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1. City College Norwich Higher Education Academic Appeals Procedure

Recommendation

That the Higher Education Academic Appeals Procedure, attached at Appendix 1, for City College Norwich be approved.



College Procedure

DATE OF ISSUE: September 2009

TITLE: Higher Education Academic Appeals Procedure

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SUMMARY:

Academic appeals procedure for students on Higher Education Programmes

SUBJECT:

- Curriculum
- Equal Opportunities/Disability
- Finance
- Governance
- Information Technology
- Staff
- Strategic Issues
- Student Matters
- Other (please specify) _____

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CITY COLLEGE NORWICH
HIGHER EDUCATION ACADEMIC APPEALS PROCEDURE
VERSION 10.0

1 *PURPOSE AND SCOPE*

1.1 Purpose

The purpose of this Procedure is to allow CCN students on higher education programmes to raise concerns about their assessment results and the outcomes of the Boards and Panels which make decisions on progression, awards and classifications. Such concerns are taken seriously by the College and by the University of East Anglia (UEA) which validates HE awards at the College.

The Procedure is designed to enable a student's concerns to be considered fully and addressed in a timely and appropriate manner.

1.2 Application

This Procedure applies to all Higher Education courses operated by City College Norwich (CCN) including those leading to an award of the University of East Anglia with the exception of:

- a) courses for which the awarding or validating body has its own mandatory appeals procedure, in which case that procedure shall apply; or
- b) **courses that are assessed entirely or partly by external examination or assessment, in which case the regulations of the examining board shall apply. Where the regulations of the external examining board do not cover internally assessed components (e.g. coursework) the Academic Appeals Procedure shall apply to those components.**

1.3 Scope

This Procedure shall have within its scope the decisions of module lecturers, the Higher Education Academic Disciplinary Panel, the College Mitigating Circumstances and Special Allowances Board, Module Assessment Boards, the College Awards Boards and Referral Board, and any decisions made by Chair's Action on behalf of those Boards, whether confirmed or not. Factors or services within the control of the college which can be shown to have an impact on students' academic performance are also within scope.

The decisions of the College Professional Misconduct or Unsuitability Committee are specifically excluded from the scope of this Procedure.

1.4 Complaints

Concerns about matters that do not relate to academic results or outcomes

should be raised via the College's Complaints Procedure. Details are available from the Advice Shop and online in the 'Higher Education at City College' organisation pages on Blackboard.

- 1.5 Glossary of Terms
Terms used in the Academic Appeals Procedure are set out in Appendix 2.
- 1.6 Throughout this Procedure the term 'result' is used to represent mark, grade or outcome.
- 1.7 Throughout this Procedure the term 'Assessment Board' includes any formally constituted Board, Panel or Committee which decides/confirms students marks, grades, awards classifications or progression.

2 *THE RIGHT OF APPEAL*

2.1 Our Commitment

- a) No disadvantage
Any student who submits an appeal under this Procedure will not be disadvantaged for having done so. Any student who believes that s/he has been disadvantaged by making an appeal should contact the Higher Education Quality Learning and Teaching Manager immediately.
- b) Equal Opportunities
The College will, in considering appeals, apply this Procedure in accordance with its published Equal Opportunities Policy.
- c) Confidentiality
All parties to the appeal and individuals who have been involved in any related investigation and/or the management /administration of the appeal will observe the requirements of confidentiality. Whilst confidential information may need to be disclosed in order to consider the appeal, this will only be to those staff involved in the consideration of the appeal.
- d) Data Protection
All personal information will be processed by the College in accordance with the Data Protection Act 1998.

2.2 The College expects that students will not engage in frivolous or malicious appeals.

2.3 A student dissatisfied with an assessment decision shall have the right to appeal for a review of the decision on any one or more of these grounds:

- a) dissatisfaction with the result, provisional or confirmed, awarded to his/her work or the classification awarded to his/her qualification.
(Please turn to Section 3 for guidance on how to proceed.)
- b) dissatisfaction with a progression decision, grading penalty, decision of the Mitigating Circumstances or Special Allowances Board or other matter which is the result of an academic (as opposed to a disciplinary or

financial) judgement.

- c) that his/her performance was adversely affected by factors that he/she was unable or, in exceptional circumstances only, unwilling on valid grounds to divulge to the Assessment Board before it met, as is required by the Mitigating Circumstances and Special Allowance Procedure;
- d) there had been a material administrative error in the assessment;
- e) the assessment had not been conducted in accordance with the regulations.
(Please turn to Section 4 for guidance on how to proceed.)
- f) there are other reasons that cause concern about an academic result, for example, concerns relating to the student experience, the teaching provided was insufficient, inadequate learning support, accommodation or the quality or accuracy of advice and guidance.

2.4 A student may not use the Academic Appeals Procedure:

- a) for any grounds which could have been considered by an Assessment Board, had notice of the student’s wish to have them considered been given prior to the meeting of the Assessment Board, in accordance with the Mitigating Circumstances and Special Allowance Procedure, and the student had no valid reason for having failed to give such notice;
- b) for any grounds which do not relate to an academic result;
- c) to contest or dispute any judgement of the College Professional Misconduct or Unsuitability Committee where there is already a separate appeals procedure.

