

LIS Academic Appeals Procedure

Contents

Introduction to the LIS Academic Appeals Procedure	2
Who may appeal	2
Matters not covered by this Procedure	2
Related regulations, policies and procedures.....	3
Help and Advice	3
Principles	3
Complaint or appeal.....	5
Appealing Assessment Results	5
Academic Judgement	5
Grounds for an Appeal	6
Matters that do not constitute grounds for appeal	7
Overview of Procedure.....	7
Timescales	8
LIS Academic Appeals Procedure Step-by-Step	8
Stage 1. Clarification and early resolution	8
Stage 2. Initial formal consideration and resolution.....	9
Stage 3. Academic Appeals Board.....	14
Stage 4. Internal review.....	19
The Office of the Independent Adjudicator for Higher Education.....	21
Monitoring and Review.....	22
Academic Appeals Board: Membership and Terms of Reference	24
Version Control	27

Introduction to the LIS Academic Appeals Procedure

An academic appeal is the formal process through which a student may challenge a specified academic decision on one or more of the grounds set out in this Procedure.

A student may appeal where the decision may have been affected by a material procedural or administrative irregularity, relevant circumstances that were not previously considered, or actual or reasonably perceived bias. A student may not appeal solely because they disagree with academic judgement.

The School considers academic appeals fairly, transparently and without disadvantage to the student raising the appeal. The consideration of appeals also enables the School to identify and address areas for improvement in its academic regulations, procedures, and practices, and to improve the student experience.

Subject to the grounds set out below, this Procedure allows students to appeal the following decisions:

- a decision of an Examination Board concerning assessment, reassessment, progression, award or classification;
- a final decision made under the Extenuating Circumstances Policy and Procedure, following completion of any applicable internal review;
- a decision of an Academic Misconduct Panel;
- a final decision concerning reasonable adjustments for assessment, where the relevant procedure provides a right of academic appeal;
- a final decision made under the Recognition of Prior Learning Policy and Procedure.

Who may appeal

This Procedure is available to all current students registered on an approved programme of study and, where the decision relates to their period of registration, former students. References to a “student” in this Procedure include a former student where applicable.

Matters not covered by this Procedure

This Procedure does not normally apply to:

- disagreement with academic judgement;
- dissatisfaction with teaching, facilities, services or another aspect of the student experience, which should normally be considered under the Student Complaints Procedure;
- applicant complaints or appeals;
- requests for an administrative check of a recorded or calculated mark; or
- a decision for which another policy or procedure provides a separate review or appeal route, unless that route has been completed and this Procedure expressly provides a further right of academic appeal.

Related regulations, policies and procedures

This Procedure should be read alongside the following LIS documents, where relevant:

- Academic Regulations;
- Marking and Moderation Policy;
- Extenuating Circumstances Policy and Procedure;
- Academic Misconduct Policy and Procedure;
- Student Complaints Procedure;
- Recognition of Prior Learning Policy and Procedure;
- Equality, Diversity and Inclusion Policy;
- Data Protection Policy; and
- Disability Policy.

The current versions of LIS's academic regulations, policies and procedures are available on the School's website.

Help and Advice

Students may contact the Registrar or Quality Manager for guidance about how this Procedure operates, including whether the matter raised is likely to fall under the Academic Appeals Procedure or another School procedure. The Registrar or Quality Manager can provide procedural information about the operation and requirements of the Procedure but cannot advise on the merits of an appeal or how the student should present their case. Students may also seek advice and support from their Student Representative or another adviser of their choice.

A student who requires reasonable adjustments to access or participate in the Procedure should contact Student Support. The School will consider reasonable adjustments to communication, meetings, deadlines and submission arrangements where appropriate.

A student may nominate another person to support them during the Procedure. The School will normally communicate directly with the student unless the student provides written consent for a representative to act or receive correspondence on their behalf. The student remains responsible for meeting the requirements and deadlines of the procedure unless a reasonable adjustment or alternative arrangement has been agreed.

Principles

This Procedure has been developed with reference to:

- the UK Quality Code for Higher Education;
- relevant QAA advice and guidance concerning complaints and academic appeals; and
- the Office of the Independent Adjudicator's Good Practice Framework: Handling complaints and academic appeals.

Informed by these external reference points, the Procedure will be operated in accordance with the principles set out below.

Accessible and clear

Information about academic appeals will be written and presented clearly. The School will take reasonable steps to ensure that students can access and participate in the procedure.

Fair and independent

Appeals will be considered fairly and impartially. No person will consider or determine an appeal where they have had material prior involvement in the decision being challenged or have another actual or apparent conflict of interest.

Confidential

Information relating to an appeal will be shared only with those who need it to consider, respond to, or implement the outcome of the appeal, or where disclosure is otherwise required by law.

Flexible and proportionate

The School will use a process proportionate to the nature, complexity, and seriousness of the appeal. Straightforward cases should be resolved without unnecessary escalation where the relevant facts and appropriate outcome are clear.

Timely

Appeals will be considered as promptly as reasonably possible. Where a delay occurs, the School will explain the reason and provide an updated timeframe.

Supportive and respectful

Students raising appeals will be treated with dignity and respect and will not be disadvantaged because they have used the procedure.

