

# The Academic Regulations Appendix 22: Academic Appeals

2022-2023



Edge Hill  
University

# The Academic Regulations

## Appendix 22: Academic Appeals

### Contents

Summary .....	3
Glossary of terms .....	3
Purpose .....	3
Regulations .....	3
1. Introduction and scope .....	3
2. Principles .....	5
3. Establishing a case .....	6
4. Stage one: review of case .....	7
5. Stage two: academic appeal panel .....	8
6. Right of Review .....	10
7. Redress .....	11
8. Monitoring and enhancement .....	12
Key to Relevant Documents .....	13
9. Related Guidance .....	13
Annexes .....	13
End matter .....	14

## Summary

This policy provides details of the process for students to follow if they wish to make an academic appeal. It explains the conditions that apply, steps to follow and gives full details about the process that will be applied by the University.

## Glossary of terms

Term	Meaning
Academic appeal	A request to review a decision made by an academic body responsible for deciding student progression, assessment and/or awards

## Purpose

The purpose of this document is to set out how academic appeals should be made and considered. It provides staff with a process to follow and gives students complete transparency about the University's approach.

## Regulations

### 1. Introduction and scope

- 1.1 An academic appeal is a request to review a decision made by an academic body responsible for deciding student progression, assessment and/or awards. At Edge Hill these bodies are:
  - assessment and award boards (including decisions about notifications of personal circumstances)
  - Academic Malpractice Panels
  - Fitness for Practise Panels.
- 1.2 An academic appeal cannot be submitted against:
  - decisions made under the [Student Disciplinary Regulations](#)
  - decisions made by bodies other than those listed in 1.1
  - complaints about the student learning experience.

Separate procedures apply in these cases and a list of associated policies is provided under Section 9.

- 1.3 A student may only submit an academic appeal on one or more of the following grounds:
- i. Procedural irregularity in the assessment process
  - ii. Bias or perceptions of bias
  - iii. Exceptional mitigating circumstances, details which were, for good reason, not previously available to the appropriate assessment boards.
- 1.4 The following matters do not, of themselves, form grounds for an appeal:
- i. Disagreement with a mark or grade
  - ii. Dispute of a degree classification awarded
  - iii. Challenges to academic judgements of examiners on an assessment outcome or the level of award recommended or granted
  - iv. Complaints against the delivery of teaching and methods of assessment
  - v. Appeals where no new circumstances are presented or where there is no justification for failing to present the circumstances to the original board/panel.
- 1.5 An academic appeal can only be submitted once the relevant results decision has been made and the result formally communicated to the student. All such formal results notifications to students will include information and deadlines on the right of appeal.
- 1.6 Where the issue raised affects a number of students, a group appeal may be submitted, provided the group nominates one student to act as the group representative. All students included within a group appeal must sign the appeal request form so that the University can be confident that the submission fairly represents the views of all members of the group.
- 1.7 These procedures apply to all students enrolled or registered for an award made by Edge Hill University. They apply whether the programme is delivered directly by the University or through a collaborative arrangement with a partner institution.

## 2. Principles

2.1 The Academic Appeals Procedures give all Edge Hill students the opportunity to seek redress if there are grounds to indicate an irregularity has occurred. The procedures also enable corrective action to be taken where there is good reason why the University made a decision without full knowledge or awareness of all relevant circumstances.

2.2 These procedures operate in a climate of mutual respect, where:

- i. Any student who wishes to submit an academic appeal feels able to do so without fear of reprisal.
- ii. Proper submission of an academic appeal does not disadvantage the student.
- iii. The student is responsible for raising all relevant issues and providing all supporting documentation, including evidence where appropriate, when they submit an academic appeal.
- iv. Student expectations about possible outcomes are managed appropriately. If their expectations appear to go beyond what the University can reasonably provide, the student will be advised of this in writing.
- v. The details of an academic appeal are not generally shared. However there may be instances where sharing information is necessary to progress, investigate or respond to the matter.
- vi. Decisions are made objectively at all stages of the process by people with no conflict of interest. University staff considering academic appeals must declare any conflict of interest to the Head of Student Casework. In such cases the Head of Student Casework will designate another staff member of equivalent standing to undertake that stage of the process.
- vii. Students are encouraged to obtain advice and support throughout the process. The Student Casework Team can provide advice on the operation of these regulations, the Students' Union Advice Centre can provide independent support, advocacy and advice.

- viii. Attention is given to identifying academic appeals requiring particularly swift action. This includes, but is not limited to, cases where the impact of the issues raised may be detrimental to the student's mental health. It also includes cases where external time limits apply, for example in meeting regulatory requirements for the completion of regulated programmes.
- 2.3 The University accepts that the circumstances of an appeal process may cause people to act out of character and become persistent, angry or upset. However, an academic appeal may be suspended by the Head of Student Casework if a student behaves unreasonably or makes unacceptable demands. Should the Head of Student Casework decide to suspend an appeal, the student will receive a written explanation of the reasons for doing so.
- 2.4 When considering all academic appeals the University will ensure that due attention is given to items declared in the appeal that do not fall into the category of an academic appeal. Where such items are identified, students will be advised about next steps for progressing matters that fall outside these procedures.
- 2.5 In some instances, the University will also be bound by professional body requirements when making decisions on academic appeals and in all relevant cases professional body standards will be maintained.
- 2.6 [The Equality Act 2010](#) overarches all stages of the academic appeal procedures.