3 THE APPEALS PROCEDURE: MAKING AN APPEAL

Nature of Appeal	Form to be completed	Managed by	Reason for Appeal
Informal Approach to the lecturer	-	CCN	Dissatisfaction with the result for an individual piece of assessed work
Preliminary Stage	AAP	CCN	
Stage 1 Appeal	AA1	CCN	Dissatisfaction with any decision within the scope of this Procedure (see 1.3 above)
Stage 2 Appeal	UEA(CCN) Stage 2 Appeal Form AA2	UEA	Dissatisfaction with the outcome of a Stage 1 Appeal
Appeal to the Office of the Independent Adjudicator	letter to OIA	OIA	Dissatisfaction with the outcome of a Stage 2 Appeal

3.1 There are several levels to the procedure depending on the nature of the appeal:

a) The Informal approach to the lecturer

A direct approach to the module lecturer concerned will often resolve anxieties or dissatisfaction with the provisional result/grade awarded to a student's work.

- ☛ *Students are strongly recommended to attempt to resolve the issue through this informal route before proceeding to a formal Appeal.*

b) The Formal procedure:

i. The Preliminary Stage (Section 3.2).

Students should use this part of the procedure first, where the appeal relates to a module result which has not yet been confirmed by an Assessment Board and so falls within the scope of 2.3.a above.

ii. Stage 1

Appeals at Stage 1 are managed by CCN . This procedure is to be used if a student is dissatisfied with the outcome of a Preliminary Stage Appeal, with any judgement or result made or confirmed by an Assessment Board or any of the grounds listed in 2.3 b - f.

The Full Stage 1 procedure is set out in Section 4.

iii. Stage 2

Appeals at Stage 2 are managed by the University of East Anglia. This procedure is to be used if a student is dissatisfied with the outcome of a Stage 1 Appeal.

The Full Stage 2 procedure is set out in Section 5.

3.2 The Preliminary Stage

- ☛ **N.B If the academic result has been confirmed by an Assessment Board the student must pursue their Appeal through Stage 1 described in Section 4, below.**

- ☛ **a) Appeals at this stage must relate to one of the following categories of academic result including:**

- a provisional unit/module result
- a provisional examination mark
- a provisional coursework, dissertation or research project mark
- a provisional mark for a presentation, performance, demonstration etc

If the assessment activity concerned was not assessed by more than

one authorised assessor a student can ask for it to be assessed a second time. However, if it has already been assessed by more than one authorised assessor who agreed the judgement with the first assessor the student will have to submit a stage 1 appeal to query the academic judgement.

b) The Procedure for the Preliminary Stage

Request for Reconsideration

N.B. It must be understood that if a student formally requests a remark of the work then the mark can go down as well as up.



i) If, when marked work is handed back with feedback and a provisional result/grade, the student is dissatisfied with the outcome s/he should complete a Request for Reconsideration Form (AAP) and present it to the Head of School (HOS) within 5 working days of receipt of the provisional mark.



ii) The HOS or the Programme Manager acting on his/her behalf will ascertain whether or not the work has been Internally Verified (IV'd). If it has not then the work will be presented to a second member of academic staff (normally the individual who IV'd the original sample), who will Internally Verify the work.



iii) Once the work is confirmed as having been Internally Verified the student will be advised in writing of the outcome.

If the Student is still not satisfied - proceed to Stage 1

iv) If the student is still not satisfied then s/he can proceed to the formal Stage 1 Appeal.



The full Stage 1 Procedure follows in Section 4.

TARGET maximum response time: From presentation of completed AAP to HOS to outcome: 7 working days

4 FULL PROCEDURE FOR MAKING AN APPEAL AT STAGE 1

4.1 Appeal at Stage 1

The Stage 1 Appeal is managed by the College and the College Academic Appeals Panel operates with the authority of City College Senate.

It is important to note that the Stage 1 Appeals procedure is an *evidence based* process and no appearance before a panel is involved. The Appeal will be judged solely on the material presented with the Appeal form (AA1) including any supplementary documentation provided.

The Stage 1 Appeals process must be used where:

- a) a student wishes to appeal against the outcome of a Preliminary Appeal;
- b) a student wishes to appeal against the decision or outcome of any of the College Panels or Boards which are within the scope of the Academic Appeals Procedure as set out in 1.3 above and those grounds listed in 2.3.

4.2

Step by step summary:

The student completes a Stage 1 Appeals Form AA1

The form is available online at Blackboard/Higher Education @ CCN/Standard Forms/AA2 or from the Advice Shop.

Notes on Completion of form AA1

- a) **A Stage 1 Academic Appeal is initiated by the submission of a completed AA1 form, signed by the student, to the Advice Shop within the published deadline.**
- b) **Should the student be unable to complete the form a relative may do this on the student's behalf if there is no alternative and should contact the Higher Education Quality Standards Officer (HEQSO) to request a delayed submission of the Appeal.**

Submission of AA1

4.3

- a) **The completed form together with any supporting documentary evidence should be addressed to the HEQSO and submitted to the Advice Shop in a sealed envelope marked 'CONFIDENTIAL : ACADEMIC APPEAL'.**

N.B an appeal must be submitted no later than the end of the 15th working day after the date of posting of the official notification of the outcome of the College Panel or Board concerned.

