the Panel will submit a recommendation to the Academic Board recommending, following advice from competent examiners, that the Academic Board annul the original decision of the Board of Examiners, substituting it with a decision of its own and request that the Academic Board authorise a full and proper investigation into the conduct of the Board of Examiners.
- 12.11 The Academic Appeal Hearing shall follow the procedure outlined in Appendix 4.
- 12.12 The Secretary to the Panel will notify the student and their School of the Panel's decision, with reasons, within **five working days** of the date of the Academic Appeal Hearing.
- 12.13 The outcome of an Academic Appeal Hearing will be recorded on the student's' file and will only be shared with those persons necessary to progress the outcome of the Academic Appeal Hearing or help support a satisfactory outcome within the student's School.
- 12.14 Notes of the Academic Appeal Hearing will be produced and circulated to Panel members only.
- 12.15 If the Board of Examiners is required to be reconvened, it will meet within **30 working days** of the decision of the Academic Appeal Panel.
- 12.16 The decision of the Academic Appeal Panel and any associated decision by the Board of Examiners shall be final. There is no further right of appeal against these decisions.

PROGRAMMES OPERATED UNDER COLLABORATION AND PARTNERSHIP ARRANGEMENTS

13. Collaboration and partnership arrangements

13.1 School-based collaborative provision

Submissions of Notifications of Extenuating Circumstances, Requests for Reconsideration or Academic Appeals should be made to the University via the Centre.

13.2 Validated Centre collaborative provision

Collaborative partners awarded Validation Centre status are required to develop and operate their own procedures for dealing with Academic Appeals. Students do not have the right to approach the University until all local procedures have been exhausted. The University's role in reviewing any Academic Appeal application is to ensure that the Centre has followed its own procedures correctly.

THE OFFICE OF THE INDEPENDENT ADJUDICATOR ("OIA")

Section 17B

14. Conclusion of the University's Internal Procedures

14.1 At the conclusion of the University's internal procedures connected with this Process, the student will be issued with a letter in the manner prescribed by the OIA:

- a. If the Academic Appeal is not upheld, a Completion of Procedures Letter will be sent to the student.
- b. If the is upheld or partially upheld, an outcome letter will be sent to the student. A Completion of Procedures Letter will be provided upon request by the student.

17B

Section

APPENDIX 1: CIRCUMSTANCES AND EVIDENCE

The following table provides guidance on circumstances and supporting evidence for the submission of R4Rs and Academic Appeals. This list is **not** exhaustive and students are strongly advised to seek guidance from their School Office.

Please see Appendix 2 for standards of evidence.

Circumstances	Examples of Required Evidence	Guidance
Short term illness or injury (7 days or less)	<p>Self-certification is accepted for short term illness or injury of 7 days or less.</p> <p>PLEASE NOTE: Letters from doctors stating that the student informed them that they were unwell at a point in the past and which do not make a medical diagnosis will not be accepted.</p>	<p>This may include sudden deterioration in a long standing medical condition or disability for which the student has individual requirements in place.</p> <p>Minor illnesses such as colds, sore throats, headaches, digestive problems etc. would not normally be acceptable grounds for Extenuating Circumstances. However, it is recognised that there may be situations where this guidance may not apply, such as specific laboratories used by the School of Science and Technology where students are not permitted to enter if they are unwell.</p>
Illness, Injury (more than 7 days)	<p>An original medical certificate which must be a confirmed diagnosis by a registered doctor and be specific about the nature of the illness and the likely impact it has had upon the student.</p> <p>PLEASE NOTE: Letters from doctors stating that the student informed them that they were unwell at a point in the past and which do not make a medical diagnosis will not be accepted.</p>	<p>This may include sudden deterioration in a long standing medical condition or disability for which the student has Individual Requirements in place.</p> <p>Minor illnesses such as colds, sore throats, headaches, digestive problems etc. would not normally be accepted.</p>

