

LTC12D009

Title: Approval of Partner Institution Academic Appeals Procedures
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Issue

To propose minor amendments to all partner institution-specific Academic Appeals Procedures for the 2012/13 academic year, and a new London Academy of Diplomacy-specific procedure.

Recommendation

The Learning and Teaching Committee is invited to approve the following Academic Appeals Procedures:

- City College Norwich (appendix 1)
- Easton College (appendix 2)
- Institute of Health and Social Care Studies, Guernsey (appendix 3)
- London Academy of Diplomacy (appendix 4)

Discussion

Following approval of the new UEA Academic Appeals Procedure there was discussion between the Partnerships Office, partner institutions, the Academic Director of Partnerships and Academic Director of Taught Programmes around whether partner institutions should adopt the new UEA procedure. It was agreed that partner institutions' procedures would not adopt the same process as UEA as the procedures remain appropriate for the nature of the relationship between the University and its partner institutions. The current procedures allow for Stage one appeals to be handled by the partner, and the University to manage Stage two with input from the partner. However, the Partnerships Office will be working with partner institutions to undertake a thorough review of their Academic Appeals Procedures following the publication of the new Chapter of the QAA Quality Code: B9: Appeals and Complaints.

The minor amendments to the attached updated Academic Appeals Procedures include title changes and role changes to ensure that they are up to date for the 2012/13 academic year.

Resource Implications

None identified.

Equality and Diversity

Taken account of in each Academic Appeals Procedure.

Further Information

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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 11.0

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 Higher Education 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 Head of Higher Education (HoHE) 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 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) a verdict of plagiarism and collusion;
- g) a penalty applied in respect of plagiarism and/or collusion;
- h) 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 do not relate to an academic result;
- b) 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 as 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 internally verified i.e. by inclusion in the

sample 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 their Programme Manager or the Head of School of Higher Education (HoSoHE) within 5 working days of receipt of the provisional mark.
- ☛ ii) The Programme Manager 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 the Programme Manager 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 by the student 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 proceedings in the preliminary stage ;

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 except against the decision that a student has plagiarised and/or colluded where a Stage Two Academic Appeal should be submitted.

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 Appeals Officer to request a delayed submission of the Appeal.

Submission of AA1

4.3 The completed form together with any supporting documentary evidence should be addressed to the Appeals Officer and submitted to the HE Office 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 online of the notification of the outcome of the College Panel or Board concerned.

'Online' means through the medium of our updated eILP.



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

4.4 The Appeals Officer hereafter: AO 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.

- 4.5 The AO 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 AO 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 Stage One Panel

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

- a) convene a Stage One Academic Appeals Panel within 5 working days of receipt of form AA1. The membership of the panel is set down in Appendix 1.
- b) seek from the Chair of Validation, Awards and Regulations Committee confirmation of the Panel Chair, who shall normally be the more experienced member of the Panel.
- c) give immediate notice of the appeal in writing to the Chair of the Assessment Board, Head of School of Higher Education and the relevant Curriculum Programme Manager requesting them to present evidence in writing to the Academic Appeals Panel.
- d) distribute copies of all papers to the Panel members, the Chair of the Assessment Board, the Head of School of Higher Education, and the Programme Manager who have indicated that they intend to appear no less than 3 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 AO 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 college Officers or chairs of committee as it sees fit.
- 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 AO 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 Head of School of Higher Education (HoSHE), the Chair of the Panel and the Chair of the Assessment Board and HoHE.
 - 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 AO to ensure that they are disposed of confidentially. A copy of the papers shall be retained by the secretary indefinitely.
- c) The AO 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 HoSHE and to the HoHE, 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 AO will notify the student of the outcome within 20 working days.

- e) The AO 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 is still dissatisfied or the student is appealing against the verdict of plagiarism and/or collusion:
- 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 Panel 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 Partnerships Office at the University with initial support from the Higher Education Office at the College.

5.1.3 Procedure:

- a) The student submits a completed Stage 2 Appeal Form together with all relevant documentary evidence in support of his/her appeal, to the AO at the College, via the HE office.

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.

- ⌚
- b) the appeal is to be presented to the Principal or Director of Planning and Performance (DoPP), should they be unavailable a senior academic of the College approved by UEA.

Then:

- c) the Appeal will be considered with respect to the qualifying grounds and if it is decided by the Principal or DoPP that the case merits a Stage 2 Appeal s/he will inform the Partnerships Office at the University;
- d) if the judgement of the Principal or DoPP is that there are no grounds to proceed to a Stage 2 Appeal s/he shall refer that decision to the Director of University Services (Postgraduate Research, Partnerships, Equality and Diversity (PPE)) at the University. If the Director of University Services (PPE) has already been consulted by the Principal one of the UEA Academic Directors (normally the Academic Director of Partnerships) 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 Academic 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.

- e) If the Director of University Services (PPE) decides that there are no grounds to proceed to a Stage 2 Appeal then s/he shall inform the Partnerships Office, the Principal and the AO. The Partnerships Office shall inform the student in writing that the appeal is rejected.
- f) If the outcome is to proceed to a Stage 2 Appeal Hearing then the Partnerships Office shall inform the student in writing.
- g) 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 Director of University Services via the

Partnerships Office and inform the College Principal within ten days of receiving the appeal.

- h) 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.

- i) The Appeal shall then proceed according to the procedures set down in Section 5.2.

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 Director of University Services (PPE) will appoint an Appeal Secretary (AO) from the University's Partnerships Office who will be the main contact point for Stage 2 proceedings. The AO 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 the AO). 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, as instructed by the Director of University Services (PPE). 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 AO 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 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).

The Appeal Hearing

- 5.3 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.
 - 5.3.1 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.
 - 5.3.2 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.
 - 5.3.3 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 AO) will meet to consider these and then arrive at a decision.
 - 5.3.4 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.

- 5.3.5 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.
- 5.3.6 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.
- 5.3.7 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 Academic Director of Partnerships or the Academic 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
- 5.3.8 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 AO, leave the room to allow the Panel to reach a decision.

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

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.

5.3.9 **Actions and outcomes**

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 the College to undertake remedial actions in addition to a review of the academic decision by the Examiners

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

5.3.10 If the Panel decides that, based on evidence presented at the hearing, remedial action is warranted, the AO 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:

- 5.3.11
- 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 If the Panel decides that remedial action is required the AO 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.

5.4.1 Where the Board of Examiners has been required to review its academic decision, the Board will formally notify the Chair of the Panel and AO 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 AO.

If the Board of Examiners has changed its academic decision as a result of its consideration of the appeal, the AO will notify the student of the final outcome

of Stage Two, giving a full and clear explanation of the decision.

- 5.4.2 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 Director of University Services will consider the Board's response and determine whether or not the matter should be referred to the Senate. The AO 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.

If the Panel decides that, based on evidence presented at the hearing, remedial action is not warranted, the AO 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.

5.4.3 **Timescales for Stage Two**

The student must submit the completed Stage 2 Academic Appeal Form and any supporting documents to the AO 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.

- 5.4.4 The Stage 1 Chair must provide a response within 10 working days of receiving the student's appeal from the AO.
- 5.4.5 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 AO within 20 working days of the Stage 1 Chair receiving the appeal.
- 5.4.6 A Panel hearing will normally take place within 20 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.
- 5.4.7 If a Stage 2 Panel refers an academic appeal to a reconvened Board of Examiners, the Board of Examiners should normally meet within 20 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 AO within 5 working days of any reconvened Board.
- 5.4.8 The AO 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 5 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 AO's ANNUAL REPORT

The AO 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 Programme Manager, Head of School, the Chair or members 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 HoHE or if unavailable the DoPP. (HoHE 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 HoHE. 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 HoHE, 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 HoHE and the Chair are one and the same person then the matter is to be presented to another qualified Chair or to the DoPP.

- c) The Chair shall then immediately :
 - i) Inform the DoPP 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 HoHE within 10 working days of the commencement of the investigation.

The HoHE 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 or
- b) the External Examiner is asked to consider a sample and suggest an adjustment factor to be applied to all scripts in the cohort or
- c) an adjustment factor agreed by HoHE/ HoSHE/ DoPP 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 the HE Office AO or HoHE 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 AO.

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 AO.

13 REVIEW OF PROCEDURE

This procedure and its operation will be reviewed annually.

APPENDIX 1

Academic Appeals Stage 1

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

Suitably experienced academics or senior managers approved by the Chair Validations Awards and Regulations Committee or the DoPP.

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

No-one appointed to the Stage 1 Appeals Panel shall have had any involvement in teaching, assessment or decision making related to the appeal.

Membership and Officers of the College Stage 1 Academic Appeals Panel

The membership will normally be One Chair and two members of academic staff.

The Appeals Officer shall act as Secretary.

The Secretary shall be appointed annually by VARC. If unavailable a suitably qualified and experienced member of the College Secretariat nominated by the Principalship Office Manager and approved by the Chair of VARC will deputise.

The membership and the Chair of the Committee must be approved in writing by (email is acceptable) by (any one of) the Chair of VARC or DoPP 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 Examiner(s)	the duly appointed Chair of a Module Assessment, Awards or Referrals Board. Person's appointed to serve on the Module Assessment, Awards or referrals Boards.
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	<p>the transmission to a student of an Academic Result by any one of the following means:</p> <ul style="list-style-type: none"> (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	<p>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).</p> <p>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.</p>
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	<p>the weekdays Monday to Friday, excluding:</p> <ul style="list-style-type: none"> 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'.



ACADEMIC APPEALS PROCEDURE

October 2012

1. PURPOSE

- 1.1 The Academic Appeals Procedure is intended to allow Easton College Higher Education Students undertaking taught programmes formally to raise concerns about their academic results or circumstances relating to them. We take such concerns seriously at Easton College and UEA and the Procedure is designed to enable a Student's concerns fully to be considered and action taken to remedy the situation where appropriate in a timely manner.
- 1.2 Concerns about academic or other matters that do not relate to academic results should be raised via the College's Complaints Procedure (which includes Academic Complaints). The Complaints Procedure is available from the Student Information Centre and Programme Handbook.
- 1.3 The Academic Appeals Procedure comprises four parts:
- an informal stage;
 - a formal Stage One managed by the College, in which the Programme Area Leader considers the appeal;
 - a formal Stage Two managed by UEA, which a Student may follow if dissatisfied with the outcome of the Stage One appeal, and
 - a screening process to establish whether a Stage Two appeal meets the required conditions.
- If accepted, Stage Two appeals are considered by an independent panel of senior academic staff from Easton College and UEA, with the Student presenting the Appeal (with someone to accompany or represent them if they wish) and the Programme Area Leader or a suitable substitute presenting the College's case. The Stage Two Academic Appeals Panel represents and acts with the full delegated authority of UEA Senate.
- 1.4 Terms used in the Academic Appeals Procedure are set out in Appendix A.