Improvement-focused

Information arising from appeals will be used, where appropriate, to improve academic regulations, procedures, and the student experience.

Complaint or appeal

The Student Complaints Procedure is separate from this Procedure. It applies primarily to dissatisfaction with an aspect of the student's experience, rather than to a challenge to a specified academic decision.

Some matters may fall within both the Student Complaints Procedure and the Academic Appeals Procedure. The designated reviewer will determine, in consultation with the relevant procedure owner where necessary, how the matters should be considered.

The School may:

- consider different aspects under separate procedures;
- pause one procedure while another is completed; or
- coordinate the consideration of linked matters where this is fair and practicable.

The student will be informed in writing which procedure or procedures will apply, the reasons for that decision and any effect on applicable deadlines. The student will not normally be required to resubmit evidence already provided to the School.

Where a complaint is upheld and the findings suggest that an academic decision may have been affected, the matter may be considered under this Procedure or referred back to the relevant academic body for reconsideration in accordance with the Academic Regulations.

Complaints and appeals concerning decisions made during the admissions process are considered under the Applicant Complaints and Appeals Procedure.

Appealing Assessment Results

Assessment decisions are made in accordance with the School's Academic Regulations and Marking and Moderation Policy. A student may appeal only on the grounds set out in this Procedure. Disagreement with academic judgement is not, in itself, a ground for appeal.

A student who believes that a published mark may have been incorrectly recorded, calculated or transferred should first raise this with the Programme Officer who will conduct an administrative check. An administrative check does not involve reconsideration of the academic quality of the student's work.

Academic Judgement

Academic judgement is the professional judgement of appropriately qualified academic staff about matters such as:

- the academic quality of a student's work;
- the mark or grade that the work merits;
- whether the relevant learning outcomes have been achieved; and
- the academic standards appropriate to an award.

The designated reviewer and the Academic Appeals Board will not substitute their own academic judgement for that of the original markers or academic decision-making body.

A student may not appeal solely because they disagree with an academic judgement. A student may, however, appeal where there is evidence that a material procedural or administrative irregularity, previously undisclosed circumstances, or bias or a reasonable perception of bias, affected the assessment or decision.

Where such an appeal is upheld, the outcome may require the affected assessment, marking, moderation, or decision-making process to be repeated by appropriately independent staff. This does not amount to the designated reviewer or Academic Appeals Board substituting their own academic judgement.

Grounds for an Appeal

A student may appeal a decision on one or more of the following grounds.

1. Material procedural or administrative irregularity

There was a material error, irregularity or failure to follow an applicable regulation or procedure, and there is a reasonable possibility that the decision would have been different had the irregularity not occurred.

This may include an error in:

- the conduct of an assessment;
- the marking, moderation or recording of an assessment result;
- the consideration of evidence;
- the application of an academic regulation; or
- the conduct of the relevant decision-making process.

2. Previously undisclosed circumstances

Relevant circumstances materially affected the student's performance or ability to engage with the relevant academic process, but were not considered when the decision was made.

The student must demonstrate a good reason why the circumstances could not reasonably have been disclosed through the appropriate procedure at the relevant time. The student should provide relevant supporting evidence where it is reasonably available.

3. Error in the consideration of extenuating circumstances

There was a material procedural or administrative irregularity in the consideration of an application for extenuating circumstances or subsequent internal review, or the decision was unreasonable in light of the information available to the original decision-maker.

Students will normally be expected to complete the internal review process set out in the Extenuating Circumstances Policy and Procedure before submitting an academic appeal under this ground.

4. Bias or reasonable perception of bias

There is evidence of actual bias, or circumstances that would give rise to a reasonable perception of bias, on the part of a person materially involved in the assessment or decision-making process. A reasonable perception of bias must be based on objective circumstances and cannot arise solely from disagreement with the decision or dissatisfaction with the outcome.

Matters that do not constitute grounds for appeal

An appeal will not be eligible to proceed, or will not be upheld, where it:

- amounts only to disagreement with academic judgement;
- expresses dissatisfaction with a mark or decision without identifying a permitted ground;
- seeks to reopen a matter that has already been finally determined without presenting a permitted ground for review;
- concerns dissatisfaction with teaching, facilities, services or another aspect of the student experience that should be considered under the Student Complaints Procedure; or
- concerns a decision for which another policy or procedure provides a separate review or appeal route.

The student is responsible for explaining how the facts and evidence relate to one or more of the permitted grounds. At the initial stage, the designated reviewer will consider whether the information provided identifies an arguable appeal within the scope of this Procedure. Where the appeal proceeds to substantive consideration, the reviewer or Academic Appeals Board will determine whether the ground has been established on the balance of probabilities. Substantive consideration means assessing the evidence and deciding whether the appeal should be upheld, dismissed or referred to the Academic Appeals Board.

Overview of Procedure

The School's internal Academic Appeals Procedure consists of the following stages:

1. Clarification and early resolution

A student may seek clarification of the decision and the reasons for it. This stage is encouraged but is not mandatory and is considered to be informal.

2. Initial formal consideration and resolution

The student submits a formal appeal. The designated reviewer will determine whether the appeal falls within the scope and grounds of this Procedure, consider the available evidence and obtain any further information required.