Section 17B

Hospitalisation	An original medical certificate / letter from the relevant hospital confirming the nature and severity of the circumstances, and time period of hospitalisation. It would be helpful if this letter could also confirm the likely period of impact on the student's ability to undertake formal assessment and / or study.	
Acute personal / emotional circumstances (more than 7 days)	An original medical certificate / letter from an appropriate medical professional or counsellor.	
Serious illness or death of an immediate family member or close friend	An original medical certificate / letter from an appropriate medical professional or a copy of a death certificate or a letter from the family doctor or a Coroner's Report. This may be accompanied, if necessary, by formal documentation confirming relationship with the deceased.	
Funeral (not covered by circumstances above)	A letter or note confirming the date of the funeral, or a copy of a funeral service.	
Crime victim	Crime report and number.	Where the impact of the crime has resulted in the student suffering serious injury, illness or hospitalisation lasting more than 7 days, or has required other support (for example, counselling or other mental health or wellbeing support), then the extenuating circumstances may fall within one of the other categories in this table.
Legal proceedings	Documentary evidence from the court or a solicitor.	
Jury Service	Documentary evidence from the court.	
A material administrative error or a mistake / irregularity in the conduct of an assessment event or outcome	Appropriate documentary evidence such as a copy of an email which raises or reports issues to a member of the School, or an Invigilator's Report.	In circumstances where a student has raised an issue in, for example, an examination (such as other students being disruptive or illness), then the student affected should ensure that they raise the issues with

Section 17B

		the invigilator during or immediately after the examination so the issue(s) can be recorded.
Other significant circumstances	Appropriate documentary evidence.	This list of circumstances is not exhaustive. The University accepts that other circumstances may arise which are not detailed in this policy. In such cases, students should submit their R4R or Academic Appeal, providing specific facts and with appropriate supporting evidence.

The following table gives examples of matters that would **not** normally be accepted for consideration in an R4R or Academic Appeal, in line with circumstances which are not considered extenuating under the Notification of Extenuating Circumstances Policy and Process. This list is **not** exhaustive and students are advised to seek guidance from their School Office.

Circumstances	Guidance
Failure to read the examination timetable or assessment deadlines or assessment requirements properly	Students are responsible for ensuring they read and understand examination timetables, assessment deadlines and assessment requirements, seeking clarification as appropriate.
Pressure of work associated with assessment preparation and / or exam stress	Many students experience a degree of pressure and / or anxiety before and during assessments. These circumstances are not considered extenuating unless a medical diagnosis of illness has been made and evidence can be provided. Where a medical diagnosis has been made, the student can submit a Notification of Extenuating Circumstances application with appropriate evidence.
Deactivation as a result of non-payment of debt	An R4R or Academic Appeal application will not be considered where a student has lost access to their student account and other University facilities following the deactivation of their student record due to outstanding debts to the University.
Minor illnesses (e.g. coughs, colds, sore throats etc.)	
Self-induced conditions (e.g. hangovers)	

Section 17B

Religious festivals	The University respects the rights and religious views of its students and will make every attempt to schedule exams avoiding any holy days, but this is not always possible. However, there is already provision in place for students to email the Academic Registry and their School with any individual circumstances prior to the published deadlines (please refer to the Student Exam Guide). Religious festivals do not therefore constitute extenuating circumstances or grounds for an R4R or Academic Appeal.
Personal disruptions which could have been anticipated (e.g. holidays)	Students are expected to plan around assessment dates and deadlines. The University publishes the examination period dates in advance on the Term Dates Calendar . They are also published in more detail on the Student Exam Guide . Students can view their personal examination timetable in NOW.
Accommodation disturbances (e.g. moving house, housemate disturbances)	Accommodation disturbances do not generally constitute extenuating circumstances or grounds for an R4R or Academic Appeal.
Transport issues	Students are expected to plan their travel, including contingency time for moderate delays, to ensure timely arrival at the assessment venue (20 minutes before the published exam start time). However, significant, unavoidable delays or cancellations may constitute grounds for an R4R or Academic Appeal.
IT and/or computer failure / and/or failure to save work properly	Students are responsible for saving and backing up all electronic work. Loss or corruption of files or failure to save work properly do not constitute grounds for an R4R or Academic Appeal.
Scheduling of assessments and deadlines	Deadlines and examinations scheduled close together are unlikely to constitute grounds for an R4R or Academic Appeal. Examination period dates are published in advance on the Term Dates Calendar . They are also published in more detail on the Student Exam Guide . Students can view their personal examination timetables in NOW.