2. COMMITMENTS

- 2.1 Students who submit a case under this procedure will not be unfavourably treated for having done so. Any Student who believes that s/he has been less favourably treated as a result of submitting a case should contact the Vice Principal Curriculum at Easton College immediately. The College and the University expect that Students will not engage in frivolous or malicious appeals. It should be noted that if an appeal is found to have been brought with mischievous or malicious intent this may prove grounds for disciplinary action against the appellant.
- 2.2 The College and the University will in considering appeals apply the Academic Appeals Procedure in accordance with their Equal Opportunity and Equality

Policies. In particular, reasonable adjustments will be made for those with disabilities, specific learning difficulties or long-term medical conditions.

- 2.3 All parties to the appeal and individuals who have been involved in any related investigation and/or the management and/or administration of the appeal will observe the requirements for 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. In addition, confidential information may be disclosed to governmental, police or regulatory authorities as required by law.
- 2.4 All personal information will be processed by the College and the University in accordance with the Data Protection Act 1998.
- 2.5 Training will be offered to all senior academic staff.

3. FIRST STEPS TO TRY TO RESOLVE CONCERNS

- 3.1 Students are encouraged to try to resolve the matter they are concerned about informally before beginning the formal Procedure. A number of avenues exist through which further information or explanation can be provided which might satisfactorily answer their concerns. An informal approach could be made to their Module Leader or Programme Leader. Students can be assisted in making such an approach by Student Services.
- 3.2 A Student may be able to have work re-marked without having to pursue a formal academic appeal. If a Student is concerned about an academic result for a piece of assessed work that has been marked by a single teacher but has not been confirmed by a Board of Examiners, the Student can apply via the Programme Leader for the work to be remarked independently by a further tutor (who will not know the original mark). Both the original and second marks will then be considered by the Head of HE who may adjust the original mark up or down. The outcome should normally be available within a further 10 working days.
- 3.3 The Student should make every attempt to submit his/her case concerning a provisional academic result (whether singly or double marked) before the Board of Examiners meets. This is in the Student's best interests as an early decision can then be made. Where the interval between the notification of an academic result and a meeting of the relevant Board of Examiners is short, normally within less than 10 working days, the Head of HE may determine that consideration of an appeal, whether rising informally or formally, be postponed until after the relevant Board of Examiners has met. At this point, the formal academic appeals procedure should be followed.
- 3.4 Where a student submits evidence of extenuating circumstances that were unknown to the Board of Examiners at the time it reached an academic decision and the Programme Area Leader accepts these as demonstrating

that the student's academic performance had been affected, the Programme Area Leader may either refer the matter back to the Board of Examiners without requiring the student to submit a formal Academic Appeal or may seek an appropriate concession to address the Student's circumstances.

- 3.5 Should these steps not resolve the matter to the Student's satisfaction, the Student may make a formal case for an academic appeal under Stage One of the Procedure. The appeal will be dealt with by the Programme Area Leader. If the concern remains unresolved after this, the Student may take the process to Stage Two, which is described later.

4. REASON(S) FOR CONCERN

- 4.1 A Student may make a case for an Academic Appeal formally to raise concerns about his/her academic results or circumstances relating to them. The more specific the Student is about the reasons for concern the more effective will be the subsequent investigation.

- 4.2 Concerns should relate to one or more of the following categories:

- A degree result
- An examination mark (provisional or confirmed)
- Assessed work (including essays, reports, dissertation or research project mark (provisional or confirmed)
- Required withdrawal from a course
- A verdict of plagiarism and/or collusion
- A penalty applied in respect of plagiarism and/or collusion
- A refusal to permit the late submission of work for assessment
- A rejection on the grounds of insufficiency of the extenuating circumstances presented for seeking an extension to a deadline for work for assessment.

Appeals against rejected concession requests are not permitted.

- 4.3 There may be a number of reasons why a Student might be concerned about an academic result and s/he must give (a) reason(s) and supply supporting evidence. Examples could include:

- Correct procedure was not followed which undermined the validity of the academic result
- Prejudice and/or bias or the appearance of prejudice and/or bias on the part of markers and/or examiners affected the academic result
- The Student's performance was adversely affected by extenuating circumstances that were not taken into account or not fully taken into account
- Significant changes were made to a course without being properly communicated and/or were not properly taken into account
- The teaching or research training provided was insufficient
- A poor supervisory experience

- The learning support provided was inadequate
- Any other aspect of the Student's experience of the course.

- 4.4 In giving reasons and evidence for their concern, Students should refer to the relevant course material and regulations which will specify what Students should reasonably be entitled to expect from their academic experience.

STAGE ONE ACADEMIC APPEAL

5. HOW A STUDENT SUBMITS A STAGE ONE ACADEMIC APPEAL

- 5.1 A Student must submit a completed Stage One Academic Appeal Form (and any supporting evidence) to the relevant office as listed at the end of the Stage One Appeal form. Forms are available from the Programme Leader at the College or via the Virtual Learning Environment (VLE)

All evidence submitted by the Student will be provided to the Programme Area Leader under section 6.1 of the Procedure. No evidence submitted can be anonymous. A Stage One appeal will normally be considered by the Programme Area Leader who is responsible for the programme area in which the Student is registered. If the appeal concerns a module or modules and/or an academic issue(s) outside of the Students registered programme area the Programme Area Leader shall liaise with the Programme Area Leader in the relevant subject area. In some circumstances it may be the Programme Area Leader for the area which owns the module which forms the substance of a Student's appeal.

- 5.2 The Head of HE may suspend the Stage One Academic Appeal where appropriate, pending clarification by a Student that s/he has tried to resolve the matter s/he is concerned about informally before beginning the formal Procedure.
- 5.3 A Student who has been found guilty of plagiarism or collusion and wishes to appeal against the subsequent penalty, may submit a Stage One academic appeal. A Stage Two academic appeal should be submitted if a Student wishes to appeal against the decision that s/he has plagiarised and/or colluded.
- 5.4 A Student may decide to withdraw an appeal, providing the Programme Area Leader is advised in writing before a mark has been submitted to the Chair of the Board of Examiners for reconsideration, or any of the actions recommended following an appeal that has been supported, has commenced (see 8.1 of the Procedure).

6. RESPONSE TO THE APPEAL

- 6.1 The Programme Area Leader is responsible for responding to an appeal. If the Programme Area Leader is part of the subject of the appeal, was a member of the Board of Examiners whose decision is being challenged, or is otherwise in a conflict of interest, a suitable substitution will be made by the Head of HE. (The person substituting for the Programme Area Leader shall not be the person(s) who may have conducted investigations and/or inquiries on the Programme Area Leader's behalf.). Notwithstanding this provision, for ease of reference the person responsible for responding to the Appeal will be called the Programme Area Leader hereafter in this Procedure.
- 6.2 A Programme Area Leader may delegate investigation of an academic appeal to one or more members of staff who do not have a conflict of interest with respect to the appeal. In such cases the Programme Area Leader will retain responsibility for the decision reached at Stage One and will act in accordance with subsequent sections of the Appeals Procedure where required.
- 6.3 The Head of HE will provide the Programme Area Leader with the appeal documentation submitted by the Student under Stage One and will assist the Programme Area Leader with the following investigation. The Programme Area Leader having completed the investigation will decide whether the academic decision of the Examiners should be reviewed, whether any other remedial action should be taken (such as seeking a concession against the regulations), or whether the appeal should be rejected. The decision of the Programme Area Leader and the reasons(s) for it will be communicated to the Student in writing.
- 6.4 With limited exceptions (for example, where information cannot be disclosed because of the College's obligations under the Data Protection Act), all written material considered by the Programme Area Leader under this procedure will be accessible to the Student as accompanying evidence to the decision of the Programme Area Leader. In the first instance, the evidence will take the form of a list of the documents considered, included with the Programme Area Leader's response to the Student. The following documents would normally be considered as evidence:

- | |
|--|
| <ul style="list-style-type: none">• Stage One Appeal form and accompanying evidence• The Student's academic record• Minutes of the relevant Board of Examiners with appropriate redactions• Statements from other appropriate parties such as Module Leader and Programme Leader• Documentary medical evidence submitted by the student. |
|--|

The student may request in writing to the Programme Area Leader, a copy of the evidence considered.

- 6.5 Each appeal will normally be considered individually, (though depending on circumstances, where a series of appeals involve the same subject matter or

individual(s), the College may consider such appeals collectively, subject to any confidentiality requirements).

- 6.6 It may not always be desirable for the original Board of Examiners to review a decision it previously made following a Stage One or Stage Two academic appeal (paragraphs 8.2, 8.3, 12.2. and 12.4 of the Procedure refer). 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. Where a Programme Area Leader or Academic Appeals Panel conclude that the original examiners should not be asked to review a decision the normal process for approval of changes to membership of a Board of Examiners should be followed. Such changes require the approval of the UEA Director of Partnerships.

7. TIMESCALES FOR STAGE ONE

- 7.1 The Student must submit the completed Academic Appeal Form and any supporting documents to the Head of HE within 10 working days of the notification of the result (See Appendix A for definitions). Appeals submitted after this deadline with good reason for the delay may still be considered. The Student should contact the Head of HE if s/he is unable to meet this deadline. Disputes about whether an appeal submitted after the deadline should be accepted should be referred to the Vice Principal Curriculum.
- 7.2 The Programme Area Leader must advise the Student of the outcome of the investigation into the Stage One appeal in writing within 10 working days of receipt of the Academic Appeal Form, or advise the Student within that time if more time is needed either for investigation or for a review of the academic decision by the Examiners.
- 7.3 The Programme Area Leader must advise the Student of the decision of a reconvened Board of Examiners in writing within 20 working days of the date of the letter in 7.2 above.