Where the ground of appeal is established, the material facts are sufficiently clear and an appropriate remedy can be identified without the reviewer exercising academic judgement, the reviewer may uphold the appeal in whole or in part and arrange for the appropriate outcome to be implemented.

3. Academic Appeals Board

The appeal will be referred to an Academic Appeals Board where it cannot appropriately be resolved at Stage 2. This may include cases where material facts are disputed, the evidence or appropriate remedy is unclear, the case is complex or significant, or collective academic consideration is required.

4. Internal review

The student may request a review of a decision made at Stage 2 or Stage 3 on the grounds set out in this Procedure.

Once the School's internal procedure has been completed, the student may be able to ask the Office of the Independent Adjudicator for Higher Education to review the matter.

Timescales

The School will normally complete the formal consideration of an appeal and any subsequent internal review within 90 calendar days of receiving the formal appeal. Where this is not possible, the School will explain the reason for the delay, provide an updated timeframe and keep the student informed of progress. Time during which the School is reasonably awaiting information requested from the student may be excluded from this timeframe.

An appeal will be treated as complete when the information reasonably required to begin substantive consideration has been received. The student will be informed promptly if the School considers that material information is missing.

LIS Academic Appeals Procedure Step-by-Step

Stage 1. Clarification and early resolution

A student is encouraged, but is not required, to seek clarification before submitting a formal appeal. Clarification may be sought from the relevant module lead, programme lead, panel secretary or another member of staff identified in the decision notification. This is an

informal stage, and the student remains responsible for managing any relevant deadlines and completing any required academic activities while seeking clarification.

At this stage, the relevant member of staff may:

- explain how the assessment or decision was reached;
- explain the relevant marking, moderation or decision-making process;
- check whether an administrative or recording error has occurred;
- provide or clarify the reasons for the decision; and
- correct a straightforward administrative error where they have authority to do so.

A student may proceed directly to the formal appeal stage where clarification would not be appropriate, where the matter is urgent, or where the student already understands the decision and wishes to challenge it on a permitted ground. Seeking clarification does not automatically extend the deadline for submitting a formal appeal.

Where the School agrees that additional time is reasonably required for clarification to be provided, it will confirm in writing whether the appeal deadline has been extended and the revised deadline that applies.

Stage 2. Initial formal consideration and resolution

Lodging of an appeal

A formal appeal must normally be submitted within 15 working days of the date on which the student was formally notified of the decision being challenged. Stage 2 is normally conducted by a designated reviewer.

The decision notification should state:

- whether the decision may be appealed under this Procedure;
- the deadline for submitting the appeal;
- how the appeal should be submitted; and
- where the student may obtain guidance about the procedure.

The appeal should be submitted to the Registrar by email at registrar@lis.ac.uk. A student who is unable to submit the appeal by email may request an alternative accessible submission arrangement.

The appeal must normally include:

- the student's full name and student identification number;
- the decision being challenged and the date on which the student was notified of it;
- the relevant module, assessment, panel or academic process, where applicable;
- the ground or grounds of appeal;
- a clear explanation of the relevant facts;
- the evidence on which the student relies;

- details of any evidence that is not yet available and when it is expected;
- where the appeal is late, the reason for the delay;
- the outcome or remedy the student is seeking;
- details of any representative; and
- any reasonable adjustments required to participate in the procedure.

Where an appeal is missing information that can reasonably be supplied, the Registrar or designated reviewer may ask the student to provide it within a specified timeframe. An appeal should not be rejected solely because the student has used the wrong format or omitted information that can readily be clarified, provided that the substance of the appeal has been submitted within the applicable deadline.

An appeal submitted after the applicable deadline may be accepted where the student demonstrates a good reason for the delay. In deciding whether to accept a late appeal, the designated reviewer will consider:

- the length of the delay;
- the student's reasons for not submitting within time;
- whether disability, ill health, personal circumstances or another barrier affected the student's ability to engage with the procedure;
- whether relevant supporting evidence is reasonably available;
- the seriousness and potential consequences of the matter raised; and
- whether the appeal can still be considered fairly.

The student should provide relevant evidence where it is reasonably available. The absence of medical or other third-party evidence will not automatically prevent a late appeal from being accepted where the student has provided a credible explanation and the matter can still be considered fairly. A student should not delay submitting an appeal solely because relevant evidence is not yet available. Where evidence cannot be obtained before the submission deadline, the student should:

- submit the appeal within time;
- identify the outstanding evidence;
- explain why it is not yet available; and
- state when it is expected.

The designated reviewer will decide whether a reasonable period should be allowed for the evidence to be provided.

Receipt and allocation of the appeal

The Quality Manager will normally act as the designated reviewer and will acknowledge receipt of the appeal within five working days. The acknowledgement will confirm:

- the date on which the appeal was received;

- the next stage of the procedure;
- whether any further information is required at that point;
- the expected timeframe for the Stage 2 decision; and
- the person responsible for communicating with the student about the appeal.

The appeal will be considered by the designated reviewer or, where necessary, an appropriately senior and independent nominee. The designated reviewer must not consider the appeal where they:

- were materially involved in the decision being challenged;
- previously advised on the substance of the case;
- may be required to provide evidence about the matter; or
- have another actual or apparent conflict of interest.