### 3. [Establishing a case](#)

- 3.1 All requests for an academic appeal must be submitted on an academic appeal form and should:
  - a. indicate which of the grounds set out in 1.3 the request is based on
  - b. include clearly stated facts that support the appeal
  - c. provide sufficient evidence to support the case being made
  - d. be submitted by the stipulated deadline.
- 3.2 All academic appeals must be received, in full, within 10 working days of the decision being published. All relevant notification letters will include a specific deadline for students to submit an academic appeal.

- 3.3 Academic appeals submitted outside the specified deadline will normally be ruled invalid. In exceptional circumstances, if a student cannot meet the specified deadline they should contact the Head of Student Casework and explain their reasons. The Head of Student Casework reserves the right to extend the submission deadline, negotiate a new deadline with the student or to reject a late application.
- 3.4 All academic appeals are logged by the University and will be acknowledged by receipt to the student within 10 working days of the University receiving the appeal.
- 3.5 Upon receiving an academic appeal, the Student Casework Team will consider whether an appeal meets the criteria for appeal and assess if the application is coherent, timely and complete. This is known as 'establishing a case'.
- 3.6 If the appeal is admissible under these regulations, the Student Casework Team will progress the appeal to 'stage one' and the process described under Section 4 will be followed.
- 3.7 If the academic appeal does not meet the criteria stated under 3.1 the appeal will not be progressed to stage one and the case will be dismissed. Within 20 working days of receipt, the Student Casework Team will inform the student of the reasons for this decision and set out the right of review, as described under Section 6.

#### 4. Stage one: review of case

- 4.1 Where a case has been established on the grounds of new information the Student Casework Team will refer the appeal to the Chair of the relevant academic body, or their nominee, for consideration.
- 4.2 Where a case questions the operation of an academic body, the Student Casework Team will refer the case for consideration to a Dean or Associate Dean of Faculty who was not involved in the panel or board proceedings.
- 4.3 The designated officer shall investigate the academic appeal in consultation with others they deem appropriate and a decision will be reported to the Student Casework Team.
- 4.4 The Student Casework Team will notify the student of the decision in writing, normally within 20 working days from the date of the referral to stage one. The notification will summarise the issues considered, the decision taken, the

reasons for that decision and the student's options if they are dissatisfied with the outcome.

- 4.5 If the student is not satisfied with the outcome of stage one of the process, they have the right to appear before an academic appeal panel (see sections 5 and 6.2).

## 5. Stage two: academic appeal panel

- 5.1 Where an eligible student requests an academic appeal panel to be convened, the panel shall normally meet within 20 working days of receipt of the request.
- 5.2 A panel secretary will be nominated by the Head of Student Casework.
- 5.3 The panel secretary is responsible for making administrative arrangements and will inform the student, in writing, of the date, time and place of the panel meeting. At least 10 working days' notice must be given.
- 5.4 The panel will be constituted as follows:
- Chair: Dean/Associate Dean of Faculty (from a different faculty to the student), Dean of Service or Academic Head of Department
  - One member of teaching staff who is not associated with the teaching of the student
  - An elected representative of the Students' Union.

The Head of Student Casework (or their nominee) may attend to offer procedural advice and guidance to the panel. The Director of Governance and Assurance has the right of attendance at any student casework panel.

*For regulated programmes only.* Where an external representative of the profession concerned was involved in the original decision making process, the appeal panel will also include an equivalent professional who has no prior association with the student.

- 5.5 The stage one reviewing officer will prepare a report of proceedings to date for the panel and student's consideration. They shall present their report at the academic appeal panel meeting. The Head of Department or equivalent is also entitled to attend and present to the panel.



- 5.6 The student may provide additional written material for the panel's consideration and has the right to attend the panel meeting. The student may also be accompanied to the meeting by a friend. [Appendix 23 to the Academic Regulations](#) provides further details on the role of a student's friend in academic conduct procedures.
- 5.7 Any additional written material and the name and standing of any friend must be submitted to the panel secretary no later than five working days before the meeting.
- 5.8 At the panel meeting both the student and the reviewing officer under stage one (or their nominated representative) will be invited to present their case. Both parties may be questioned by members of the appeals panel. Each party will be given the opportunity to question the other under the guidance of the panel Chair.
- 5.9 If, for good reason, the student is unable to attend the meeting, the meeting may be deferred to a subsequent date where this is approved by the Head of Student Casework. If the student declines the invitation to attend the meeting for voluntary reasons or fails to attend without prior notification, the panel may proceed in the student's absence.
- 5.10 The terms of reference for an academic appeal panel are to consider:
- i. were the relevant procedures followed during the formal stage?
  - ii. was the outcome reasonable in all the circumstances?
  - iii. has new material evidence been provided?
  - iv. if new material evidence has been provided, has the student given valid reasons for not supplying this earlier?
- 5.11 The outcome of an academic appeal panel will be to either:
- i. Dismiss the academic appeal, or
  - ii. Uphold the appeal and return a recommendation to the Chair of the original board or panel for the implementation of the panel's decision.