8. ACTIONS AND OUTCOMES

- 8.1 If after receiving and investigating an appeal, the Programme Area Leader concludes that the decision of the Examiners should be reviewed in accordance with paragraph 6.3 of the Procedure, the Student will receive a letter giving the likely timescale for further action and for notification of the outcome. Details can be found in Appendix B: "Instructions to Examiners in the event of an Appeal".
- 8.2 If a Programme Area Leader refers an appeal to a Board of Examiners, the Programme Area Leader will present the case to the Board (in person whenever possible). The Board of Examiners shall determine whether and to

what extent the circumstances reported to it had an impact upon a Student's academic performance. 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 Programme Area Leader and the Head of HE dealing with the appeal.

- 8.3 After the Examiners have reviewed their academic decision, the Programme Area Leader will notify the Student of the outcome of Stage One giving a full and clear explanation of the decision. The Student may request a meeting with the Programme Area Leader to discuss the outcome.
- 8.4 If after receiving and investigating an appeal, the Programme Area Leader concludes that no further action is merited the Student will receive a letter giving a full and clear explanation of the decision in accordance with the timescale set out in 7.2 above. The Student may request a meeting with the Programme Area Leader to discuss the outcome.
- 8.5 A Student who is not satisfied with the outcome of the Stage One appeal (whether or not it was referred to the Exam Board) may decide to move to Stage Two of the Academic Appeals Procedure as described below under Section 9.

STAGE TWO ACADEMIC APPEAL

9. HOW A STUDENT SUBMITS A STAGE TWO ACADEMIC APPEAL

- 9.1 For a Stage Two appeal to be considered there must be at least one of the following grounds:

- there is new information to be put forward by the Student that was not known to the Board of Examiners or to the Programme Area Leader who investigated the original appeal;
- that evidence put forward at Stage One was not fully and properly considered;
- that there was procedural irregularity in the conduct of the Stage One appeal;
- that there was prejudice and/or bias and/or the appearance of prejudice and/or bias, in the conduct of the Stage One appeal.

- 9.2 A Student who has been found guilty of plagiarism and/or collusion may appeal against the decision by submitting a Stage Two academic appeal.
- 9.3 A Student must submit a completed Stage Two Academic Appeal Form (and any supporting evidence) to the Director of University Services (Postgraduate Research, Partnerships and Equality and Diversity (PPE)) at the UEA. Forms are available from the College's Head of HE, VLE or from the UEA Partnerships Office. All evidence submitted by the Student will be provided to

the Programme Area Leader under section 10.3 of the Procedure. No evidence submitted can be anonymous.

- 9.4 A Student may decide to withdraw an appeal, providing the Director of University Services (PPE) is advised in writing before the date of any Appeal Hearing.

10. RESPONSE TO THE APPEAL

- 10.1 The Director of University Services (PPE) will check whether the appeal meets at least one of the conditions in 9.1 and decide whether or not there are grounds for the appeal to be accepted. The Student will be informed within 10 working days of receipt. If the appeal is accepted solely on the grounds that there is evidence that there was procedural irregularity in the conduct of the Stage One appeal, the Director of University Services (PPE) will refer the appeal back to the Stage One process.
- 10.2 An appeal which the Director of University Services (PPE) does not believe meets any of the conditions and should therefore be rejected will be referred to one of the Learning and Teaching Directors (normally the Academic Director of Partnerships/Academic Director of Taught Programmes The Learning and Teaching Academic Director will review the decision and the Student will be informed of the outcome within 15 working days of receipt (by the Director of University Services (PPE)). If the appeal is rejected, this decision is final and there is no further right to appeal to the University. Regulation 14.2 below refers to how a complaint can be pursued beyond the University. The Learning and Teaching Academic Director who reviews the appeal will not sit on the Hearing Panel should the appeal proceed to a hearing.
- 10.3 If the appeal is accepted on the grounds of procedural irregularity alone, the appeal will be sent to the relevant Programme Area Leader at the College who shall make the appropriate arrangements to remedy the procedural irregularity in the Stage One process. 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 to the University. Regulation 14.2 below refers to how a complaint can be pursued beyond the University.

If the appeal is accepted and, in the judgement of the Director of University Services (PPE) in consultation with the Learning and Teaching Academic Director of Taught Programmes, there is a concessionary remedy available that falls within the powers of the Learning and Teaching Academic Director of Taught Programmes to address the matter(s) complained of, referral to the Programme Area Leader at the College or a Stage Two Appeal Panel shall not be required. Provided that there are no further matters of complaint in this part of the process, there shall be no further right to appeal to the University.

Regulation 14.2 below refers to how a complaint can be pursued beyond the University.

If the appeal is accepted on grounds other than on or in addition to procedural irregularity and/or covers matters in respect of which a concessionary remedy is inappropriate or unavailable, the Director of University Services (PPE) will appoint an Appeal Secretary from the University's Partnerships Office who will be the main contact point for Stage Two proceedings. The Appeal Secretary will send a copy of the appeal form and supporting evidence submitted by the Student to the Student's Programme Area Leader and Head of HE at the College. If a substitute for the Programme Area Leader responded to the appeal under Stage One (see section 6.1), the substitute will continue to deal with the appeal. Notwithstanding this provision, for ease of reference, the person responsible for responding to the appeal will be called the Programme Area Leader hereafter in this Procedure.

- 10.4 On receiving a Stage Two appeal, the Programme Area Leader may decide to reconsider the Stage One decision (if for instance new information has been provided), and will proceed as in Section 8 of the Procedure. In such a case, the Student retains the right to submit a Stage Two appeal should s/he be dissatisfied with the outcome.
- 10.5 If the Programme Area Leader does not change the Stage One decision, the Programme Area Leader must provide the Secretary to the Stage Two Academic Appeals Panel (hereinafter referred to as the Panel) with a written response to the Student's Stage Two 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 Programme Area Leader. The decision of the Chair of the Panel regarding the witnesses to be called to the Hearing shall be final.
- 10.6 The Appeal Secretary will provide the Student with a copy of the Programme Area Leader's written response to the Stage Two 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.
- 10.7 Exceptionally the Chair of the Panel may agree to additional witnesses. The Panel may also request additional witnesses. Witnesses attend as neutral witnesses for the Panel to provide information to the Panel to help it reach a decision; witnesses do not represent the Student or the Programme Area Leader. If any proposed witness is not a member of Easton College or UEA staff, the proposer must first seek the person's permission before making the nomination.

- 10.8 With limited exceptions (for example, where information cannot be disclosed because of the University's obligations under the Data Protection Act), all written material considered by the Programme Area Leader under this procedure, any additional material gathered by the Director of University Services (PPE) to inform his/her decision and all the material available to the Academic Appeals Panel will be provided to the Student, edited where appropriate. No evidence submitted may be anonymous.
- 10.9 Each appeal will normally be considered individually, (though depending on circumstances, where a series of appeals involve the same subject matter or individual(s), the University may consider such appeals collectively, subject to any confidentiality requirements).

11. THE APPEAL HEARING

- 11.1 When the Student receives the written response to her/his appeal s/he will be asked which type of hearing is preferred. The hearing may be 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.
- 11.2 The Student may nominate someone either to accompany or to represent them in the oral hearing. This person will not be permitted to speak during the hearing unless nominated to represent the Student.
- 11.3 With the agreement of the Panel, 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.
- 11.4 If the Student is expected at an 'oral' hearing but fails to attend, the Panel may decide whether 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.
- 11.5 The Academic Appeals Procedure is not a formal legal process and therefore members of the legal profession (other than UEA Law School staff acting in their capacity as members of staff of the University) are not permitted to accompany or represent the Student.
- 11.6 The person who made the decision at Stage One of an academic appeal (normally the Programme Area Leader except in cases of appeals against the charges of plagiarism and/or collusion) must present the case at Stage Two hearings. A substitute for the person who made the decision at Stage One 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.

11.7 The Panel will have an appropriate composition having regard to equality and diversity considerations wherever possible and consist of three academic staff. The Panel shall comprise:

- The UEA Learning and Teaching Academic Director of Partnerships or Academic Director of Taught Programmes who will normally chair **or** a UEA Faculty Associate Dean (Learning, Teaching and Quality) **and**
- Two members of senior academic staff, one from UEA and one from Easton College's Senior Management Team, who have received appropriate training.

11.8 The oral hearing will proceed as follows:

1. The Student or his/her representative may make an opening statement;
2. The Programme Area Leader may make an opening statement;
3. After the opening statement by the Student or his/her representative and by the Programme Area Leader, the Student or his/her representative and the Programme Area Leader may question each other through the Chair of the Panel;
4. Members of the Panel may ask questions of the student or his/her representative and of the Programme Area Leader on completion of the questioning of the student (or his/her representative) and of the Programme Area Leader by each other;
5. 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;
6. The Programme Area Leader may make a closing statement if wished (and may leave the Hearing for a few minutes to prepare this);
7. 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);
8. The hearing closes and all parties except the Panel and Appeal Secretary leave the room to allow the Panel to reach a decision.

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

11.10 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.

12. ACTIONS AND OUTCOMES

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

- Require members of staff of the College and the University to make written submissions, attend, give evidence, and answer questions
- Review recommendations of Examiners
- Require Examiners to review academic decisions
- Require the College to undertake remedial actions, which may be in addition to a review of the academic decision by the Examiners

The Panel does not have the power to change an academic decision or to grant concessions against the regulations, except as set out in 12.2 below.

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

- 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;
- 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;
- In the case of an appeal against a penalty applied in respect of work that has been plagiarised and/or in respect of which there has been collusion, instruct that the penalty be set aside, that the work be reviewed by an independent Plagiarism Officer to reach a view as to the level of offence and the penalty to be imposed (in accordance with the Plagiarism and/or Collusion Policy) and instruct the relevant Board of Examiners to review its academic decision.

12.3 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.

Details can be found in Appendix B: "Instructions to Examiners in the event of an Appeal" at the end of this procedure.

- 12.4 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 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.
- 12.5 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.
- 12.6 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 Director of University Services (PPE) will consider the Board's response and determine whether or not the matter should be referred to the UEA Senate. The Appeal Secretary will notify the Student of the position and thereafter notify the Student of the final outcome of Stage Two, giving a full and clear explanation of the decision.
- 12.7 If the Panel decides that, based on evidence presented at the hearing, remedial action is not warranted, it will write to the Student and the Programme Area Leader to inform them that the appeal has been rejected. The letter from the Panel will give a full and clear explanation of the decision.