Where such a conflict arises, another appropriately senior person with no prior involvement will be appointed to consider the appeal.

Interim arrangements

Submitting an appeal does not automatically suspend the decision being challenged. The School will consider whether temporary arrangements are required to preserve the student's position and avoid unnecessary prejudice while the appeal is being considered.

Where reasonably practicable, a student may be permitted to continue attending teaching and undertaking assessment pending the outcome. This may be subject to academic, legal, safeguarding, professional, immigration or operational requirements. The student will be informed in writing of:

- any interim arrangements that apply;
- any assessment, attendance or other requirements with which they must continue to comply; and
- any limitations on progression, registration, award or participation pending the appeal.

Participation while an appeal is ongoing does not determine the outcome or create an entitlement to progression or award.

Purpose of initial formal consideration

The purpose of Stage 2 is to determine:

- whether the appeal is eligible to be considered under this Procedure;
- whether the permitted ground has been established;
- whether the appeal can be fairly and appropriately resolved without referral to the Academic Appeals Board; and
- what action or remedy should follow where the appeal is upheld or partly upheld.

Eligibility assessment

The designated reviewer will first determine whether:

- the appeal concerns a decision covered by this Procedure;
- the appeal was submitted within the applicable deadline, or there is a good reason to accept it late;
- the student has identified one or more permitted grounds of appeal; and
- the information provided identifies an arguable case that the decision may have been materially affected.

Proportionate enquiries

Where the appeal is eligible to proceed, the designated reviewer may make proportionate enquiries and obtain relevant information from:

- the student;
- the original decision-making body;
- academic or professional staff involved in the matter;
- School records; and
- any other person who may hold relevant information.

The reviewer will determine the scope of the enquiries required, taking account of the nature and complexity of the appeal.

Student opportunity to respond

Where information obtained from another source may materially affect the outcome of the appeal, the student will normally be given a fair opportunity to comment on the substance of that information before a decision is made. Information may be redacted or summarised where necessary to protect confidentiality, comply with the law or protect another person's rights, provided that the student is given sufficient information to respond fairly.

Threshold for reviewer resolution

The designated reviewer may determine an appeal without referral to the Academic Appeals Board where:

- the appeal falls within one or more permitted grounds;
- the material facts are sufficiently clear and are not substantially disputed;
- the relevant parties have had an appropriate opportunity to provide information;
- the proposed outcome is permitted by the applicable regulations;
- the outcome does not require the reviewer to substitute their own academic judgement; and
- referral to the Academic Appeals Board would not materially assist the fair determination of the case.

Reviewer's powers and possible outcomes

Following Stage 2, the designated reviewer may:

- determine that the appeal is not eligible to proceed under this Procedure;
- request further information before reaching a decision;
- dismiss the appeal where a permitted ground has not been established;
- uphold the appeal in whole or in part;
- determine and arrange implementation of an outcome within the reviewer's delegated authority;
- seek agreement from the relevant academic body or officer where implementation requires action outside the reviewer's authority;
- refer the appeal to the Academic Appeals Board; or
- refer another aspect of the student's concerns to the appropriate procedure.

For the purposes of this Procedure, the reviewer's delegated authority is limited to outcomes that do not require the exercise of academic judgement and are permitted by the Academic Regulations or another applicable policy or procedure. Any direction made by the designated reviewer within their delegated authority must be implemented by the relevant member of staff, officer or academic body within the specified timeframe.

A direction may require the correction of an administrative error, the repetition of a procedural step, or the reconsideration of the matter by appropriately independent staff. A direction must not determine the academic judgement to be reached or the mark or grade to be awarded.

Where determination of the appeal or identification of the appropriate remedy requires collective consideration or raises matters involving academic judgement, progression, reassessment, award or classification, the designated reviewer will refer the appeal to the Academic Appeals Board. Where the appeal is upheld, the Board may refer any resulting academic decision to the relevant academic decision-making body in accordance with Stage 3.

Referral to the Academic Appeals Board

The designated reviewer will normally refer the appeal to the Academic Appeals Board where:

- material facts or evidence are disputed and cannot fairly be resolved through the reviewer's proportionate enquiries, including where an assessment of credibility is required;
- the appropriate outcome is unclear or contested;
- the matter raises significant questions about academic standards, regulatory interpretation or institutional precedent;
- the proposed outcome requires the exercise of academic judgement;

- the appeal may materially affect other students;
- allegations of bias involve the designated reviewer or senior staff;
- the designated reviewer otherwise considers that collective determination is necessary to ensure fairness.

Stage 2 written outcome

The designated reviewer will provide the student with a written outcome that sets out:

- the decision;
- whether the appeal was eligible to proceed;
- the ground or grounds considered;
- the principal evidence taken into account;
- the reasons for the decision;
- any outcome or action required;
- who is responsible for implementation;
- the expected timeframe for implementation; and
- the student's right to request a review.

The written Stage 2 outcome will normally be issued within 15 working days of receipt of a complete appeal.

Agreed resolutions

Where the reviewer formally determines that an appeal is upheld or partly upheld, the outcome and reasons will be confirmed to the student in writing. The student's agreement is not required, but the student may request a review. Where an appeal is resolved through an agreed outcome rather than a formal determination, the terms of the resolution will be recorded in writing and the student will be asked to confirm their acceptance.