Appeals submitted after this deadline with good reason for the delay may still be considered.

- 4.4 b) The Advice Shop shall issue a receipt for the envelope and pass it on to the HEQSO by the next working day.



The HEQSO will then:

- a) inform the UEA Partnerships Office that an Appeal has been lodged.
- b) acknowledge in writing receipt of the notice of appeal. If the student has given his/her email address and signed the AA1 form in 'box 2' then the student has authorised the transmission of information and documents by email. It is the responsibility of the student to ensure that this arrangement would enable them to receive and respond to messages.

Additionally:

- c) If the result has already been considered by an Assessment Board the Appeal will be presented for initial review to a panel drawn from LIST A (Appendix 1).
- d) If the result of the initial consideration is that the Appeal has merit then the HEQSO will organise the formation of a Stage 1 Academic Appeals Panel which will proceed in accordance with the provisions set down in Section 4.4 of this procedure.
- e) If the result of the initial review is that the appeal has no merit or fails because of a procedural failure on the part of the student then the HEQSO will write to the student giving the reason for the rejection of the appeal and advising the student of their right to make a Stage 2 Appeal (Section 5).
- f) No-one appointed to the Stage 1 Appeals Panel shall have had any involvement in teaching, assessment or decision making related to the appeal.

- 4.5 The HEQSO may call for additional written evidence from the student or from College staff and present for consideration any such evidence as he/she thinks is relevant to the appeal.

The following documents would normally be considered as evidence:

- Stage One Appeal form and accompanying evidence
- The student 's academic record
- Statement from the Board of Examiners
- Statements from other appropriate parties
- Documentary medical evidence submitted by the student

The HEQSO shall provide a copy of any piece of documentary evidence not already provided by the student (who shall be presumed to have the original or a copy).

- 4.6 The meeting of the Appeals Panel

Upon receipt of an appeal request the HEQSO shall act as Secretary to the Panel and:

- a) convene a College Academic Appeals Panel within 5 working days of receipt of form AA1. The membership of the Academic Appeals Panel is set down in Appendix 1.
- b) seek from the Chair of VARC confirmation of the Panel Chair, who shall normally be the more experienced member of the Initial Review Panel.
- c) give immediate notice of the appeal in writing to the Chair of the Assessment Board, Head of School responsible for the programme and the relevant Programme Manager requesting them to present evidence in writing to the Academic Appeals Panel.
- d) distribute copies of all papers to the Panel members and the Chair of the Assessment Board, the Head of School, and the Programme Manager who have indicated that they intend to appear at least 5 working days before the scheduled date for the meeting.
- e) keep an accurate record of the proceedings and shall be present throughout.

The Panel will:

- f) consider the evidence presented to it and agree its decision, the reasons for it and the remedy (or other action) it requires. The possible outcomes are listed in 4.4.
- g) ensure that the Secretary has clearly noted its decisions, reasons and recommendations.**

4.7 OUTCOMES OF THE APPEAL: DECISION OF THE COLLEGE STAGE 1 ACADEMIC APPEALS PANEL

Having considered the appeal, the Panel may:

- a) refer the issue and any recommendation to the Assessment Board for reconsideration, at its next scheduled meeting, or**
- b) require an immediate meeting of the Assessment Board in order to address the decision of the Panel. For this purpose the Panel shall specify the minimum membership of the Assessment Board required to conduct this business.**
- c) make specific recommendations to the Chairs of VARC, HELTC &/or HEQMC.**
- d) annul the assessment or part of the assessment, or the result or**

outcome and make stipulations as to how the assessment process shall be taken forward.

e) dismiss the appeal.

4.8. CONDUCT OF THE PANEL

a) The Secretary shall inform the student in writing of the outcome within 3 working days of the conclusion of the Panel. This correspondence must

i) be copied to the relevant Head of School, the Chair of the Panel and the Chair of the Assessment Board and

ii) inform the student of their right to proceed to a Stage 2 Appeal if they are dissatisfied with the outcome.

b) At the end of the meeting members of the Panel must return their papers to the Secretary to ensure that they are disposed of confidentially. A copy of the papers shall be retained by the secretary indefinitely.

c) The Secretary shall provide, by the end of the 5th working day after the conclusion of the Panel meeting, a report of the proceedings (which may constitute the minutes of the proceedings as confirmed by the Chair), with recommendations as appropriate, to the relevant Head of School and to the HE Quality Learning Teaching Manager, who will monitor the recommendations and ensure that appropriate action is taken as necessary.

d) If the Panel refers an appeal to a Board of Examiners, the Chair of the Panel will present the case to the Board (in person whenever possible). The minutes of the meeting and any correspondence relating to the reconsideration of the Board's decision should be included with the Board's formal response to the Chair of the Panel. After the Examiners have reviewed their academic decision, the Stage 1 Panel Secretary will notify the student of the outcome within 20 working days.

e) The Secretary shall inform the UEA Partnerships Office of the outcome within 5 working days.

4.9 If the Student is still not satisfied - proceed to Stage 2

If a student has exhausted the College Academic Appeals Procedure and believes that they have qualifying grounds for proceeding with their appeal they have a right of appeal to the University under Stage 2 of the Procedure.