13. TIMESCALES FOR STAGE TWO

- 13.1 The Student must submit the completed Stage Two Academic Appeal Form and any supporting documents to the Director of University Services (PPE) at UEA within 20 working days of the notification of the outcome of the Stage One 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.
- 13.2 The Programme Area Leader must provide a response within 10 working days of receiving the Student's appeal from the Appeal Secretary.
- 13.3 If the Programme Area Leader 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 Programme Area Leader receiving the appeal.
- 13.4 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.

- 13.5 If a Stage Two 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 Two 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.
- 13.6 The Appeal Secretary will normally advise the Student and Programme Area Leader of the outcome of the Stage Two appeal in writing within 5 working days of a Stage Two 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.

14. FURTHER RIGHT TO APPEAL

- 14.1 Following completion of Stage Two there is no further right to appeal within the College or to the University.
- 14.2 Students who are dissatisfied with the outcome of their Stage Two 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.

APPENDIX A

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 this Procedure
Academic Result	<p>may refer to :</p> <p>(1) the result of the sole exercise by one duly authorised Module Leader or the Examiner of academic and/or professional expertise in determining the quality of a student's performance in any part of the assessment process for a degree or qualification of the University; and/or</p> <p>(2) the result of the exercise by more than one duly authorised Teacher or Examiner of academic and/or professional expertise in determining the quality of a student's performance in any part of the assessment process for a degree or qualification of the University. This is also referred to as an Academic Decision and includes:</p> <p>(a) the award of a Mark for work submitted for assessment (for example, essay, report, dissertation,</p>

	<p>project);</p> <p>(b) the award of a Mark for a written, oral, practical or other examination;</p> <p>(c) the determination of the result of an oral or practical examination;</p> <p>(d) the determination of the result of a Fieldwork Placement;</p> <p>(e) the requirement that a student's performance be reassessed;</p> <p>(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 College;</p> <p>(g) to allow a reassessment and/or the submission of a revised dissertation; or</p> <p>(ii) not to allow a reassessment and/or resubmission but to award a lower qualification (where permitted by the Regulations); or</p> <p>(iii) not to allow a reassessment and/or resubmission nor to award a lower qualification (where permitted by the Regulations);</p> <p>(iv) the determination 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.</p>
Chair of Examiners	the duly appointed Chair of a Board of Examiners who shall be designated by the College Principal to act as Chair of Examiners for the purposes of this Procedure.
Fieldwork Placement	such period(s) of assessed practical experience in settings external to the College or University as may be required or permitted as part of programmes of study and/or practice, and including work, industrial, clinical and other professional placements.
Higher Degrees	degrees and such other postgraduate qualifications (both Research Degrees and Taught Programmes) as are regulated by the University's Learning and Teaching Committee.

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 and which remains provisional until determined and awarded by the appropriate Examiners.
Notification of Result	<p>the transmission to a student of an Academic Result by any one of the following means:</p> <p>(a) publication on an official University notice board;</p> <p>(b) delivery to a student in person;</p> <p>(c) delivery to a student's letter rack in the School or Faculty Office (as appropriate) in which he/she is registered;</p> <p>(d) despatch by post to a student's last known out-of semester address;</p> <p>(e) via the VLE , the date of release of the result(s) being notified to a Student by prior e-mail.</p> <p>The date of the Notification of Result shall be the date of such publication or delivery in the case of (a), (b) and (e).</p>
Plagiarism and/ or Collusion	as defined in the policy on Plagiarism and Collusion in the programme handbook.
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- or double-marking.
Taught Programmes	such degrees and other qualifications, at both undergraduate and postgraduate level, as are designated by the University from time to time (not being Research Degrees).
Teacher	a member of staff of UEA or such other person from UEA 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.
Unauthorised	late submission of work submitted for assessment as set out in the policy on Submission of Work for Assessment (Taught Programmes): extensions and penalties for unauthorised late submission, provisional marks and feedback) in the programme handbook

Working Days	the weekdays Monday to Friday, including University breaks and vacations but excluding those weekdays when the University is officially closed (e.g. a Bank Holiday Monday).
Work submitted for assessment	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, but excluding examinations administered by the University Assessments Office.

INSTRUCTIONS TO EXAMINERS IN THE EVENT OF AN ACADEMIC APPEAL

When Boards of Examiners are required to review an academic result in the event of an appeal, they should proceed as follows:

1. Reconsideration of an Academic Result where the result has been arrived at by a single Module Leader acting alone

1.1 In the case of an appeal which concerns a student's dissatisfaction with an Academic Result arrived at by a single Module Leader acting alone, the Vice Principal Curriculum shall first ask the Chair of the appropriate Examiners to confirm that the result in question has indeed been arrived at by a single Teacher or Examiner acting alone. If the result has in fact been derived from the exercise of academic and/or professional expertise by more than one Teacher or Examiner, the Vice Principal Curriculum shall reject the appeal.

1.2 If the result in question is confirmed to the Vice Principal Curriculum as being properly an Academic Result arrived at by a single Module Leader acting alone as defined in this Procedure:

(a) where it is practicable to remark the student's performance, the Vice Principal Curriculum shall ask the Chair of the appropriate Examiners:

(i) to arrange for the assessable material to be independently re-marked by another Teacher who shall not be made aware of the original Provisional Mark awarded; and

(ii) to submit both the first, Provisional Mark and second Mark for an Academic Decision (see definition (2) of Academic Result) by the Chair of the Awards Board, who may adjust the original Provisional Mark upwards or downwards, prior to consideration by the relevant Board of Examiners. That Academic Decision shall determine the Mark awarded and the Notification of Result shall take place in the usual way.

(b) where it is not practicable to re-mark the student's performance (e.g. a Fieldwork Placement), the Vice Principal Curriculum shall ask the Chair of the appropriate Examiners to ensure that all reports relating to that performance are expressly considered by the Examiners before an Academic Decision is taken (see definition 2 of Academic Result). That Academic Decision shall determine the Mark awarded and the Notification of Result shall take place in the usual way. Note: Reconsideration of an academic result (under definition 1) may take place without having to pursue a formal academic appeal in accordance with Section 3.2 of the Academic Appeals Procedure.

- 2. Reconsideration of an Academic Decision (being definition 2 of Academic Result)**
- 2.1 The Vice Principal Curriculum /Hearing Panel shall ask the Chair of the appropriate Examiners to arrange for the original Examiners (wherever practicable) to reconsider expeditiously their Academic Decision in the light of:
- (a) the reasons given by the Vice Principal Curriculum Hearing Panel;
 - (b) where applicable, the correction of any administrative error affecting the recording or calculation of marks;
 - (c) where applicable, and where it has been practicable to re-mark the student's performance, the independent remarking by another Teacher or Examiner, to be nominated by the Chair of the appropriate Examiners and not to be made aware of the original Mark(s) awarded, of any part(s) of the assessment considered by the Vice Principal Curriculum /Hearing Panel to have been affected by the grounds on which the Appeal has been upheld;
 - (d) where applicable, and where it is not practicable to remark/regrade the student's performance (e.g. a fieldwork placement), the express review by the appropriate Examiners of all reports relating to the performance in any part of the assessment considered by the Vice Principal Curriculum /Hearing Panel to have been affected by the grounds on which the Appeal has been upheld.
- 2.2 Where there is remarking in accordance with paragraph 2.1(c), the new Mark(s), which may be higher or lower than the original Mark(s), shall be submitted along with the original Mark(s) to the appropriate Examiners, who may adjust the original Mark(s) awarded upwards or downwards. That Academic Decision shall determine the Mark awarded. The Chair of the Examiners shall substitute the newly recorded Mark for the original Mark in the student's record and act in accordance with paragraph 2.3.
- 2.3 If the result of consideration under paragraphs 2.1 and/or any new mark(s) awarded under paragraph 2.2 does not result in a change affecting an academic decision, the appropriate Board of Examiners shall confirm the original academic decision with any new mark(s) substituted in the student's record.
- 2.4 If the result of consideration under paragraph 2.1 and/or any new mark(s) awarded under paragraph 2.2 results in a change which might reasonably have affected an academic decision by the same or other Examiners on:
- (a) the determination of the result of an oral or practical examination or of a Fieldwork Placement;
 - (b) the requirement that a student's performance be reassessed;
 - (c) the progress of a student to a subsequent semester or year of study;

(d) the outcome of consideration for a higher degree;

(e) the result of the Final Assessment (including the determination of the degree classification);

The original Board of Examiners (if practicable) shall reconvene at the earliest possible date (except that the external Examiner(s) may be consulted by video or telephone conference or, exceptionally, by correspondence via concession to the Learning and Teaching Academic Director) to reconsider the original academic decision in the light of the appeal and to make a final decision either to confirm or revise their original academic decision. If, in reconsidering its academic decision, the Board of Examiners determines that remedial action should take the form of (an) action(s) that require(s) a concession from the Learning and Teaching Committee, the Secretary to the Board of Examiners will seek evidence from the Partnerships Office before reaching the final Academic Decision. The Chair shall inform the Vice Principal Curriculum or Chair/Secretary of the Hearing Panel as appropriate of the final Academic Decision and of the reasons for making it. Vice Principal Curriculum /Secretary of the Hearing Panel shall notify the student in accordance with the procedure. Where necessary, the Vice Principal Curriculum shall authorise the publication of a Supplementary Pass List.

- 2.5 The outcome of the consideration conducted under paragraphs 2.3 and 2.4 and the timescales, shall be as set out in the relevant sections of the Academic Appeals Procedure (Sections 7, 8, 12 and 13).