Section 17B

<p>Being reluctant to disclose the circumstances for any reason (e.g. describing oneself as 'a private person' as a reason for non-disclosure).</p>	<p>The University can only consider circumstances if they are disclosed in accordance with the Notification of Extenuating Circumstances Policy and Process and the Academic Appeals Policy and Process.</p> <p>The University recognises there may be circumstances which students are unwilling to disclose online due to the highly sensitive nature of the circumstances. In such cases, it is important that the student discloses these circumstances to the NECC or RP and that a confidential written record of any discussion is retained on the student's file for reference (rather than the online system) should it be required in a Request for Reconsideration or Academic Appeal.</p> <p>PLEASE NOTE: where students fail to notify the University of circumstances which may impede their academic performance, they must be aware that this non-disclosure may affect any future application for Request for Reconsideration or Academic Appeal if the University deems that the late disclosure and the evidence provided could have previously been made available to the NECC, NECP, Board of Examiners or Reconsideration Panel.</p>
<p>Criminal Conviction</p>	<p>Investigation of a criminal offence or subsequent sentence does not constitute extenuating circumstances or grounds for an R4R or Academic Appeal. Court proceedings dates are often known well in advance, and it is expected that students involved in such proceedings plan their studies around relevant dates, unless the student is required to attend court on the day of an examination or assessment submission deadline.</p>