The full Stage 2 Procedure is described in Section 5.

5. APPEAL AT STAGE 2

5.1.1 A student registered on a course validated by the University of East

Anglia may lodge an appeal to the University using the Stage 2 Appeals Procedure, provided that:

- a) The student has completed the Appeal at Stage 1 (a Stage 2 appeal cannot be initiated until the CCN internal procedures have been completed first, see d. below) and are still dissatisfied:
- b) **The appeal satisfies at least one of the following grounds:**
 - **There is new information to be put forward by the student that was not known to the Assessment Board or to the Academic Appeals Panel that investigated the original appeal;**
 - **That evidence put forward at Stage 1 was not fully and properly considered;**
 - **That there was procedural irregularity in the conduct of the Stage 1 appeal;**
 - **That there was the appearance of prejudice and/or bias, in the conduct of the Stage 1 appeal.**

5.1.2 a) The Stage 2 appeal involves the University and is considered by an independent panel of senior academic staff from the University and the College, with the student presenting the appeal (with someone to accompany or represent them if they wish), and the Chair of the Stage 1 appeal from the College or a suitable substitute presenting the School's case. The Stage 2 Hearing Panel represents and acts with the full delegated authority of the University of East Anglia Senate.

b) This procedure is managed by the University with initial support from HEQUEST at the College.

5.1.3 Procedure:

1) The student submits a completed Stage 2 Appeal Form together with all relevant documentary evidence in support of his/her appeal, to the HEQSO at the College, via the Advice Shop..



*N.B the student must submit the appeal no later than the end of the 10th working day after receiving the official notification of the outcome of the Stage 1 Appeal. **Appeals submitted after this deadline with good reason for the delay may still be considered.***

2) The HEQSO will

- i) **present the appeal documentation to the Deputy Principal (Academic Affairs) or, if unavailable, the Vice Principal Curriculum and Quality or, if unavailable a senior academic of the College nominated by UEA.**

Then:

- ii) **the Appeal will be considered with respect to the qualifying grounds and if it is decided by the Deputy Principal (Academic Affairs) that the case merits a Stage 2 Appeal s/he will inform the Partnerships**

Office at the University;

- iii) if the judgement of the Deputy Principal (Academic Affairs) is that there are no grounds to proceed to a Stage 2 Appeal s/he shall refer that decision to the Academic Registrar of the University. If the Academic Registrar has already been consulted by the Deputy Principal (Academic Affairs), one of the UEA Learning and Teaching Directors (normally the Director of Taught Programmes) will review the decision.

If the appeal is rejected, this decision is final and there is no further right to appeal in the University or the College. Regulation 14.2 below refers to how a complaint can be pursued further elsewhere.

Any Director who reviews the appeal will not sit on the Hearing Panel should the appeal proceed to a hearing.

If the decision is to proceed then that instruction shall be passed to the Partnerships Office and the appeal process shall begin.

- iv) If the Academic Registrar decides that there are no grounds to proceed to a Stage 2 Appeal then s/he shall inform the Partnerships Office, the Deputy Principal (Academic Affairs) and the HEQSO. The Partnerships Office shall inform the student in writing that the appeal is rejected.
- v) If the outcome is to proceed to a Stage 2 Appeal Hearing then the Partnerships Office shall inform the student in writing.
- vi) The Partnership's Office shall at this point refer the appeal back to the Chair of the College Stage 1 Panel with an explanation as to the grounds and providing any new information that may have subsequently come to light. The Chair of the College Stage 1 Panel may decide to reconsider the decision (if for instance new information has been provided), and will proceed as in Section 4.3.

In this case, the student retains the right to submit a Stage 2 appeal should s/he remain dissatisfied with the outcome. The Chair of the Panel must respond formally to the Deputy Principal (Academic Affairs) within ten days of receiving the appeal.

- vii) If the Chair of the Stage 1 Panel reconfirms its original judgement the Partnerships Office will then convene a Stage 2 Appeals Panel and will appoint:
 - a Chair who shall be of the University
 - a senior academic who shall be of the University and
 - a senior academic who shall be of CCN.

No-one appointed to the Stage 2 Appeals Panel shall have had any involvement in teaching, assessment or decision making related to the appeal.

viii) The Appeal shall then proceed according to the procedures set down in Section 6.

5.2 FULL PROCEDURE FOR MAKING AN APPEAL AT STAGE 2

5.2.1 A student may decide to withdraw an appeal, providing the Partnership's Office is advised in writing before the date of any Appeal Hearing.

5.2.2 Once the decision has been made that the appeal shall be heard and it has not been resolved by reconvening the Stage 1 Panel then the appeal will proceed as follows:

5.2.3 If the appeal is accepted on grounds other than or in addition to procedural irregularity, the Academic Registrar will appoint an Appeal Secretary from the University's Partnerships Office who will be the main contact point for Stage 2 proceedings. The Appeal Secretary will send a copy of the appeal form and supporting evidence submitted by the student to the Chair of the Stage 1 Appeals Panel (via HEQUEST). For ease of reference, the person responsible for responding to the appeal will be called the Stage 1 Chair hereafter in this Procedure.