ACADEMIC APPEALS PROCEDURE

October 2012

1. PURPOSE

- 1.1 The Academic Appeals Procedure is intended to allow students at the Institute of Health and Social Care Studies, Guernsey (the Institute), undertaking taught programmes formally to raise concerns about their academic results or circumstances relating to them. We take such concerns seriously at the Institute and UEA and the Procedure is designed to enable a Student's concerns fully to be considered and action taken to remedy the situation where appropriate in a timely manner.
- 1.2 Concerns about academic or other matters that do not relate to academic results should be raised via the Institute's Complaints Procedure (which includes Academic Complaints). The Complaints Procedure is available in the Student Handbooks and on the Virtual Learning Environment.
- 1.3 The Academic Appeals Procedure comprises four parts:
- an informal stage;
 - a formal Stage One managed by the Institute, in which the Head of the Institute considers the appeal;
 - a formal Stage Two managed by UEA, which a Student may follow if dissatisfied with the outcome of the Stage One appeal, and
 - a screening process to establish whether a Stage Two appeal meets the required conditions.
- If accepted, Stage Two appeals are considered by an independent panel of senior academic staff from UEA and the Institute and, with the Student presenting the Appeal (with someone to accompany or represent them if they wish) and the Head of the Institute or a suitable substitute presenting the Institute's case. The Stage Two Academic Appeals Panel represents and acts with the full delegated authority of UEA Senate.
- 1.4 Terms used in the Academic Appeals Procedure are set out in Appendix A.

2. COMMITMENTS

- 2.1 Students who submit a case under this procedure will not be unfavourably treated for having done so. Any Student who believes that s/he has been less favourably treated as a result of submitting a case should contact the Director of University Services (PPE) at the University immediately. The Institute and the University expect that Students will not engage in frivolous or malicious appeals. It should be noted that if an appeal is found to have been brought with mischievous or malicious intent this may prove grounds for disciplinary action against the appellant.
- 2.2 The Institute and the University will in considering appeals apply the Academic Appeals Procedure in accordance with their Equal Opportunity and

Equality Policies. In particular, reasonable adjustments will be made for those with disabilities, specific learning difficulties or long-term medical conditions.

- 2.3 All parties to the appeal and individuals who have been involved in any related investigation and/or the management and/or administration of the appeal will observe the requirements for 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. In addition, confidential information may be disclosed to governmental, police or regulatory authorities as required by law.
- 2.4 All personal information will be processed by the Institute in accordance with its data protection policy and by the University in accordance with the UK Data Protection Act 1998.
- 2.5 Training will be offered to all senior academic staff.

3. FIRST STEPS TO TRY TO RESOLVE CONCERNS

- 3.1 Students are encouraged to try to resolve the matter they are concerned about informally before beginning the formal Procedure. A number of avenues exist through which further information or explanation can be provided which might satisfactorily answer their concerns. An informal approach could be made to their personal tutor.
- 3.2 Students on endorsed programmes are registered as students of UEA and of the School of Nursing Sciences and as such have access to the services of the Union of UEA Students (UUEAS). Limited support to other Institute students may be available but is at the discretion of the UUEAS.
- 3.3 A Student may be able to have work re-marked without having to pursue a formal academic appeal. If a Student is concerned about an academic result for a piece of assessed work that has been marked by a single teacher but has not been confirmed by a Board of Examiners, the Student can apply via the Institute Administration Office for the work to be remarked independently by a further tutor (who will not know the original mark). Both the original and second marks will then be considered by the Head of the Institute who may adjust the original mark up or down. The outcome should normally be available within a further 10 working days.
- 3.4 The Student should make every attempt to submit his/her case concerning a provisional academic result (whether singly or double marked) before the Board of Examiners meets. This is in the Student's best interests as an early decision can then be made. Where the interval between the notification of an academic result and a meeting of the relevant Board of Examiners is short, normally within less than 10 working days, the Head of the Institute may determine that consideration of an appeal, whether rising informally or

formally, be postponed until after the relevant Board of Examiners has met. At this point, the formal academic appeals procedure should be followed.

- 3.5 Where a student submits evidence of extenuating circumstances that were unknown to the Board of Examiners at the time it reached an academic decision and the Head of the Institute accepts these as demonstrating that the student's academic performance had been affected, the Head of the Institute may either refer the matter back to the Board of Examiners without requiring the student to submit a formal Academic Appeal or may seek an appropriate concession (via the Partnerships Office) from the Academic Director of Taught Programmes at UEA to address the Student's circumstances.
- 3.6 Should these steps not resolve the matter to the Student's satisfaction, the Student may make a formal case for an academic appeal under Stage One of the Procedure. The appeal will be dealt with by the Academic Lead for Quality Assurance and the Head of the Institute. If the concern remains unresolved after this, the Student may take the process to Stage Two, which is described later.

4. REASON(S) FOR CONCERN

- 4.1 A Student may make a case for an Academic Appeal formally to raise concerns about his/her academic results or circumstances relating to them. The more specific the Student is about the reasons for concern the more effective will be the subsequent investigation.
- 4.2 Concerns should relate to one or more of the following categories:

- A degree result
- An examination mark (provisional or confirmed)
- Assessed work (including essays, reports, dissertation or research project mark (provisional or confirmed)
- Required withdrawal from a course
- A verdict of plagiarism and/or collusion
- A penalty applied in respect of plagiarism and/or collusion
- A refusal to permit the late submission of work for assessment
- A rejection on the grounds of insufficiency of the extenuating circumstances presented for seeking an extension to a deadline for work for assessment.

Appeals against rejected concession requests are not permitted.

- 4.3 There may be a number of reasons why a Student might be concerned about an academic result and s/he must give (a) reason(s) and supply supporting evidence. Examples could include:

- Correct procedure was not followed which undermined the validity of the academic result

- Prejudice and/or bias or the appearance of prejudice and/or bias on the part of markers and/or examiners affected the academic result
- The Student's performance was adversely affected by extenuating circumstances that were not taken into account or not fully taken into account
- Significant changes were made to a course without being properly communicated and/or were not properly taken into account
- The teaching or research training provided was insufficient
- A poor supervisory experience
- The learning support provided was inadequate
- Any other aspect of the Student's experience of the course.

- 4.4 In giving reasons and evidence for their concern, Students should refer to the relevant course material and regulations which will specify what Students should reasonably be entitled to expect from their academic experience.

STAGE ONE ACADEMIC APPEAL

5. HOW A STUDENT SUBMITS A STAGE ONE ACADEMIC APPEAL

- 5.1 A Student must submit a completed Stage One Academic Appeal Form (and any supporting evidence) to the relevant office as listed at the end of the Stage One Appeal form. Forms are available from the Institute Administration Office.

All evidence submitted by the Student will be provided to the Head of the Institute under section 6.1 of the Procedure. No evidence submitted can be anonymous. A Stage One appeal will normally be considered by the Head of the Institute.

- 5.2 The Head of the Institute may suspend the Stage One Academic Appeal where appropriate, pending clarification by a Student that s/he has tried to resolve the matter s/he is concerned about informally before beginning the formal Procedure.
- 5.3 A Student who has been found guilty of plagiarism or collusion and wishes to appeal against the subsequent penalty, may submit a Stage One academic appeal. A Stage Two academic appeal should be submitted if a Student wishes to appeal against the decision that s/he has plagiarised and/or colluded.
- 5.4 A Student may decide to withdraw an appeal, providing the Head of the Institute is advised in writing before a mark has been submitted to the Chair of the Board of Examiners for reconsideration, or any of the actions recommended following an appeal that has been supported, has commenced (see 8.1 of the Procedure).

6. RESPONSE TO THE APPEAL

- 6.1 The Head of the Institute is responsible for responding to an appeal. If the Head of the Institute is part of the subject of the appeal, was a member of the Board of Examiners whose decision is being challenged, or is otherwise in a conflict of interest, a suitable substitution will be made by the Institute. (The person substituting for the Head of the Institute shall not be the person(s) who may have conducted investigations and/or inquiries on the Head of the Institute's behalf.).Notwithstanding this provision, for ease of reference the person responsible for responding to the Appeal will be called the Head of the Institute hereafter in this Procedure.
- 6.2 The Head of the Institute may delegate investigation of an academic appeal to one or more members of staff who do not have a conflict of interest with respect to the appeal. In such cases the Head of the Institute will retain responsibility for the decision reached at Stage One and will act in accordance with subsequent sections of the Appeals Procedure where required. The Head of the Institute must inform the Partnerships Office at the University when a Stage One Appeals has been submitted by a Student.
- 6.3 The Academic Lead for Quality Assurance will provide the Head of the Institute with the appeal documentation submitted by the Student under Stage One and will assist the Head of the Institute with the following investigation. The Head of the Institute having completed the investigation will decide whether the academic decision of the Examiners should be reviewed, whether any other remedial action should be taken (such as seeking a concession against the regulations), or whether the appeal should be rejected. The decision of the Head of the Institute and the reasons(s) for it will be communicated to the Student in writing and a copy shall be sent to the Partnerships Office at the University.
- 6.4 With limited exceptions (for example, where information cannot be disclosed because of the Institute's Data Protection policy), all written material considered by the Head of the Institute under this procedure will be accessible to the Student as accompanying evidence to the decision of the Head of the Institute. In the first instance, the evidence will take the form of a list of the documents considered, included with the Head of the Institute response to the Student. The following documents would normally be considered as evidence:

- Stage One Appeal form and accompanying evidence
- The Student's academic record
- Minutes of the relevant Board of Examiners with appropriate redactions
- Statements from other appropriate parties such as Programme Lead, Academic Lead and teachers
- Documentary medical evidence submitted by the student.

The student may request in writing to the Head of the Institute, a copy of the evidence considered.

- 6.5 Each appeal will normally be considered individually, (though depending on circumstances, where a series of appeals involve the same subject matter or individual(s), the Institute may consider such appeals collectively, subject to any confidentiality requirements).
- 6.6 It may not always be desirable for the original Board of Examiners to review a decision it previously made following a Stage One or Stage Two academic appeal (paragraphs 8.2, 8.3, 12.2. and 12.4 of the Procedure refer). 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. Where the Head of the Institute or Academic Appeals Panel conclude that the original examiners should not be asked to review a decision the normal process for approval of changes to membership of a Board of Examiners should be followed. Such changes require the approval of the UEA Academic Director of Partnerships.

