



## STUDENT ACADEMIC APPEALS

### Document Control

<b>Date</b>	<b>Revision/Amendment Details &amp; Reason</b>	<b>Author</b>
15 <sup>th</sup> June 2016	Senate: guidance on companions at hearings (4iii)	G. Donelan
7 <sup>th</sup> July 2016	University Council	G. Donelan

## 1) Preamble

There is a separate procedure for complaints which may be made about on-course provision and assessment. Any matters for a student's concern with regard to teaching and learning, including on-course assessment of all kinds, are therefore to be brought to the notice of the University and resolved before the meeting of any Progression or Award Board, or should be made known to the Board by the student in advance, as factors possibly affecting performance which could be taken into account (see 2a below).

### Academic Appeals

Academic Appeals cover

- (i) decisions of Award or Progression Boards, including cases of academic misconduct in which a student's studies are terminated by Chair's action before the meeting (see section 2 below)

OR

- (ii) decisions to terminate studies prior to an Award or Progression Board due to poor engagement (see section 3 below).

**All Academic Appeals are to be made in line with the following procedures.**

It is important for students to take advice at all stages from a Senior Academic Adviser or the Students' Union.

All students should familiarise themselves with the rules and regulations governing their programme of study. All such regulations are available on the Student Administration website and can be accessed via the University homepage.

## 2) Appeals against Decisions of Award & Progression Boards

### (a) Medical Evidence

It should be noted that all work will be marked on merit. The Examiners will **NOT take into account any evidence of mitigating circumstances** when recommending the mark, grade or grade point to be awarded to a student who has undertaken the relevant assessment[s].

Responsibility rests on the student, therefore, to consider carefully whether s/he is fit to undertake an assessment, bearing in mind that a student who sits an examination and/or submits coursework on the required date is deemed to be declaring that s/he is fit to be assessed.

Medical or other evidence supporting a candidate's absence from an examination or failure to submit coursework on the required date **will** be taken into account by the Award or Progression Board when determining the consequences of a student's absence from an examination or non-submission of coursework by the published submission date, **provided that** it has been presented to the Registrar's Office within three working days of the examination or coursework submission date.

(b) Grounds for Appeal

A student may give notice of appeal against the decision of an Award or Progression Board on the following grounds:

- that s/he was unable to divulge evidence of mitigating circumstances relating to non-completion of an assessment before the Award or Progression Board reached its decision;
- that there had been a material administrative error;
- that the assessments were not conducted in accordance with the current regulations;
- that some other material irregularity had occurred.

The student **may NOT appeal** on any grounds:

- which have already been considered by that Award or Progression Board; or
- which could have been considered, had notice of the student's wish to have them so considered been given prior to the meeting of the Award or Progression Board and the student having no valid reason for having failed to give such notice; or
- which arise out of teaching, learning and associated assessment issues which have been, or could have been, considered under the Complaints Procedure, the student having no valid reason for having failed to do so; or
- which merely dispute the academic judgement of members of staff, or their academic integrity or the academic judgment of the Award or Progression Board.

(c) Action Required by the Student

After the publication of the decision of the Award or Progression Board, a student who considers there are grounds for appeal, or is seeking clarification of a Body's decision, should consult with a Senior Academic Adviser, in order to make every effort to see whether the problem can be resolved through these less formal procedures.

Only when these informal stages have been exhausted, and the student remains convinced that s/he has firm grounds for appeal, should the formal procedure be initiated. The final decision on whether to proceed with an appeal must, however, rest with the student.

In the first instance, a student who has decided to submit a formal appeal **MUST** give notice to the University, in writing, of the intention to appeal. For this purpose, students are required to send an email stating the grounds for the appeal and any evidence they intend to provide, to [appeals@hope.ac.uk](mailto:appeals@hope.ac.uk). The notification must normally be received:

- not later than the earlier of [a] 10 working days after the publication of the Board's decision or [b] 5 working days before the conferment of the award. However in the case of decisions published between the July Graduation ceremonies and 1<sup>st</sup> September, the notification may be received up to the end of the first full working week in September.
- The notification of intention to appeal should state: :
  - the grounds for the appeal;
  - the evidence that would be produced;
  - the intended outcome;
  - and, in the case of appeals on grounds of mitigating circumstances, the reasons why the information was not presented in advance to the Award or Progression Board.
- not proceed to any award ceremony pending appeal. The student must recognise that the due processing of an appeal, even if not upheld, may prevent attendance at the next award ceremony. Once a student has graduated (either in person or *in absentia*), the award classification will be deemed to have been accepted and an academic appeal will no longer be possible.

On receipt of the notification, the Appeals Administrator will arrange for a panel of Senior Academic Advisers or Faculty Research Degree Coordinators (for Postgraduate Research Degree students), not within the student's own Faculty, to consider whether a student's notification constitutes a *prima facie* case and, if so, whether the matter can be resolved on an informal basis.

The Appeals Administrator will then submit a recommendation to the Registrar.

The Registrar will then inform the student of one of the following outcomes:

[a] the appeal has been upheld without the need for a formal Committee hearing [b]

the appeal has been rejected by the panel as not constituting a prima facie case

[c] there is a prima facie case and the matter will be referred to Academic Appeals Committee.

The Registrar's decision is final, although the student would have recourse to the Office of the Independent Adjudicator (see **section 6** below).