17B

Section

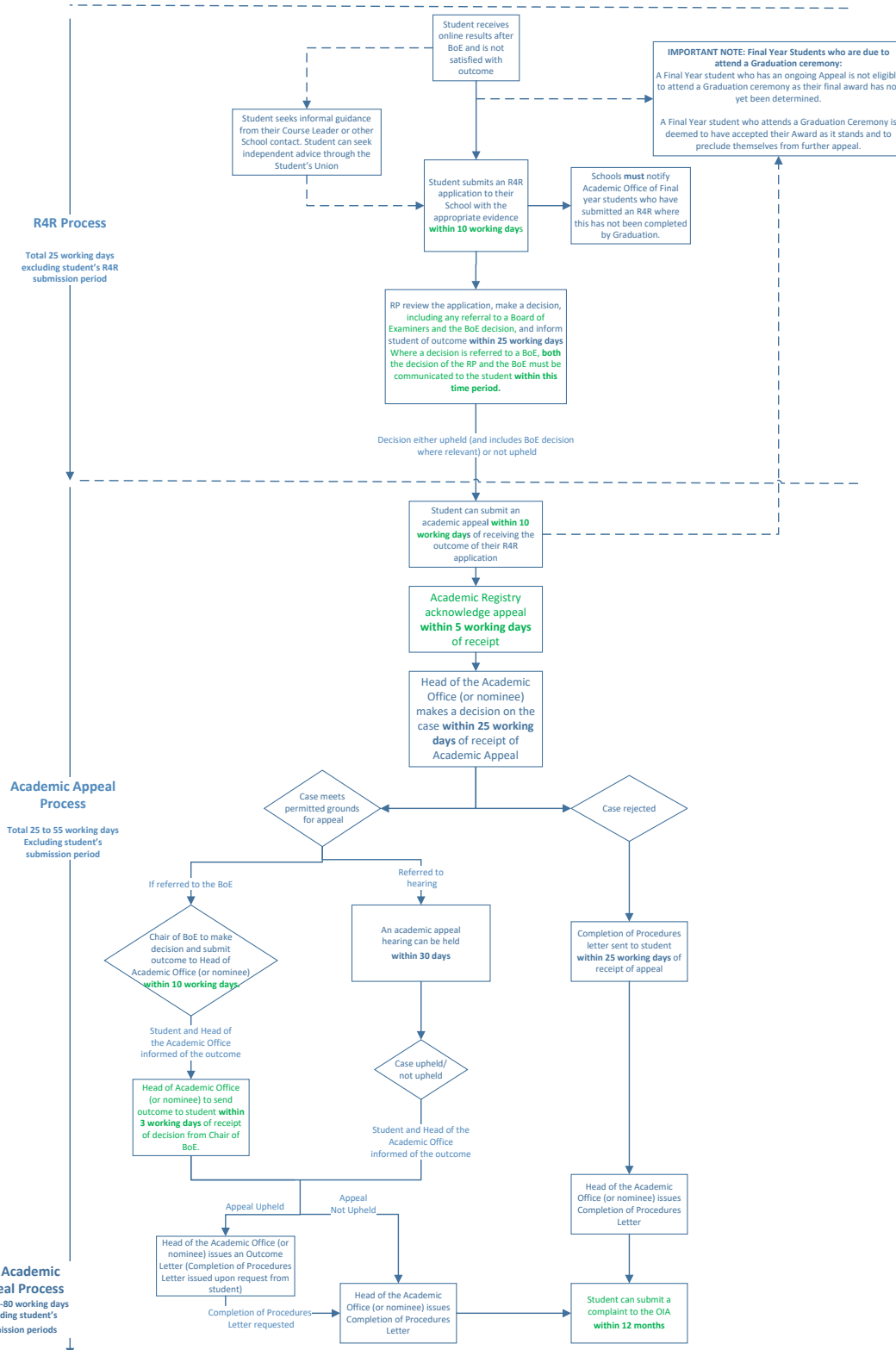
APPENDIX 2 – STANDARDS OF EVIDENCE

1. All claims made under this Process must be supported by independent reliable documentary evidence which evidences a student's inability to comply with the assessment requirements or to attend teaching or to undertake required study, except in the circumstances specifically pertaining to self-certification in the Notification of Extenuating Circumstances Policy and Process (QH Section 17A, 6.3).
2. The burden of proof lies with the student at all times.
3. The University reserves the right to take such steps as deemed necessary to verify evidence submitted without prior notification. Where the University is unable to authenticate the material to its satisfaction, the application may be unsuccessful.
4. Evidence presented to support either a Request for Reconsideration and / or Academic Appeal must meet the following standards and should be:
 - a. Written by appropriately qualified professionals who are independent of the student. These include, for example, a student's personal tutor, Halls of Residence Wardens, Student Support Service staff, as well as suitably qualified medical practitioners and other professionals;
 - b. On headed paper, and signed and dated by the author. Evidence presented by email may be acceptable if the email has been sent by the author from the official domain name of the author's organisation. Extracts of numerous emails merged into single documents are **not** acceptable as evidence;
 - c. Confirmation that the circumstances were witnessed on the relevant and not reported retrospectively (i.e. a medical note in which the date of the illness predates the date of the appointment is not acceptable evidence).
 - d. In English. It is the student's responsibility to provide supporting documentation and any translation should be undertaken by an accredited translator (e.g. be a member of the Association of Translation Companies (<http://www.atc.org.uk/en/>)).
 - e. Original. Scanned copies of original documents will be accepted for upload to the online Appeals Portal. However, original hard copies may be requested at any time.
 - f. Unaltered by the student. Documentation that has been amended for any reason will be deemed inadmissible by the University. If there is evidence that a student has fraudulently presented documentation to the University, the matter will be referred to the relevant Dean of School who will consider it under the [Student Code of Behaviour](#).

17B

Section

APPENDIX 3 – ACADEMIC APPEALS WORKFLOW



Section 17B

APPENDIX 4 – CONDUCT OF THE ACADEMIC APPEALS HEARING

Format of the Hearing

- a. Introduce those present
- b. Outline the purpose of the Hearing and stage of the Process reached
- c. Refer to documents supplied by student
- d. Student and / or representative presentation
(*approx 15 minutes/max 20 minutes*)
- e. Opportunity to question student by both Panel and School
- f. School presentation
(*approx 15 minutes/max 20 minutes*)
- g. Opportunity to question School representatives by the Panel and the Student
- h. Student and / or representative summation
- i. School summation
- j. Adjournment - Panel to consider in private
- k. Formal notification in writing circulated together with reasons, to both parties within five working days of Hearing

EVIDENCE MAY NOT BE SUBMITTED ON THE DAY OF THE HEARING

Guidance Notes for Students

- a. The presentation time limits will be strictly observed. The opportunities to ask questions at the Hearing should not be used to make statements and the Chair will ensure that this is strictly enforced.
- b. Students will be allowed to attend the Academic Appeal Hearing to present their case and may bring someone to accompany them to help them do this. The student should confirm to the Academic Registrar or nominee at least four working days before the meeting if they intend to be present and also who will be accompanying them and their status. The University will meet reasonable and proportionate incidental expenses necessarily incurred by a student whose appeal is deemed to have been upheld by the Academic Appeal Panel.
- c. Note that all documentation will be circulated to Panel Members and School representatives.