7. TIMESCALES FOR STAGE ONE

- 7.1 The Student must submit the completed Academic Appeal Form and any supporting documents to the Institute Administration Office within 10 working days of the notification of the result (See Appendix A for definitions). Appeals submitted after this deadline with good reason for the delay may still be considered. The Student should contact the Institute Administration Office if s/he is unable to meet this deadline. Disputes about whether an appeal submitted after the deadline should be accepted should be referred to the UEA Academic Director of Partnerships.
- 7.2 The Head of the Institute must advise the Student of the outcome of the investigation into the Stage One appeal in writing within 10 working days of receipt of the Academic Appeal Form, or advise the Student within that time if more time is needed either for investigation or for a review of the academic decision by the Examiners.
- 7.3 The Head of the Institute must advise the Student of the decision of a reconvened Board of Examiners in writing within 20 working days of the date of the letter in 7.2 above.

8. ACTIONS AND OUTCOMES

- 8.1 If after receiving and investigating an appeal, the Head of the Institute concludes that the decision of the Examiners should be reviewed in accordance with paragraph 6.3 of the Procedure, the Student will receive a letter giving the likely timescale for further action and for notification of the outcome. Details can be found in Appendix B: "Instructions to Examiners in the event of an Appeal".

- 8.2 If a Head of the Institute refers an appeal to a Board of Examiners, the Head of the Institute will present the case to the Board (in person whenever possible). The Board of Examiners shall determine whether and to what extent the circumstances reported to it had an impact upon a Student's academic performance. 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 Head of the Institute and the person dealing with the appeal.
- 8.3 After the Examiners have reviewed their academic decision, the Head of the Institute will notify the Student of the outcome of Stage One giving a full and clear explanation of the decision. The Student may request a meeting with the Head of the Institute to discuss the outcome.
- 8.4 If after receiving and investigating an appeal, the Head of the Institute concludes that no further action is merited the Student will receive a letter giving a full and clear explanation of the decision in accordance with the timescale set out in 7.2 above. The Student may request a meeting with the Head of the Institute to discuss the outcome.
- 8.5 A Student who is not satisfied with the outcome of the Stage One appeal (whether or not it was referred to the Exam Board) may decide to move to Stage Two of the Academic Appeals Procedure as described below under Section 9.

STAGE TWO ACADEMIC APPEAL

9. HOW A STUDENT SUBMITS A STAGE TWO ACADEMIC APPEAL

- 9.1 For a Stage Two appeal to be considered there must be at least one of the following grounds:

- there is new information to be put forward by the Student that was not known to the Board of Examiners or to the Head of the Institute who investigated the original appeal;
- that evidence put forward at Stage One was not fully and properly considered;
- that there was procedural irregularity in the conduct of the Stage One appeal;
- that there was prejudice and/or bias and/or the appearance of prejudice and/or bias, in the conduct of the Stage One appeal.

- 9.2 A Student who has been found guilty of plagiarism and/or collusion may appeal against the decision by submitting a Stage Two academic appeal.

- 9.3 A Student must submit a completed Stage Two Academic Appeal Form (and any supporting evidence) to the Director of University Services (Postgraduate Research, Partnerships and Equality and Diversity (PPE)) at the UEA. Forms are available from the UEA Partnerships Office. All evidence submitted by the Student will be provided to the Head of the Institute under section 10.3 of the Procedure. No evidence submitted can be anonymous.
- 9.4 A Student may decide to withdraw an appeal, providing the Director of University Services (PPE) is advised in writing before the date of any Appeal Hearing.

10. RESPONSE TO THE APPEAL

- 10.1 The Director of University Services (PPE) will check whether the appeal meets at least one of the conditions in 9.1 and decide whether or not there are grounds for the appeal to be accepted. The Student will be informed within 10 working days of receipt. If the appeal is accepted solely on the grounds that there is evidence that there was procedural irregularity in the conduct of the Stage One appeal, the Director of University Services (PPE) will refer the appeal back to the Stage One process.
- 10.2 An appeal which the Director of University Services (PPE) does not believe meets any of the conditions and should therefore be rejected will be referred to one of the Academic Directors (normally the Academic Director of Partnerships/Academic Director of Taught Programmes). The Academic Director will review the decision and the Student will be informed of the outcome within 15 working days of receipt (by the Director of University Services (PPE)). If the appeal is rejected, this decision is final and there is no further right to appeal to the University. Regulation 14.2 below refers to how a complaint can be pursued beyond the University. The Learning and Teaching Academic Director who reviews the appeal will not sit on the Hearing Panel should the appeal proceed to a hearing.
- 10.3 If the appeal is accepted on the grounds of procedural irregularity alone, the appeal will be sent to the Head of the Institute who shall make the appropriate arrangements to remedy the procedural irregularity in the Stage One process as instructed by the Director of University Services (PPE). 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 to the University. Regulation 14.2 below refers to how a complaint can be pursued beyond the University.

If the appeal is accepted and, in the judgement of the Director of University Services (PPE) in consultation with the Academic Director of Taught Programmes, there is a concessionary remedy available that falls within the powers of the Academic Director of Taught Programmes to address the matter(s) complained of, referral to the Head of the Institute or a Stage Two

Appeal Panel shall not be required. Provided that there are no further matters of complaint in this part of the process, there shall be no further right to appeal to the University. Regulation 14.2 below refers to how a complaint can be pursued beyond the University.

If the appeal is accepted on grounds other than on or in addition to procedural irregularity and/or covers matters in respect of which a concessionary remedy is inappropriate or unavailable, the Director of University Services (PPE) will appoint an Appeal Secretary from the University's Partnerships Office who will be the main contact point for Stage Two proceedings. The Appeal Secretary will send a copy of the appeal form and supporting evidence submitted by the Student to the Head of the Institute. If a substitute for the Head of the Institute responded to the appeal under Stage One (see section 6.1), the substitute will continue to deal with the appeal. Notwithstanding this provision, for ease of reference, the person responsible for responding to the appeal will be called the Head of the Institute hereafter in this Procedure.

- 10.4 On receiving a Stage Two appeal, the Head of the Institute may decide to reconsider the Stage One decision (if for instance new information has been provided), and will proceed as in Section 8 of the Procedure. In such a case, the Student retains the right to submit a Stage Two appeal should s/he be dissatisfied with the outcome.
- 10.5 If the Head of the Institute does not change the Stage One decision, the Head of the Institute must provide the Secretary to the Stage Two Academic Appeals Panel (hereinafter referred to as the Panel) with a written response to the Student's Stage Two 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 Head of the Institute. The decision of the Chair of the Panel regarding the witnesses to be called to the Hearing shall be final.
- 10.6 The Appeal Secretary will provide the Student with a copy of the Head of Institute written response to the Stage Two 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.
- 10.7 Exceptionally the Chair of the Panel may agree to additional witnesses. The Panel may also request additional witnesses. Witnesses attend as neutral witnesses for the Panel to provide information to the Panel to help it reach a decision; witnesses do not represent the Student or the Head of the Institute. If any proposed witness is not a member of the Institute or UEA staff, the proposer must first seek the person's permission before making the nomination.

- 10.8 With limited exceptions (for example, where information cannot be disclosed because of the University's obligations under the Data Protection Act), all written material considered by the Head of the Institute under this procedure, any additional material gathered by the Director of University Services (PPE) to inform his/her decision and all the material available to the Academic Appeals Panel will be provided to the Student, edited where appropriate. No evidence submitted may be anonymous.
- 10.9 Each appeal will normally be considered individually, (though depending on circumstances, where a series of appeals involve the same subject matter or individual(s), the University may consider such appeals collectively, subject to any confidentiality requirements).

11. THE APPEAL HEARING

- 11.1 When the Student receives the written response to her/his appeal s/he will be asked which type of hearing is preferred. The hearing may be 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.
- 11.2 The Student may nominate someone either to accompany or to represent them in the oral hearing. This person will not be permitted to speak during the hearing unless nominated to represent the Student.
- 11.3 With the agreement of the Panel, 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.
- 11.4 If the Student is expected at an 'oral' hearing but fails to attend, the Panel may decide whether 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.
- 11.5 The Academic Appeals Procedure is not a formal legal process and therefore members of the legal profession (other than UEA Law School staff acting in their capacity as members of staff of the University) are not permitted to accompany or represent the Student.
- 11.6 Stage 2 appeal hearings will be conducted via video-conference, with students and staff participating from their respective home institution. This is intended to avoid the implications of student(s) and staff travelling, to enable the hearing to take place within a reasonable timescale and to minimise the disruption for those involved.

- 11.7 A suitably experienced member of UEA administrative staff will travel to the Institute for the hearing, to co-ordinate proceedings there and support the student(s).
- 11.8 The secretary to the hearing will be located with the panel in Norwich.
- 11.9 The person who made the decision at Stage One of an academic appeal (normally the Head of the Institute except in cases of appeals against the charges of plagiarism and/or collusion) must present the case at Stage Two hearings. A substitute for the person who made the decision at Stage One 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.
- 11.10 The Panel will have an appropriate composition having regard to equality and diversity considerations wherever possible and consist of three academic staff. The Panel shall comprise:
- The UEA Academic Director of Partnerships or Academic Director of Taught Programmes who will normally chair **or** a UEA Faculty Associate Dean (Learning, Teaching and Quality) **and**
 - Two members of senior academic staff, one from UEA and one from the Institute, who have received appropriate training.
- 11.11 The oral hearing will proceed as follows:

1. The Student or his/her representative may make an opening statement;
2. The Head of the Institute may make an opening statement;
3. After the opening statement by the Student or his/her representative and by the Head of the Institute, the Student or his/her representative and the Head of the Institute may question each other through the Chair of the Panel;
4. Members of the Panel may ask questions of the student or his/her representative and of the Head of the Institute on completion of the questioning of the student (or his/her representative) and of the Head of the Institute by each other;
5. 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;
6. The Head of the Institute may make a closing statement if wished (and may leave the Hearing for a few minutes to prepare this);
7. 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);

8. The hearing closes and all parties except the Panel and Appeal Secretary leave the room to allow the Panel to reach a decision.

11.12 In the event of a student seeking the support of a member of the UUEAS Advice Centre at a Stage 2 Appeal Hearing, the Advice Centre would decide on the most appropriate way to support the student, depending on the circumstances of the case and the student's needs. This may entail travelling to Guernsey but is more likely to involve providing remote support from Norwich via telephone, email and/or video/teleconference.

11.13 If the Advice Centre representative participates at the Stage 2 Hearing by joining the Panel in Norwich for the videoconference, any private discussions between the representative and the student would be achieved by each leaving the room and holding a telephone call in another room in private. The call should not be at the student's expense.