A student who has been informed that their case is to be considered by Academic Appeals Committee **MUST**:

- by the deadline stated by the Registrar, submit all the evidence referred to in the initial notification, and a response to any queries raised by the Registrar.

### 3) **Termination or Suspension of Studies prior to an Award or Progression Board, due to poor engagement**

If a Faculty Senior Academic Adviser concludes, following the operation of that Faculty's approved Student Monitoring procedures, that a student's studies should be terminated or suspended, the Senior Academic Adviser will inform the Student Administration, who will issue a letter and e-mail to the student on behalf of the Registrar, indicating that studies will be terminated on a specified date unless an appeal is received.

#### (a) Grounds for Appeal

A student may give notice of appeal against the decision to terminate studies on the following grounds:

- that s/he was unable to divulge evidence of mitigating circumstances explaining his/her lack of response to contact through the Faculty's Student Monitoring Procedures
- that there had been a material administrative error;
- that some other material irregularity had occurred.

#### (b) Action required by the student

Given the nature of this form of appeal (which differs from disputing a decision of an Award or Progression Board), the deadlines are necessarily tighter.

**ANY FAILURE TO MEET THESE DEADLINES WILL INVALIDATE THE APPEAL**

A student wishing to appeal should proceed in the same way as for appeals against decisions of Award or Progression Boards, EXCEPT THAT

- The initial intention to appeal must be received no later than five working days of the Termination of Studies letter being sent.

The student will normally receive an acknowledgement of their appeal within 5 working days with a request to submit supporting evidence.

#### **4) Consideration of a Formal Appeal by Academic Appeals Committee**

An Academic Appeals Committee will consider all appeals deemed to constitute a *prima facie* case which could not be resolved informally.

##### **(i) Terms of Reference:**

To consider appeals referred by the Registrar as constituting a *prima facie* case.

##### **(ii) Membership:**

Three members of academic staff (one from each Faculty, from amongst members of Senate; members will be excluded from discussion and decision-making on students from their home Faculty) and the President or Vice-President of the Students' Union. Given their involvement at an earlier stage in the process, Faculty Senior Academic Advisors / Research Degree Coordinators will not be eligible to be part of the Committee.

A Dean or Pro Vice-Chancellor will Chair the Committee

Invited Adviser: Registrar (or nominee).

Secretarial servicing will be provided by Student Administration.

No member of academic staff who has been involved in the direct teaching or examining of the appellant should act as a member of the Academic Appeals Committee.

##### **(iii) The Hearing:**

Evidence shall be taken separately and in private, in the following order:

- The student who is the subject of the appeal. The student is allowed a companion who may put the case on behalf of the student if requested by the student to do so. The companion will normally be a Students' Union officer or trained nominee of the Students' Union, a member of academic staff or a student of the University. Only in exceptional cases will this rule

be varied and will require authorisation by the University Secretary (or his nominee). The student must make representations to the University Secretary in advance of any meeting or hearing at which they wish to be accompanied by someone other than a Students' Union officer or trained nominee of the Students' Union, a member of academic staff or a student of the University.

- Witnesses for the student (if appropriate).
- Relevant teaching staff, relevant Academic Advisers and the Chair of the Award or Progression Board, if necessary.

After giving evidence, witnesses will be asked to withdraw but may be recalled by the Committee if required.

In considering their decision the Committee shall sit in private. The Invited Adviser and Secretary shall be present.

**(iv) Powers of the Academic Appeals Committee:**

**(a) For appeals against decisions of an Award or Progression Board**

The Academic Appeals Committee, having heard the appeal, may:

- refer the matter to the Chair of Award or Progression Board with an instruction on what action is necessary, following the Appeals Committee

**OR**

- dismiss the appeal.

**(b) For appeals against Termination of Studies prior to a meeting of an Award or Progression Board**

The Academic Appeals Committee having heard the appeal may:

- order re-instatement of the student with an action plan to be agreed and re-instatement being subject to satisfactory engagement.

**Any breach of the action plan would lead to an automatic termination of studies.**

**OR**

- dismiss the appeal

The decision of the Academic Appeals Committee will be communicated to the student in

writing.

#### **5) Appeals against a decision of Academic Appeals Committee**

If an appeal is dismissed by the Academic Appeals Committee a student may appeal to the Chair of Senate against the decision, but in normal circumstances such an appeal will only be accepted for consideration if evidence is submitted that, at the Academic Appeals Committee, the student concerned did not have a fair hearing as a consequence of some procedural irregularity.

If a student decides to appeal further, 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 Chair of Senate would need to consider.

In the first instance, the submission will be considered by the Secretary of the Senate who, after consultation with the Chair, has the power to decide on the acceptability or otherwise of the appeal. In order for an appeal to be considered it must be received by the Secretary of the Senate within 10 working days of the receipt of the written decision of an Academic Appeals Committee.

If the Secretary and Chair of Senate deem there is sufficient evidence to warrant further consideration, then the Chair will convene a meeting of three Senators not previously involved with the case, nor with the teaching or assessment of the student.

The decision of Senate (whether that of the Chair or the meeting of three Senators) will be communicated to the student in writing within 10 working days of the receipt of the appeal against the decision of the Academic Appeals Committee.

#### **6) Office of the Independent Adjudicator**

If the student is still dissatisfied, he/she has recourse to the Office of the Independent Adjudicator. Details of this scheme will be given to students when internal procedures are exhausted.