5.2.4 If the appeal is accepted on the grounds of procedural irregularity alone, the appeal will be sent to the relevant Stage 1 Chair who shall make the appropriate arrangements to remedy the procedural irregularity. This may include reconvening the appropriate Board of Examiners. Provided that there are no further procedural irregularities in this part of the process, there shall be no further right to appeal in the University or the College. Regulation 14.2 below refers to how a complaint can be pursued further.

5.2.5 Assuming the appeal progresses to a Hearing, the Stage 1 Chair must provide the Secretary to the Stage 2 Hearing Panel (hereinafter referred to as the Panel) with a written response to the student's Stage 2 appeal, including a list of the evidence considered and details of a maximum of three people they wish to propose as witnesses for the Panel. Witnesses must have some relevance to the case and for each witness proposed, a brief supporting statement must be provided by the Stage 1 Chair.

5.2.6 The Appeal Secretary will provide the student with a copy of the Stage 1 Chair's written response to the Stage 2 appeal and invite the student to confirm that s/he would like to proceed with the appeal and if wished, to provide details of a maximum of three people the student proposes to call as witnesses for the Panel. Witnesses must have some relevance to the case and for each witness proposed, a brief supporting statement must be provided by the student.

5.2.7 Exceptionally the Chair of the Panel may agree to additional witnesses. The Panel may also request additional witnesses. Witnesses attend as neutral witnesses to provide information to the Panel to help it reach a decision; witnesses do not represent the student or Stage 1 Chair. If any proposed witness is not a member of UEA or CCN staff, the proposer must first seek the person's permission before making the nomination.

5.2.8 With limited exceptions (for example, where information cannot be

disclosed because of the University's and College's obligations under the Data Protection Act), all written material considered by the Stage 1 Chair under this procedure will be provided to the student. No evidence submitted may be anonymous.

5.2.9

Each appeal will normally be considered individually, (though depending on circumstances, where a series of appeals involve the same subject matter or individual(s), such appeals may be considered collectively, subject to any confidentiality requirements).

5.3

The Appeal Hearing

5.3.1

When the student receives the written response to her/his appeal s/he will be asked which type of Hearing is preferred, oral or paper-based. Generally, the student will be encouraged to have an 'oral' Hearing (the student can choose whether to be present or not) because s/he and/or the other parties will be able to communicate directly with the Panel.

5.3.2

The student may opt (this to be made clear in the notification of the hearing from the Partnerships Office) for an oral Hearing to take place either at the College or the University.

5.3.3

The student may nominate someone either to accompany or to represent them in the oral Hearing. The friend will not be permitted to speak during the Hearing unless nominated to represent the student.

5.3.4

With the agreement of the College, a student may opt for a 'paper', rather than an 'oral' hearing. For a paper Hearing, written statements will be submitted by all parties, including witnesses, and the Panel (and Appeal Secretary) will meet to consider these and then arrive at a decision.

5.3.5

If the student is expected at an 'oral' Hearing but fails to attend, the Panel may decide to continue with the hearing (providing it is satisfied that the student has been properly informed about the arrangements) or to adjourn. If the Hearing continues, anyone whom the student had chosen to accompany or represent him/her would remain for the hearing.

5.3.6

The Academic Appeals Procedure is not a formal legal process and therefore members of the legal profession acting in that professional capacity are not permitted to accompany or represent the student.

5.3.7

The person who made the decision at Stage 1 of an academic appeal (normally the Stage 1 Chair except in cases of appeals against the charges of plagiarism and/or collusion) must present the case at Stage 2 hearings. A substitute for the person who made the decision at Stage 1 will only be allowed where that person is unexpectedly unable to attend the hearing (e.g. through illness) and it is not possible to reschedule the hearing. The Chair of the Panel will determine whether a substitute is permitted.

5.3.8

The Panel will be of mixed gender where possible and consist of three members. The Panel will include at least one of the following:

- The Director of Partnerships or the Director of Taught Programmes who

will chair or a Faculty Associate Dean (Learning and Teaching) in the absence of the Director(s)

- One member of UEA senior academic staff who has received appropriate training
- One member of City College Norwich senior academic staff who has received appropriate training and has not been involved in the appeal

5.3.9

The oral hearing shall proceed as follows:

- a) The student or his/her representative may make an opening statement;
- b) The Stage 1 Chair may make an opening statement;
- c) After the opening statement by the student or his/her representative and by the Stage 1 Chair, the student or his/her representative and the Stage 1 Chair may question each other through the Chair of the Panel;
- d) Members of the Panel may ask questions of the student or his/her representative and of the Stage 1 Chair on completion of the questioning of the student (or his/her representative) and of the Stage 1 Chair by each other;
- e) Witnesses will be called one at a time and be questioned first by the person who nominated them, then the other party and finally by the Panel;
- f) The Stage 1 Chair may make a closing statement if wished (and may leave the hearing for a few minutes to prepare this);
- g) The student or his/her representative may make a closing statement if wished (and may leave the hearing for a few minutes to prepare this);
- h) The hearing closes and all parties, except the Panel and Appeal Secretary, leave the room to allow the Panel to reach a decision.

5.3.10

The rule of the Chair on any point of procedure shall be final.