Acceptance of an agreed resolution will normally conclude the internal procedure. The student will be informed of this before confirming acceptance and may request a Completion of Procedures Letter.

Stage 3. Academic Appeals Board

Where the designated reviewer determines that an appeal cannot appropriately be resolved at Stage 2, the appeal will be referred to the Academic Appeals Board. The Academic Appeals Board will consider and determine the appeal in accordance with this Procedure and its Terms of Reference. Members considering the appeal must have had no material prior involvement in the decision being challenged or in the earlier consideration of the appeal.

The Academic Appeals Board will normally meet within 20 working days of the decision to refer the appeal.

Where this is not possible, the student will be informed of:

- the reason for the delay;
- the revised expected date of the meeting; and
- any effect on the overall timeframe for completing the appeal.

Notice of the Academic Appeals Board

The student will normally be informed in writing at least 10 working days before the meeting of:

- the date and anticipated format of the meeting;
- whether the appeal will be considered on the written evidence or at a hearing;
- the membership of the Academic Appeals Board;
- the documents that will be considered;
- the deadline for submitting any further written information;
- whether the student is invited or required to attend; and
- the arrangements for requesting reasonable adjustments or support.

Format of consideration

The Chair will determine the most appropriate format for considering the appeal, taking account of the nature and complexity of the case and the requirements of fairness. The Academic Appeals Board may consider the appeal:

- on the written evidence;
- at a hearing attended by the student and any other relevant person; or
- through a combination of written consideration and oral evidence.

A hearing may be arranged where this is necessary to:

- clarify materially disputed evidence;
- consider information that cannot fairly be determined from the written record;
- allow the student or another person to answer relevant questions; or
- otherwise ensure the fair determination of the appeal.

Where only particular issues require oral evidence, the Chair may arrange for those issues to be considered at a hearing and for the remainder of the appeal to be determined on the written evidence.

Information and evidence

The Academic Appeals Board may consider:

- the student's appeal and supporting evidence;
- the Stage 2 record and decision;
- the response of the original decision-making body or relevant staff;

- the regulations, procedures and records relevant to the decision;
- further information requested by the Chair or the Board; and
- oral evidence provided at a hearing, where applicable.

The Board may make further proportionate enquiries where the information available is insufficient to determine the appeal fairly. Where significant further information is obtained, the student will normally be given a fair opportunity to comment before the Board reaches its final decision. The student will normally be provided with the material information on which the Academic Appeals Board will rely and will be given a reasonable opportunity to respond. Information may be withheld, redacted or summarised where necessary to:

- protect another person's rights or confidential information;
- comply with data protection or other legal requirements;
- protect the health, safety or welfare of an individual; or
- preserve the integrity of another process.

Where information is withheld or redacted, the student will be given sufficient information about its substance to respond fairly wherever possible.

Further evidence

The student and the School should provide relevant evidence by the deadline specified in the meeting notice. The Chair may accept evidence submitted after the deadline where:

- there is a good reason for the delay;
- the evidence is relevant to the appeal; and
- it can be considered without causing unfairness or disproportionate delay.

Where late evidence is accepted, the other relevant parties will normally be given an appropriate opportunity to comment on it.

Attendance and support at a hearing

Where a hearing is arranged, the student may attend and may be accompanied by:

- a Student Representative;
- another student;
- a friend or family member; or
- another supporter agreed in advance with the Chair.

The accompanying person may support the student and may speak with the Chair's permission. The student will normally be expected to answer questions relating to their own experience or evidence.

The Academic Appeals Procedure is not a legal process, and legal representation is not normally necessary or appropriate. The Chair may permit legal representation in exceptional circumstances where it is necessary to ensure the fair consideration of the appeal, taking

account of the complexity and seriousness of the case and any relevant reasonable adjustments.

Non-attendance

Where the student does not attend a scheduled hearing, the Academic Appeals Board may:

- proceed in the student's absence;
- adjourn the hearing; or
- determine the appeal on the written evidence.

In deciding how to proceed, the Board will consider whether the student received reasonable notice, any explanation for their absence, the effect of delay and whether the appeal can be determined fairly without them.

Scope of the Board's authority

The Academic Appeals Board will determine whether one or more grounds of appeal have been established and what outcome should follow. The Board will not substitute its own academic judgement for that of the original markers or academic decision-making body and will not itself award a mark or grade.

The Board may consider a student's wider academic record only where it is relevant and necessary to determine the appeal or identify an appropriate remedy. Irrelevant information about the student's academic performance will not be considered. An upheld appeal may require an assessment, marking, moderation or decision-making process to be repeated by appropriately independent staff.

Standard of proof

Where the Academic Appeals Board must determine a disputed fact, it will do so on the balance of probabilities: whether it is more likely than not that the fact occurred. The Board will assess the relevance, reliability and consistency of the evidence and will take account of the seriousness and potential consequences of any finding.