Section 17B

- d. The student may request to inspect:
 - i. their student file held in the School;
 - ii. the file of information held at the Academic Registry.
- e. Inspection must be undertaken at the University up to **15 working days** prior to the hearing. Copies of documents may be requested if relevant to the case.
- f. A student making an Academic Appeal **should not assume it will be upheld**. Pending the outcome of the appeal students must prepare to submit required referred work or to sit the referred examination.

Guidance Notes for Schools

- a. Schools must adhere to the Processes and time limits outlined in this Process.
- b. Schools will receive a copy of the Academic Appeal and will be asked to provide a copy of the student's file to the Academic Registrar or nominee. The information must be supplied within five working days of the receipt of the request within the School.
- c. The School will be required to provide to the Academic Registrar or nominee with a statement together with any evidence appropriate to the case at least 10 working days prior to the Academic Appeal Hearing.
- d. The School may request to see records kept by the Academic Registry. The Academic Registrar is not responsible for preparing the School's submission of documents to the Academic Appeal Hearing.
- e. Up to two representatives may attend the Academic Appeal Hearing to present the case for the School. The School should notify the Academic Registrar who will be attending and their status at least five working days before the date of the Hearing.

Section 17B

APPENDIX 5 – THE ACADEMIC APPEALS COMMITTEE

Terms of Reference

The Terms of Reference of the Academic Appeals Committee are as follows:

- Members to sit on Academic Appeals Panels as required;
- To ensure, as far as possible, when considering a student's Academic Appeal, that the School has conducted its investigations via the Notification of Extenuating Circumstances Panel and the Board of Examiners properly and according to the processes and procedures;
- To ensure, as far as possible, that appropriate processes and procedures have been followed by the Reconsideration Panel;
- The Chair (or the Vice-Chair as their nominee) to advise on and approve the Panel membership of each individual Academic Appeal Hearing.

Membership

Membership of the Academic Appeals Committee is determined in the following way:

- The Chair and Vice-Chair of the Academic Appeals Committee are appointed for a three-year term by nomination from the Schools' Deans and confirmed at the Academic Standards and Quality Committee.
- The Dean of each School provides the Academic Registrar or nominee with the names of at least two academic staff to serve on the Academic Appeals Committee. The nominees are not necessarily Academic Board members.
- Committee membership is for a three-year term retiring by rotation; retiring members may be re-nominated.
- Deans of School may nominate a replacement for a Committee member, if this is required during the term of office.
- Membership of the Committee is to be managed by the Academic Registrar.

Reporting

The Academic Registrar is responsible for providing a report annually to the Academic Standards and Quality Committee on the Academic Appeals Process.

Section 17B

Policy owner
Academic Registry

Change history			
<i>Version:</i>	<i>Approval date:</i>	<i>Implementation date:</i>	<i>Nature of significant revisions:</i>
Sept 2016	30.09.16	01.10.16	Routine updating
Sept 2017	12.09.17	01.10.17	Reviewed for clarity of language, no structural or policy changes Paragraph added relating to dual complaint/ appeal submissions Clarified that students have 10 working days from the published date of electronic posting of results to submit an R4R and guidance added relating to late R4R submissions
Sept 2018	12.09.18	01.10.18	Clarification of responsibilities for informing students of the outcomes of academic appeals where these have been referred back to the School for further consideration and action.

Equality Impact Assessment		
<i>Version:</i>	<i>EIA date:</i>	<i>Completed by:</i>
Sept 2015	09.02.16	CADQ
Sept 2016	01.09.16	CADQ
Sept 2017	01.09.17	Academic Registry