5.3.11

The Chair of the Panel may adjourn the hearing if it becomes clear during the hearing that the deliberations of the panel would benefit from an adjournment.

5.4

Actions and outcomes

5.4.1

The Academic Appeal Hearing Panel represents and acts with the full delegated authority of the Senate of the University of East Anglia. It has the power to:

- require members of staff of the College to make written submissions, attend, give evidence, and answer questions
- review recommendations of Examiners
- require Examiners to review academic decisions
- require a School to undertake remedial actions in addition to a review of the academic decision by the Examiners

5.4.2

The Panel does not have the power to change an academic decision.

If the Panel decides that, based on evidence presented at the hearing, remedial action is warranted, the Appeal Secretary will write to the Stage 1 Chair to instruct him/her on the action to be taken, giving a full and clear explanation of the decision. In particular, it may:

- a) **In the case of a taught degree result, an examination mark or mark for other assessed work, (including dissertation or project) that has been appealed, instruct the relevant Board of Examiners to reconvene in order to review its decision. The Chair of the Panel will present the decision of the Panel (in person whenever possible) to the Board of Examiners;**
- b) **In the case of an appeal against a verdict of plagiarism and/or collusion, set aside the verdict and instruct the relevant Board of Examiners to reinstate the mark(s) prior to the application of any penalty for plagiarism and/or collusion and to review its academic decision.**

5.4.3

If the Panel decides that remedial action is required the Appeal Secretary will write to the student giving details of the remedy, the likely timescales for further action (where Examiners are being required to review their academic decision for example) and for notification of the final outcome. A full and clear explanation of the decision will be provided. The potential actions and outcomes will vary depending on whether the student is an undergraduate or a postgraduate.

5.4.4

Where the Board of Examiners has been required to review its academic decision, the Board will formally notify the Chair of the Panel and Appeal Secretary of the final academic decision with a full and clear explanation. The Chair of the Panel will present the decision of the Panel (in person whenever possible) to the Board of Examiners. The minutes of the meeting and any correspondence relating to the reconsideration of the Board's decision should be included with the Board's response to the Chair of the Panel and the Appeal Secretary.

5.4.5

If the Board of Examiners has changed its academic decision as a result of its consideration of the appeal, the Appeal Secretary will notify the student of the final outcome of Stage Two, giving a full and clear explanation of the decision.

5.4.6

If the Board of Examiners has not changed its academic decision as a result of its consideration of the appeal, the Chair of the relevant Appeal Panel and the Academic Registrar will consider the Board's response and determine whether or not the matter should be referred to the Senate. The Appeal Secretary will notify the student of the position and thereafter notify the student of the final outcome of Stage 2, giving a full and clear explanation of the decision.

5.4.7

If the Panel decides that, based on evidence presented at the hearing, remedial action is not warranted, the Appeal Secretary will write to the student and the Stage 1 Chair to inform them that the appeal has been rejected. The letter from the Panel will give a full and clear explanation of the decision.

5.5

5.5.1

Timescales for Stage Two

- 5.5.2** The student must submit the completed Stage 2 Academic Appeal Form and any supporting documents to HEQUEST within 15 working days of the notification of the outcome of the Stage 1 Appeal (or the notification of a subsequent Board of Examiners decision) or decision that the student has plagiarised and/or colluded. Appeals submitted after this deadline with good reason for the delay may still be considered.
- 5.5.3** The Stage 1 Chair must provide a response within 10 working days of receiving the student's appeal from the Appeal Secretary.
- 5.5.4** If the Stage 1 Chair decides to reconsider the original Stage One decision and submit the appeal to the Board of Examiners, the student must receive notification of the outcome from the Appeal Secretary within 20 working days of the Stage 1 Chair receiving the appeal.
- 5.5.5** A Panel hearing will normally take place within 30 working days of confirmation by the student that s/he wishes to proceed with an 'oral' or 'paper' hearing. Papers will normally be circulated at least 5 working days before a hearing (whether 'oral' or 'paper') takes place.
- 5.5.6** If a Stage 2 Panel refers an academic appeal to a reconvened Board of Examiners, the Board of Examiners should normally meet within 30 working days of the Stage 2 hearing. Notification of the decision of any reconvened Board of Examiners following a Panel Hearing shall be sent in writing to the Appeal Secretary within 5 working days of any reconvened Board.
- The Appeal Secretary will normally advise the student and Stage 1 Chair of the outcome of the Stage 2 appeal in writing within 5 working days of a Stage 2 hearing or within 10 working days of the meeting of the reconvened Board of Examiners in accordance with Paragraph 13.5 above or in accordance with the terms of Paragraph 12.6 above.
- 6** Further right to appeal
- a) Following completion of Stage 2 there is no further right to appeal within the University or the College.**
 - b) Students who are dissatisfied with the outcome of their Stage 2 academic appeal, or whose appeal was rejected without a hearing, may complain to the Office of the Independent Adjudicator for Higher Education (OIA). Details will be provided in the letter advising the student of the appeal's final outcome.**
- 7** CONFLICT OF INTEREST
- It may not always be desirable for the original Assessment Board to review a decision it previously made following a Stage 1 or Stage 2 academic appeal. Individuals who are involved in the academic appeal (e.g. named in the appellant's papers; witnesses to a hearing) may have a conflict of interest between their role in the appeal and their role as an

examiner. The normal process for approval of changes to membership of an Assessment Board should be followed if any change is needed. The College, through the Chair of VARC, will inform the Partnerships Office should such a change be necessary following a stage 1 appeal. The University will make recommendations to the College following a Stage 2 academic appeal.