Possible outcomes

The Academic Appeals Board may:

- dismiss the appeal;
- uphold the appeal in whole;
- uphold the appeal in part;
- refer the matter back to the original decision-making body for reconsideration, with directions about the procedural or administrative error or irregularity that must be addressed;

- direct that the matter be considered by a newly constituted body whose members have had no prior involvement;
- direct that an assessment, marking, moderation or other decision-making process be repeated by appropriately independent staff;
- direct the correction of an administrative, recording, or calculation error;
- recommend that the relevant Examination Board or other academic body apply an outcome permitted under the Academic Regulations; or
- make recommendations for changes to policy, procedure or practice arising from the case.

Where implementation of an upheld appeal requires a decision involving academic judgement, the Academic Appeals Board will refer its findings and any recommendation to the relevant Examination Board or other academic body. That body must:

- address the error or irregularity identified by the Academic Appeals Board;
- determine the appropriate academic consequence in accordance with the applicable regulations;
- record the reasons for its decision; and
- report the decision to the Registrar within the timeframe specified.

The relevant academic body is bound by the Academic Appeals Board's findings concerning any procedural or administrative error or irregularity and must implement those findings when reconsidering the academic decision. Where material new information emerges that could not reasonably have been considered by the Academic Appeals Board, the matter must be referred back to the Board before a revised decision is reached.

Examples of remedies

Depending on the nature of the appeal and the powers available under the relevant regulations, an outcome may include:

- correcting an incorrectly recorded or calculated mark;
- removing a penalty that was applied incorrectly;
- providing a further assessment opportunity to be treated as a first attempt;
- repeating an affected marking or moderation process;
- reconsidering an application for extenuating circumstances;
- rehearing a matter before a newly constituted panel;
- reconsidering a progression, reassessment or award decision after the identified error or irregularity has been corrected; or
- another remedy expressly permitted by the relevant academic regulations.

Effect on marks

The Academic Appeals Board will not itself award or substitute an academic mark. An upheld appeal may nevertheless result in:

- correction of a mark recorded or calculated incorrectly;
- fresh marking or moderation where there was a material error or irregularity in the original process; or
- a further assessment opportunity where this is permitted under the relevant regulations.

Written outcome

The Registrar will normally provide the student with the Academic Appeals Board's written outcome within five working days of the meeting. The written outcome will state:

- whether the appeal was dismissed, upheld or partly upheld;
- the ground or grounds considered;
- the principal evidence taken into account;
- the findings and reasons for the decision;
- any remedy, direction or recommendation;
- the person or body responsible for implementation;
- the expected timeframe for implementation; and
- the student's right to request a review under Stage 4.

Implementation of the outcome

Any direction made by the Academic Appeals Board within its authority must be implemented by the relevant member of staff, officer or academic body within the specified timeframe. The Registrar will monitor the implementation of any action arising from the decision. The person or body responsible for implementation must confirm in writing:

- the action taken;
- the date on which it was completed; and
- any revised academic decision arising from the outcome.

The student will be informed when the required actions have been completed and will receive confirmation of any resulting change to their academic record or status.

Stage 4. Internal review

Stage 4 provides an independent internal check on whether the appeal was handled correctly and whether the decision reached was supported by the available evidence. It is available only on the specific grounds set out below. A student may request a review of:

- a decision at Stage 2 that the appeal was not eligible to proceed;
- a decision made by the designated reviewer at Stage 2; or
- a decision made by the Academic Appeals Board at Stage 3.

The review stage is not a rehearing of the appeal and will not normally reconsider matters that have already been determined unless one or more of the review grounds below applies. A request for review must normally be submitted in writing to the Registrar within 10 working days of the date on which the student was notified of the Stage 2 or Stage 3 decision. A late review request may be accepted where the student demonstrates a good reason for the delay and the matter can still be considered fairly.

Grounds for review

A review may be requested on one or more of the following grounds:

1. there was a material procedural irregularity in the handling of the appeal;
2. the decision was unreasonable in light of the evidence available to the decision-maker;
3. new evidence is available which the student could not reasonably have provided earlier and which could have affected the outcome; or
4. the outcome or remedy was disproportionate or was not permitted under the relevant regulations.

The student must explain the ground or grounds relied upon and identify the outcome sought. The review will be conducted by the Chair of Academic Council or an appropriately senior independent nominee who:

- had no prior involvement in the decision being challenged;
- did not participate in Stage 2 or Stage 3;
- has no actual or apparent conflict of interest; and
- has sufficient authority to determine the review.

Where the Chair of Academic Council has had prior involvement or is otherwise unable to act independently, an alternative senior reviewer will be appointed. The reviewer will first determine whether the request:

- was submitted within the applicable deadline or should be accepted late;
- identifies one or more permitted review grounds; and
- provides an arguable basis for reviewing the earlier decision.

Where the request does not meet these requirements, it may be rejected without further investigation. The student will be informed in writing of the decision and the reasons for it. Where the request is accepted for review, the review will normally be conducted on the written record, without the need for a formal hearing. The reviewer may:

- consider the appeal and all earlier decisions;
- obtain clarification from the student or relevant staff;
- consider new evidence where the requirements of the review ground are met;
- request further information necessary to determine the review fairly; and

- invite the student to comment on any significant new information.

The reviewer will not substitute their own academic judgement for that of an academic decision-maker.