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

11.15 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.

12. ACTIONS AND OUTCOMES

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

- Require members of staff of the Institute and the University to make written submissions, attend, give evidence, and answer questions
- Review recommendations of Examiners
- Require Examiners to review academic decisions
- Require the Institute to undertake remedial actions, which may be in addition to a review of the academic decision by the Examiners

The Panel does not have the power to change an academic decision or to grant concessions against the regulations, except as set out in 12.2 below.

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

- 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;

- 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;
- In the case of an appeal against a penalty applied in respect of work that has been plagiarised and/or in respect of which there has been collusion, instruct that the penalty be set aside, that the work be reviewed by an independent Plagiarism Officer to reach a view as to the level of offence and the penalty to be imposed (in accordance with the Plagiarism and/or Collusion Policy) and instruct the relevant Board of Examiners to review its academic decision.

- 12.3 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.

Details can be found in Appendix B: "Instructions to Examiners in the event of an Appeal" at the end of this procedure.

- 12.4 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 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.
- 12.5 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.
- 12.6 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 Director of University Services (PPE) will consider the Board's response and determine whether or not the matter should be referred to the UEA Senate. The Appeal Secretary will notify the Student of the position and thereafter notify the Student of the final outcome of Stage Two, giving a full and clear explanation of the decision.
- 12.7 If the Panel decides that, based on evidence presented at the hearing, remedial action is not warranted, it will write to the Student and the Head of the Institute to inform them that the appeal has been rejected. The letter from the Panel will give a full and clear explanation of the decision.

13. TIMESCALES FOR STAGE TWO

- 13.1 The Student must submit the completed Stage Two Academic Appeal Form and any supporting documents to the Director of University Services (PPE) at UEA within 20 working days of the notification of the outcome of the Stage One 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.
- 13.2 The Head of the Institute must provide a response within 10 working days of receiving the Student's appeal from the Appeal Secretary.
- 13.3 If the Head of the Institute 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 Head of the Institute receiving the appeal.
- 13.4 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.
- 13.5 If a Stage Two 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 Two 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.
- 13.6 The Appeal Secretary will normally advise the Student and Head of the Institute of the outcome of the Stage Two appeal in writing within 5 working days of a Stage Two 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.

14. FURTHER RIGHT TO APPEAL

- 14.1 Following completion of Stage Two there is no further right to appeal within the Institute or to the University.
- 14.2 Students who are dissatisfied with the outcome of their Stage Two 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.

APPENDIX A

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 this Procedure
Academic Result	<p>may refer to :</p> <p>(1) the result of the sole exercise by one duly authorised Module Leader or the Examiner of academic and/or professional expertise in determining the quality of a student's performance in any part of the assessment process for a degree or qualification of the University; and/or</p> <p>(2) the result of the exercise by more than one duly authorised Teacher or Examiner of academic and/or professional expertise in determining the quality of a student's performance in any part of the assessment process for a degree or qualification of the University. This is also referred to as an Academic Decision and includes:</p> <p>(a) the award of a Mark for work submitted for assessment (for example, essay, report, dissertation, project);</p> <p>(b) the award of a Mark for a written, oral, practical or other examination;</p> <p>(c) the determination of the result of an oral or practical examination;</p> <p>(d) the determination of the result of a Fieldwork Placement;</p> <p>(e) the requirement that a student's performance be reassessed;</p> <p>(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 Institute;</p> <p>(g) to allow a reassessment and/or the submission of a revised dissertation; or</p> <p>(ii) not to allow a reassessment and/or resubmission but to award a lower qualification (where permitted by the</p>

	<p>Regulations); or</p> <p>(iii) not to allow a reassessment and/or resubmission nor to award a lower qualification (where permitted by the Regulations);</p> <p>(iv) the determination 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.</p>
Chair of Examiners	the duly appointed Chair of a Board of Examiners who shall be designated by the Institute Principal to act as Chair of Examiners for the purposes of this Procedure.
Fieldwork Placement	such period(s) of assessed practical experience in settings external to the Institute or University as may be required or permitted as part of programmes of study and/or practice, and including work, industrial, clinical and other professional placements.
Higher Degrees	degrees and such other postgraduate qualifications (both Research Degrees and Taught Programmes) as are regulated by the University's Learning and Teaching Committee.
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 and which remains provisional until determined and awarded by the appropriate Examiners.
Notification of Result	<p>the transmission to a student of an Academic Result by any one of the following means:</p> <p>(a) publication on an official University notice board;</p> <p>(b) delivery to a student in person;</p> <p>(c) delivery to a student's letter rack in the Institute or Faculty Office (as appropriate) in which he/she is registered;</p> <p>(d) despatch by post to a student's last known out-of semester address;</p> <p>(e) via the VLE , the date of release of the result(s) being notified to a Student by prior e-mail.</p> <p>The date of the Notification of Result shall be the date of such publication or delivery in the case of (a), (b) and (e).</p>

Plagiarism and/ or Collusion	as defined in the policy on Plagiarism and Collusion in the programme handbook.
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- or double-marking.
Taught Programmes	such degrees and other qualifications, at both undergraduate and postgraduate level, as are designated by the University from time to time (not being Research Degrees).
Teacher	a member of staff of UEA or such other person from UEA 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.
Unauthorised	late submission of work submitted for assessment as set out in the policy on Submission of Work for Assessment (Taught Programmes): extensions and penalties for unauthorised late submission, provisional marks and feedback) in the programme handbook
Working Days	the weekdays Monday to Friday, including University breaks and vacations but excluding those weekdays when the University is officially closed (e.g. a Bank Holiday Monday).
Work submitted for assessment	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, but excluding examinations administered by the University Assessments Office.

INSTRUCTIONS TO EXAMINERS IN THE EVENT OF AN ACADEMIC APPEAL

When Boards of Examiners are required to review an academic result in the event of an appeal, they should proceed as follows:

1. Reconsideration of an Academic Result where the result has been arrived at by a single Module Leader acting alone

1.1 In the case of an appeal which concerns a student's dissatisfaction with an Academic Result arrived at by a single Module Leader acting alone, the Vice Principal Curriculum shall first ask the Chair of the appropriate Examiners to confirm that the result in question has indeed been arrived at by a single Teacher or Examiner acting alone. If the result has in fact been derived from the exercise of academic and/or professional expertise by more than one Teacher or Examiner, the Vice Principal Curriculum shall reject the appeal.

1.2 If the result in question is confirmed to the Vice Principal Curriculum as being properly an Academic Result arrived at by a single Module Leader acting alone as defined in this Procedure:

(a) where it is practicable to remark the student's performance, the Vice Principal Curriculum shall ask the Chair of the appropriate Examiners:

(i) to arrange for the assessable material to be independently re-marked by another Teacher who shall not be made aware of the original Provisional Mark awarded; and

(ii) to submit both the first, Provisional Mark and second Mark for an Academic Decision (see definition (2) of Academic Result) by the Chair of the Awards Board, who may adjust the original Provisional Mark upwards or downwards, prior to consideration by the relevant Board of Examiners. That Academic Decision shall determine the Mark awarded and the Notification of Result shall take place in the usual way.

(b) where it is not practicable to re-mark the student's performance (e.g. a Fieldwork Placement), the Vice Principal Curriculum shall ask the Chair of the appropriate Examiners to ensure that all reports relating to that performance are expressly considered by the Examiners before an Academic Decision is taken (see definition 2 of Academic Result). That Academic Decision shall determine the Mark awarded and the Notification of Result shall take place in the usual way. Note: Reconsideration of an academic result (under definition 1) may take place without having to pursue a formal academic appeal in accordance with Section 3.2 of the Academic Appeals Procedure.

- 2. Reconsideration of an Academic Decision (being definition 2 of Academic Result)**
- 2.1 The Vice Principal Curriculum /Hearing Panel shall ask the Chair of the appropriate Examiners to arrange for the original Examiners (wherever practicable) to reconsider expeditiously their Academic Decision in the light of:
- (a) the reasons given by the Vice Principal Curriculum Hearing Panel;
 - (b) where applicable, the correction of any administrative error affecting the recording or calculation of marks;
 - (c) where applicable, and where it has been practicable to re-mark the student's performance, the independent remarking by another Teacher or Examiner, to be nominated by the Chair of the appropriate Examiners and not to be made aware of the original Mark(s) awarded, of any part(s) of the assessment considered by the Vice Principal Curriculum /Hearing Panel to have been affected by the grounds on which the Appeal has been upheld;
 - (d) where applicable, and where it is not practicable to remark/regrade the student's performance (e.g. a fieldwork placement), the express review by the appropriate Examiners of all reports relating to the performance in any part of the assessment considered by the Vice Principal Curriculum /Hearing Panel to have been affected by the grounds on which the Appeal has been upheld.
- 2.2 Where there is remarking in accordance with paragraph 2.1(c), the new Mark(s), which may be higher or lower than the original Mark(s), shall be submitted along with the original Mark(s) to the appropriate Examiners, who may adjust the original Mark(s) awarded upwards or downwards. That Academic Decision shall determine the Mark awarded. The Chair of the Examiners shall substitute the newly recorded Mark for the original Mark in the student's record and act in accordance with paragraph 2.3.
- 2.3 If the result of consideration under paragraphs 2.1 and/or any new mark(s) awarded under paragraph 2.2 does not result in a change affecting an academic decision, the appropriate Board of Examiners shall confirm the original academic decision with any new mark(s) substituted in the student's record.
- 2.4 If the result of consideration under paragraph 2.1 and/or any new mark(s) awarded under paragraph 2.2 results in a change which might reasonably have affected an academic decision by the same or other Examiners on:
- (a) the determination of the result of an oral or practical examination or of a Fieldwork Placement;
 - (b) the requirement that a student's performance be reassessed;
 - (c) the progress of a student to a subsequent semester or year of study;

(d) the outcome of consideration for a higher degree;

(e) the result of the Final Assessment (including the determination of the degree classification);

The original Board of Examiners (if practicable) shall reconvene at the earliest possible date (except that the external Examiner(s) may be consulted by video or telephone conference or, exceptionally, by correspondence via concession to the Learning and Teaching Academic Director) to reconsider the original academic decision in the light of the appeal and to make a final decision either to confirm or revise their original academic decision. If, in reconsidering its academic decision, the Board of Examiners determines that remedial action should take the form of (an) action(s) that require(s) a concession from the Learning and Teaching Committee, the Secretary to the Board of Examiners will seek evidence from the Partnerships Office before reaching the final Academic Decision. The Chair shall inform the Vice Principal Curriculum or Chair/Secretary of the Hearing Panel as appropriate of the final Academic Decision and of the reasons for making it. Vice Principal Curriculum /Secretary of the Hearing Panel shall notify the student in accordance with the procedure. Where necessary, the Vice Principal Curriculum shall authorise the publication of a Supplementary Pass List.