Where a student is enrolled on a regulated programme leading to professional registration, the implementation of the appeal panel decision will be subject to consultation with the relevant professional body.

- 5.11 The decision of the panel will be confirmed in writing by the panel secretary within 10 working days of the panel taking place. The Chair may also use their discretion to report the information verbally to the student following the meeting.

- 5.12 A completion of procedures notification will be issued with the decision letter to advise the student that the University's internal procedures are complete. and to inform the student of any further right of External review (see Section 6: Right of Review).

## 6. Right of Review

### 6.1 *Initial application*

- i. If a student is dissatisfied with the decision made by the Student Casework Team under 3.5, they may request a review by the Director of Governance and Assurance. Such a request must:
  - a. be in writing to the Director of Governance and Assurance via the Student Casework Team
  - b. be submitted within 10 working days of receiving the Student Casework Team's response
  - c. set out the full reasons why they believe the decision of the Student Casework Team is incorrect.
- ii. The Director of Governance and Assurance will acknowledge the request within 10 working days from receipt of the request. The Student Casework Team's decision will be reviewed to ensure it was made in accordance with paragraph 3.1. The student will be informed in writing of the outcome and the reasons for it, normally within 20 working days of the request being received.
- iii. If the Director of Governance and Assurance upholds the decision of the Student Casework Team, the student will receive a letter clearly stating that the University's internal appeals procedure has now been completed. A completion of procedures letter will then be issued which informs the student of their right to refer their case to the Office of the Independent Adjudicator (OIA) for review if they remain dissatisfied.
- iv. If the Director of Governance and Assurance overturns the decision of the Student Casework Team, the student will be advised in writing that the academic appeal has progressed to stage one.

## 6.2 *Stage one: review of case*

- i. Where a case has progressed to stage one but the student remains dissatisfied with the outcome, the student has the right to request that an academic appeal panel be convened so that they can present their case in person.
- ii. To request an academic appeal panel, the student must contact the Head of Student Casework in writing stating their reasons for requesting an appeal panel. The request must be received by the Head of Student Casework within 10 working days from the date of the stage one decision notification letter.
- iii. If no appeal panel is requested within 10 working days the case will be closed.

## 6.3 *Stage two: academic appeal panel*

Where a student remains dissatisfied after completing stage two the student has the right to refer their case to the Office of the Independent Adjudicator for Higher Education (OIA). Such referral must be made in accordance with OIA rules.

Further details on how to refer a matter to the OIA are outlined in the completion of procedures letter which will be issued as part of the notification to the student of the outcome of the appeal.

## 7. **Redress**

- 7.1 In all cases where an appeal is upheld the University will undertake to restore the student's original position, as far as is practicably and reasonably possible.
- 7.2 The University disclaims all responsibility for any financial or other implications relating to the student, or any party acting on their behalf, as a result of a decision properly made by the University. Where it is accepted that fault rests with the University, we may meet reasonable and proportionate expenses necessarily incurred by a successful appellant.

- 7.3 Where an academic appeal is upheld, the University will consider whether it is appropriate to issue an apology to the student. Where an apology is issued, it will be made promptly and:
- acknowledge the failure
  - accept responsibility for it
  - explain clearly why the failure happened
  - express sincere regret for any resulting injustice or hardship
  - set out the action taken to remedy the matters complained about.

## 8. Monitoring and enhancement

- 8.1 Oversight of the appeals procedures is maintained by the Academic Quality Enhancement Committee (AQEC), which receives an annual report on numbers, types and outcomes of appeals.
- 8.2 Reports to AQEC may also include other factors considered as relevant at the time. These analytical reports will identify the root cause of concerns and lessons learned to enable the University to take action to reduce the chance of problems reoccurring.
- 8.3 AQEC membership includes Students' Union representatives. This enables student involvement in and transparency about the University's actions in response to issues identified through the appeal process.

## Key to Relevant Documents

### 9. Related Guidance

The following is a list of policies, procedures and guidance that students may wish to refer to when considering whether the matter of their circumstances constitutes an academic appeal:

- [Complaints Procedure](#)
- [Equality and Diversity Policy](#)
- [Student Debt Policy](#)
- [Student Disciplinary Regulations](#)

### Annexes

There are no annexes to this policy.

## End matter

Title	Appendix 22: Appeals Procedures
Policy Owner	Director of Governance & Assurance
Policy Manager	Head of Student Casework
Approved by	Academic Board and Regulations Review Sub-Committee
Date of Approval	July 2022
Date for Review	July 2023