Possible review outcomes

The reviewer may:

- confirm the earlier decision;
- set aside the earlier decision and substitute a different decision where the correct outcome is clear and does not require academic judgement;
- refer the appeal for reconsideration at Stage 2 by a different designated reviewer;
- refer the appeal to a newly constituted Academic Appeals Board;
- require specified procedural steps to be completed before the appeal is determined again; or
- amend or refer for reconsideration an outcome or remedy that was disproportionate or not permitted under the relevant regulations.

The review decision will normally be issued within 15 working days of receiving a completed review request. Where this is not possible, the student will be informed of the reason for the delay and given a revised timeframe. The written review outcome will state:

- the ground or grounds considered;
- the evidence and earlier decisions reviewed;
- the decision and reasons;
- any further action required;
- whether the School's internal procedures have been completed; and
- information about the Completion of Procedures Letter and the Office of the Independent Adjudicator for Higher Education.

Where the review confirms the earlier decision, or where no further internal stage is available, the School's internal Academic Appeals Procedure is complete. The School will issue a Completion of Procedures Letter in accordance with the arrangements set out later in this Procedure. Where the review refers the appeal for reconsideration, the internal procedure will be complete only when the required reconsideration and any resulting review rights have concluded. Where the student does not request a review within the applicable deadline, the internal procedure will be complete when that deadline expires.

The Office of the Independent Adjudicator for Higher Education

When the School's internal Academic Appeals Procedure has been completed, the School will issue a Completion of Procedures Letter in the circumstances set out below. A student

who remains dissatisfied may be able to submit a complaint to the Office of the Independent Adjudicator for Higher Education and ask it to review the matter.

The Office of the Independent Adjudicator is independent of the School and its service is free to students. A complaint to the Office of the Independent Adjudicator must normally be submitted within 12 months of the date of the Completion of Procedures Letter. The Completion of Procedures Letter will provide current information about how to submit a complaint and the applicable deadline.

Completion of Procedures Letters

A Completion of Procedures Letter will normally be issued:

- where a request for review is rejected or the review confirms the earlier decision;
- where the internal procedure has otherwise concluded and the student remains dissatisfied; or
- where the student requests a Completion of Procedures Letter following an upheld or agreed outcome.

The letter will summarise the matter considered, the final internal decision and the student's right to submit a complaint to the Office of the Independent Adjudicator for Higher Education.

Where further action is required to implement an upheld appeal, the School may issue the Completion of Procedures Letter after the outcome has been implemented or may explain clearly which implementation steps remain outstanding.

Monitoring and Review

Academic Council will receive an annual Quality Report containing an anonymised summary and assessment of the operation and effectiveness of this Procedure. The report will cover, where appropriate:

- the number and type of appeals received;
- the academic decisions and processes challenged;
- the grounds of appeal raised;
- appeals determined, resolved or dismissed at Stage 2;
- appeals referred to the Academic Appeals Board;
- review requests and their outcomes;
- appeals rejected as ineligible, withdrawn or redirected to another procedure;
- the time taken to complete cases;
- remedies, directions and recommendations arising from appeals;
- recurring issues, procedural weaknesses or areas of inconsistent practice;

- equality-related patterns where the available information is sufficient and lawful to analyse; and
- progress in implementing actions agreed through previous annual reports.

The annual report will assess whether the Procedure is:

- accessible and clear;
- fair and consistently applied;
- proportionate and timely;
- producing appropriate and effective remedies; and
- supporting improvement in academic regulations, procedures and the student experience.

The Registrar may recommend amendments to this Procedure or to related regulations, policies and practices. Where an appeal identifies a significant risk to academic standards, student fairness, regulatory compliance or the integrity of an academic process, the matter may be referred to Academic Council or another appropriate body without waiting for the annual report.

An anonymised summary of key themes, actions and changes arising from the annual review will be shared with relevant staff and Student Representatives. Information will not be shared or published where it could reasonably identify an individual, disclose confidential case information or prejudice another procedure.

Records

The Registrar will maintain an appropriate record of:

- appeals received;
- evidence and correspondence;
- decisions made at each stage;
- remedies and actions required;
- implementation of outcomes; and
- Completion of Procedures Letters issued.

Records will be retained and managed in accordance with the School's data protection and records-retention requirements.

Academic Appeals Board: Membership and Terms of Reference

There shall be an Academic Appeals Board.

Membership

The Academic Appeals Board will comprise:

- the Registrar, or an appropriately senior nominee, as Chair;
- the Academic Director, or nominee; and
- at least one senior member of academic staff with appropriate experience and no prior involvement in the case.

The Chair may appoint additional members where their expertise is relevant to the case. No person may serve as a member of the Academic Appeals Board where they:

- were materially involved in the decision being challenged;
- participated in the earlier consideration of the appeal;
- may be required to provide evidence;
- have advised on the substance of the case; or
- have another actual or apparent conflict of interest.

The Registrar's administrative involvement in receiving, acknowledging or coordinating an appeal will not, by itself, prevent the Registrar from chairing the Academic Appeals Board. Where the Registrar has advised on the substance of the case, made a material procedural decision or otherwise had substantive prior involvement, an independent nominee will act as Chair. Where the usual Chair is unavailable or has a conflict of interest, an appropriately senior and experienced nominee with no prior involvement in the case will act as Chair.