8 HEQSO'S ANNUAL REPORT

The HEQSO will submit an annual report on all appeals received and the outcomes of those appeals to the first scheduled Higher Education Learning and Teaching Committee and Joint Board of Study of the following academic year.

9 DOUBTS REGARDING THE INTEGRITY OF THE ASSESSMENT PROCESS

9.1 If on hearing an appeal the responsible officer (Programme Manager, Head of School, Initial Reviewer or Chair of the Stage 1 Appeals Panel) believes that the integrity of an assessment process (i.e. that the problem identified in one or a sample of assessed work is likely to be replicated throughout the module cohort) has been called into question (e.g. that the expected standard for marking of a piece of work has been incorrectly applied or that marking has failed to take into account the published assessment criteria) then he/she shall immediately make this known to the HEQLTM or if unavailable, the Vice Principal, Curriculum and Quality (VP). (HEQLTM is used hereinafter to refer to this person).

Subsequent action as described below will then depend on whether the marks/grades in question have or have not been considered at an Assessment Board:-

9.2 The integrity of the assessment process is in doubt and the marks/grades have not yet been considered by an Assessment Board:

- a) The marks/grades remain provisional until an investigation has taken place and been resolved to the satisfaction of the HEQLTM. The marks/grades shall then be presented to the Assessment Board in the normal way.
- b) If the investigation results in the marks/grades for the module(s) concerned being delayed, they will be presented to the next scheduled meeting of the Module Assessment Board or if this would significantly disadvantage the students (e.g. by preventing graduation within the expected timescale) to the next Referral Board.

9.3 The integrity of the assessment process is in doubt and the marks/grades have been considered by an Assessment Board:

- a) Necessarily time is of the essence particularly if an award has been or may be about to be recommended on the basis of marks which are now thought to be unreliable.
- b) If, in discussion with the HEQLTM, there is a prima facie case to answer then the Chair of the Assessment Board* to which the marks were presented is to be advised by the responsible officer of the

nature and extent of the problem.

***If it should happen that the HEQLTM and the Chair are one and the same person then the matter is to be presented to another qualified Chair or to the Vice Principal, Curriculum and Quality or the Deputy Principal Academic Affairs (referred to hereinafter as the Chair).**

- c) The Chair shall then immediately :**
- i) Inform the Deputy Principal Academic Affairs (if not already so informed)**
 - ii) Instruct the secretary to the board to write to all students affected to advise them that a question has been raised, that, their marks are now to be regarded as provisional pending the outcome of an investigation and that they will be kept informed of any outcome.**
 - iii) inform Partnerships Office at UEA**
 - iv) inform the External Examiner(s)**
 - v) inform Exams & Outcomes that all the marks/grades are now to be reinstated as provisional pending the outcome of an investigation**
 - vi) undertake a full investigation defining terms of reference appropriate to the nature of the problem**
 - vii) present the results of the investigation in a summary report of the key facts and recommendations, if any, to the HEQLTM within 10 working days of the commencement of the investigation.**

HEQLTM will then consider the report and decide how best to proceed.

9.4 Possible Outcomes following from 9.3:

- a) The whole cohort's assignments are re-marked (blind) by a suitably qualified new assessor and subjected to IV in the normal way**
- b) The External Examiner is asked to consider a sample and suggest an adjustment factor to be applied to all scripts in the cohort**
- c) An adjustment factor agreed by HEQLTM/Programme Manager/HoS/Examiners is proposed to the External Examiner for application to the whole cohort.**

In extreme circumstances and depending on the nature of the fault and at all times in consultation with and with the agreement of the External Examiner:

- d) The assessment is declared void and a new one set for all students**
- e) An additional/supplementary assessment task (which might include a 'viva voce') is set for all students, together with instructions for additional support/preparation marking and IV procedures**

Any outcome arising from these procedures must be fully reported to the next meeting of the Assessment Board, HELTC and JBOS.

Partnerships Office will be kept informed by HEQEST throughout.

10 *APPELLANT'S EXPENSES*

At a Stage 2 Appeal the College will meet reasonable and proportionate incidental expenses necessarily incurred by students. No claims for expenses will be paid for appeals at any earlier stage. The claims process will be managed by the HEQSO.

11 *CONFIDENTIALITY*

All papers relating to an appeal will be kept confidential and will only be seen by those who need to do so in order to consider the appeal fairly. A list of names of the above could be provided if requested by the student. After the appeal all papers will be disposed of confidentially except for one central copy which will normally be kept for the duration of the student's course plus six years.

In all circumstances the College's and the University's obligations under the Data Protection Act shall prevail.

12 *APPEALS LOG*

All appeals will be entered into the appeals log held by the HEQSO.

13 *REVIEW OF PROCEDURE*

This procedure and its operation will be reviewed annually.