Quorum

The quorum is three voting members, including:

- the Chair; and
- at least one member with appropriate academic expertise.

Every member of the quorate Board must be free from prior involvement and actual or apparent conflict of interest.

Secretary

The Chair will appoint a Secretary to support the Academic Appeals Board. The Secretary will:

- arrange the meeting and circulate the papers;
- advise on the administrative requirements of the Procedure;
- maintain an accurate record of the meeting, the Board's findings and its decision;
- prepare the written outcome for approval by the Chair; and

- coordinate communication and monitor implementation of the outcome.

The Secretary is not a voting member of the Board and must not have had substantive prior involvement in the appeal.

Frequency

The Academic Appeals Board will meet as required to determine appeals within the timescales set out in the Academic Appeals Procedure.

Terms of Reference

The Academic Appeals Board is responsible for:

1. considering and determining academic appeals referred to it under the Academic Appeals Procedure;
2. determining whether one or more permitted grounds of appeal have been established;
3. making findings, directions and recommendations within the authority conferred by the Procedure and the School's academic regulations;
4. directing that a process affected by a material error or irregularity be repeated or reconsidered where appropriate;
5. referring matters requiring academic judgement to the relevant academic decision-making body;
6. identifying policy, procedural or practice issues arising from individual or recurring cases;
7. referring significant or urgent concerns to Academic Council or another appropriate body; and
8. providing information required for annual monitoring of the Academic Appeals Procedure.

Authority

The Academic Appeals Board reports to Academic Council.

The Board may make findings, directions and recommendations within the authority set out in the Academic Appeals Procedure and the School's academic regulations.

Decisions

The Academic Appeals Board will seek to reach decisions by consensus. Where consensus cannot be reached, the decision will be made by a majority of the voting members present at a quorate meeting. Where votes are equally divided, the Chair will have a casting vote.

Any differing view that a member considers material may be recorded in the confidential meeting record, but the written outcome issued to the student will communicate the decision of the Board.

Record of proceedings

The Secretary will maintain a confidential record of:

- the members present;
- declarations of prior involvement or conflicts of interest;
- the evidence considered;
- the Board's material findings;
- the decision and reasons;
- any vote taken; and
- actions, directions or recommendations arising from the decision.

The record will be retained in accordance with the School's data protection and records-retention requirements.

Version Control

Name of policy/procedure:	Academic Appeals Procedure
Document owner:	Quality Manager
Date Originally Created:	01/2019
Related documents: (eg associated forms, underpinning processes, related policies or overarching policies)	Academic Regulations; Marking and Moderation Policy; Extenuating Circumstances Policy and Procedure; Academic Misconduct Policy and Procedure; Student Complaints Procedure; Applicant Complaints and Appeals Procedure; Recognition of Prior Learning Policy and Procedure; Equality, Diversity and Inclusion Policy; Data Protection Policy; Disability Policy
External Reference Points	• UK Quality Code for Higher Education, Quality Assurance Agency for Higher Education; • relevant QAA advice and guidance concerning complaints and academic appeals; and • Good Practice Framework: Handling complaints and academic appeals, Office of the Independent Adjudicator for Higher Education.

Version Control				
Version	Author	Date	Brief summary of changes	Effective
1	Hannah Kohler (Director of Admissions and Student Support)	13/01/2019	Original draft	
2	Edward Fido (Chief Executive)	13/03/2019	Amendments to wording	
3	Hannah Kohler (Director of Admissions and Student Support)	04/06/2019	Clarified Monitoring and Review approach	
4	Hannah Kohler (Director of Admissions and Student Support)	07/06/2019	Included provision for students who are for a valid reason unable or unwilling to divulge factors affecting their performance ahead of the Extraordinary Deferrals deadline. Included detail on membership and responsibilities of Academic Appeals Board. Included visual to explain overall academic appeals procedure. Included contact details for Registrar.	

5	Hannah Kohler (Director of Admissions and Student Support)	24/06/2019	Revision of academic appeals procedure to reflect updated approach on extenuating circumstances and to align with Academic Regulations	
6	Hannah Kohler (Director of Admissions and Student Support)	14/08/2019	Minor wording changes	
7	Hannah Kohler (Director of Admissions and Student Support)	02/12/2019	Amendments to wording; inclusion of right to appeal Extenuating Circumstances Panel	
8	Academic Council	18/12/2019	Requires update in light of decision to pursue NDAPs	
9	Hannah Kohler (Director of Admissions and Student Support)	14/02/2020	Removed reference to validating partner	
10	Academic Council	16/03/2020	Approved	
11	Dr Andrew Redford	08/2021	Minor changes of job titles	2021-2022
12	A Redford, Head of Quality	RWG chair's action. 08/09/2022	Minor amendments on clarity of applicable processes	2022-2023 onwards
13	A Redford, Head of Quality	Policy & Regulatory Committee, 15/11/2023	Inclusion of Appeals Panel terms of reference and repeat of process	2023/2024 onwards
14	Quality Manager		Comprehensive review of scope, grounds, procedural stages, reviewer-led resolution, Academic Appeals Board arrangements, internal review, accessibility, remedies, monitoring and external references, including allocation of the final internal review stage to the Chair of Academic Council.	2026/2027 Academic Year