APPENDIX 1

List A – Initial Review

Persons who may be invited to carry out an Initial Review of a Stage 1 Appeal:

**Head of School (with HE in the curriculum)
HE Champion
Programme Manager with at least 2 years experience in the role.**

The initial review will be undertaken by 2 persons from the list.

The persons must not be from the same school as the appellant or have in any way contributed to the assessment decision which is the subject of the Appeal

List B – Academic Appeals Stage 1

Persons who may be invited to serve on a Stage 1 Academic Appeals Panel:

All persons in List A

One other member of the HE community of the College approved by the Chair of Validations Awards and Regulations Committee.

A member of the student body appointed by the President of the Student Union, but not being the President or the student representative on the Corporation, or a student associated with the course which the appellant is or has been attending.

Membership and Officers of the College Stage 1 Academic Appeals Panel

The membership will normally be One Chair, one member of academic staff and one student.

The members shall be drawn from List B:

The Chair will normally be one of the persons who conducted the initial review

Officer

The Secretary shall normally be the HEQSO or if unavailable a suitably qualified and experience member of the administrative staff.

The membership and the Chair of the Committee must be approved in writing by (any one of) the Chair of CCN Senate, VARC, HELTC or HEQMC before any of the work of the Panel can start.

APPENDIX 2: GLOSSARY of Terms

For the purposes of the Academic Appeals Procedure the following definitions shall apply:

Academic Appeal or Appeal	an appeal made by a student about an academic result as described in the Procedure
Academic Result	includes : <ul style="list-style-type: none">(a) the award of a Mark for work submitted for assessment (for example, essay, report, dissertation, project);(b) the award of a Mark for a written, oral, practical or other examination;(c) the determination of the result of an oral or practical examination;(d) the determination of the result of a placement or work based learning project;(e) the requirement that a student's performance be reassessed;(f) the progress of a student to a subsequent semester or year of study, including a decision to require transfer to a different degree course where permitted by the Regulations or to withdraw from the programme;(g) the decision not to award the higher degree for which a student was registered; and any decision <ul style="list-style-type: none">(i) to allow a reassessment and/or the submission of a revised dissertation; or(ii) not to allow a reassessment and/or resubmission but to award a lower qualification (where permitted by the Regulations); or(iii) not to allow a reassessment and/or resubmission nor to award a lower qualification (where permitted by the Regulations);(iv) determining of the result of a student's Final Assessment, including the degree classification and the award of a distinction or other special recognition where permitted by the Regulations
Assignment	work that is required to be submitted for assessment during a course including essays, class presentations, practical laboratory work, course tests, projects, reports or dissertations.
Chair of Examiners	the duly appointed Chair of a Module Assessment, Awards or Referrals Board.
Examiner(s)	Person's appointed to serve on the Module Assessment, Awards or referrals Boards.
Head of School	the Head of the relevant School or, in cases where the Head is a Teacher or Examiner whose Academic Result is the subject of the Appeal, a suitable substitute.
HEQUEST	The Higher Education Quality Enhancement and Support Team. Cross college responsibility for oversight of all matters concerning HE quality management, regulations and procedures. Located in West Lodge.
HEQLTM	Higher Education Quality Learning and Teaching Manager.

	Manages HEQEST
HEQSA	Higher Education Quality Systems Administrator (HEQEST). Administrative responsibilities in all areas of HEQEST.
HEQSO	Higher Education Quality and Standards Officer (HEQEST). Responsible for administration of all Academic disciplinary and appeals processes.
Mark	The mark or grade allocated by one or more Teacher and/or Examiner to a student's performance in any part of the assessment process for a degree or qualification of the University of East Anglia and which remains provisional until confirmed and awarded by the appropriate Examiners
Notification of Result	the transmission to a student of an Academic Result by any one of the following means: (a) publication on an official notice board; (b) delivery to a student in person; (c) delivery to the Electronic Individual Learning Profile (E-ILP); (d) despatch by post to a student's last known out-of-semester address.
Placement	The date of the Notification of Result shall be the date of such publication or delivery in the case of (a) (b) or (c) or the second working day after the day of posting in the case of (d). such period(s) of assessed practical experience in real or simulated work settings (which may be internal or external to the College) as may be required or permitted as part of programmes of study and/or practice, and including industrial, clinical and other professional placements.
Plagiarism and/ or Collusion	as defined in the College Cheating and Plagiarism procedure
Provisional Mark	a Mark issued to a student prior to its review and possible amendment by the appropriate Examiners. The Provisional Mark may have been allocated as a result of single- <u>or</u> double-marking.
Senate	CCN Senate (<i>as distinct from the UEA Senate</i>) is the senior academic authority within City College Norwich and is chaired by the Principal.
Teacher	a member of staff of the College or such other person from the College or elsewhere (e.g. a professional practitioner) who has been duly authorised to teach and/or assess all or parts of a programme or programmes of study and/or practice.
VARC	CCN Validation Awards and Regulations Committee. Reports to CCN Senate and exchanges information with HELTC.
Working Days	the weekdays Monday to Friday, excluding: a) those weekdays when the College or University are officially closed (e.g. a Bank Holiday Monday) and b) those days identified on the official City College Norwich Calendar as 'Blue Days'.