- 2.5 The outcome of the consideration conducted under paragraphs 2.3 and 2.4 and the timescales, shall be as set out in the relevant sections of the Academic Appeals Procedure (Sections 7, 8, 12 and 13).



London Academy of Diplomacy

Academic Appeals

Procedure

2012/13 Academic Year

1. PURPOSE

- 1.1 The Academic Appeals Procedure is intended to allow London Academy of Diplomacy ('the Academy') Students undertaking taught postgraduate programmes formally to raise concerns about their academic results or circumstances relating to them. We take such concerns seriously at the Academy and the University of East Anglia (UEA) and the Procedure is designed to enable a Student's concerns fully to be considered and action taken to remedy the situation where appropriate, in a timely manner.
- 1.2 Concerns about academic or other matters that do not relate to academic results should be raised via the Complaints Procedure (which includes Academic Complaints). The Complaints Procedure is available from the UEA Learning and Teaching Services website at <http://www.uea.ac.uk/calendar/Academic+Complaints+Procedure>
- 1.3 The Academic Appeals Procedure comprises four parts:
- an informal stage;
 - a formal Stage One managed by the Academy, in which the Dean of UEA London considers the appeal;
 - a formal Stage Two managed by the UEA Partnerships Office, which a Student may follow if dissatisfied with the outcome of the Stage One appeal, and
 - a screening process to establish whether a Stage Two appeal meets the required conditions.
- If accepted, Stage Two appeals are considered by an independent panel of senior academic staff from UEA with the Student presenting the Appeal (with someone to accompany or represent them if they wish) and the Dean of UEA London or a suitable substitute presenting the Academy's case. The Stage Two Academic Appeals Panel represents and acts with the full delegated authority of UEA Senate.
- 1.4 Terms used in the Academic Appeals Procedure are set out in Appendix A.

2. COMMITMENTS

- 2.1 Students who submit a case under this procedure will not be unfavourably treated for having done so. Any Student who believes that s/he has been less favourably treated as a result of submitting a case should contact the Director of University Services (Partnerships, Postgraduate Research and Equality and Diversity (PPE)) (DUS (PPE)) immediately. The Academy and the University expect that Students will not engage in frivolous or malicious appeals. It should be noted that if an appeal is found to have been brought with mischievous or malicious intent this may prove grounds for disciplinary action against the appellant.

- 2.2 The Academy and the University will in considering appeals apply the Academic Appeals Procedure in accordance with their Equal Opportunity and Equality Policies. In particular, reasonable adjustments will be made for those with disabilities, specific learning difficulties or long-term medical conditions.
- 2.3 All parties to the appeal and individuals who have been involved in any related investigation and/or the management and/or administration of the appeal will observe the requirements for 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. In addition, confidential information may be disclosed to governmental, police or regulatory authorities as required by law.
- 2.4 All personal information will be processed by the Academy and the University in accordance with the Data Protection Act 1998.
- 2.5 Training will be offered to all senior academic and administrative staff.

3. FIRST STEPS TO TRY TO RESOLVE CONCERNS

- 3.1 Students are encouraged to try to resolve the matter they are concerned about informally before beginning the formal Procedure. A number of avenues exist through which further information or explanation can be provided which might satisfactorily answer their concerns. An informal approach could be made to their lecturer, Module Leader, or the Academy Director. Students can be assisted in making such an approach by the Union of UEA Students' representative at UEA London.
- 3.2 A Student may be able to have work re-marked without having to pursue a formal academic appeal. If a Student is concerned about an academic result for a piece of assessed work that has been marked by a single teacher but has not been confirmed by a Board of Examiners, the Student can apply via the Academy Manager for the work to be remarked independently by a further tutor (who will not know the original mark). Both the original and second marks will then be considered by the Academy Director who may adjust the original mark up or down. The outcome should normally be available within a further 10 working days.
- 3.3 The Student should make every attempt to submit his/her case concerning a provisional academic result (whether singly or double marked) before the Board of Examiners meets. This is in the Student's best interests as an early decision can then be made. Where the interval between the notification of an academic result and a meeting of the relevant Board of Examiners is short, normally within less than 10 working days, the Academy Director may determine that consideration of an appeal, whether rising informally or formally, be postponed until after the relevant Board of Examiners has met. At this point, the formal academic appeals procedure should be followed.

- 3.4 Where a student submits evidence of extenuating circumstances that were unknown to the Board of Examiners at the time it reached an academic decision and the Dean of UEA London accepts these as demonstrating that the student's academic performance had been affected, the Dean may either refer the matter back to the Board of Examiners without requiring the student to submit a formal Academic Appeal or may seek an appropriate concession from the Academic Director of Partnerships to address the Student's circumstances.
- 3.5 Should these steps not resolve the matter to the Student's satisfaction, the Student may make a formal case for an academic appeal under Stage One of the Procedure. The appeal will be dealt with by the Academy Manager and the Dean of UEA London. If the concern remains unresolved after this, the Student may take the process to Stage Two, which is described later.

4. REASON(S) FOR CONCERN

- 4.1 A Student may make a case for an Academic Appeal formally to raise concerns about his/her academic results or circumstances relating to them. The more specific the Student is about the reasons for concern the more effective will be the subsequent investigation.
- 4.2 Concerns should relate to one or more of the following categories:

- A degree result
- An examination mark (provisional or confirmed)
- Assessed work (including essays, reports, dissertation or research project mark (provisional or confirmed)
- Required withdrawal from a course
- A verdict of plagiarism and/or collusion
- A penalty applied in respect of plagiarism and/or collusion
- A refusal to permit the late submission of work for assessment
- A rejection on the grounds of insufficiency of the extenuating circumstances presented for seeking an extension to a deadline for work for assessment.

Appeals against rejected concession requests are not permitted.

- 4.3 There may be a number of reasons why a Student might be concerned about an academic result and s/he must give (a) reason(s) and supply supporting evidence. Examples could include:

- Correct procedure was not followed which undermined the validity of the academic result
- Prejudice and/or bias or the appearance of prejudice and/or bias on the part of markers and/or examiners affected the academic result

- The Student's performance was adversely affected by extenuating circumstances that were not taken into account or not fully taken into account
- Significant changes were made to a course without being properly communicated and/or were not properly taken into account
- The teaching or research training provided was insufficient
- A poor supervisory experience
- The learning support provided was inadequate
- Any other aspect of the Student's experience of the course.

- 4.4 In giving reasons and evidence for their concern, Students should refer to the relevant course material and regulations which will specify what Students should reasonably be entitled to expect from their academic experience.

STAGE ONE ACADEMIC APPEAL

5. HOW A STUDENT SUBMITS A STAGE ONE ACADEMIC APPEAL

- 5.1 A Student must submit a completed Stage One Academic Appeal Form (and any supporting evidence) to the relevant office as listed at the end of the Stage One Appeal form. Forms are available from the Academy Manager or via Moodle

All evidence submitted by the Student will be provided to the Dean of UEA London under section 6.1 of the Procedure who will consider the appeal. No evidence submitted can be anonymous.

- 5.2 The Dean of UEA London may suspend the Stage One Academic Appeal where appropriate, pending clarification by a Student that s/he has tried to resolve the matter s/he is concerned about informally before beginning the formal Procedure.
- 5.3 A Student who has been found guilty of plagiarism or collusion and wishes to appeal against the subsequent penalty, may submit a Stage One academic appeal. A Stage Two academic appeal should be submitted if a Student wishes to appeal against the decision that s/he has plagiarised and/or colluded.
- 5.4 A Student may decide to withdraw an appeal, providing the Dean of UEA London is advised in writing before a mark has been submitted to the Chair of the Board of Examiners for reconsideration, or any of the actions recommended following an appeal that has been supported, has commenced (see 8.1 of the Procedure).

6. RESPONSE TO THE APPEAL

- 6.1 The Dean of UEA London is responsible for responding to an appeal. If the Dean is part of the subject of the appeal, was a member of the Board of Examiners whose decision is being challenged, or is otherwise in a conflict of interest, a suitable substitution will be made by the UEA Partnerships Office. (The person substituting for the Dean of UEA London shall not be the person(s) who may have conducted investigations and/or inquiries on the Dean's behalf). Notwithstanding this provision, for ease of reference the person responsible for responding to the Appeal will be called the Dean of UEA London hereafter in this Procedure.
- 6.2 The Dean of UEA London may delegate investigation of an academic appeal to one or more members of staff who do not have a conflict of interest with respect to the appeal. In such cases the Dean will retain responsibility for the decision reached at Stage One and will act in accordance with subsequent sections of the Appeals Procedure where required.
- 6.3 The Academy Manager will provide the Dean of UEA London with the appeal documentation submitted by the Student under Stage One and will assist the Dean with the following investigation. The Dean having completed the investigation will decide whether the academic decision of the Examiners should be reviewed, whether any other remedial action should be taken (such as seeking a concession against the regulations), or whether the appeal should be rejected. The decision of the Dean and the reasons(s) for it will be communicated to the Student in writing.
- 6.4 With limited exceptions (for example, where information cannot be disclosed because of the Academy's obligations under the Data Protection Act), all written material considered by the Dean of UEA London under this procedure will be accessible to the Student as accompanying evidence to the decision of the Dean. In the first instance, the evidence will take the form of a list of the documents considered, included with the Dean's response to the Student. The following documents would normally be considered as evidence:

- Stage One Appeal form and accompanying evidence
- The Student's academic record
- Minutes of the relevant Board of Examiners with appropriate redactions
- Statements from other appropriate parties such as Module Leader and Programme Leader
- Documentary medical evidence submitted by the student.

The student may request in writing to the Dean of UEA London, a copy of the evidence considered.

- 6.5 Each appeal will normally be considered individually, (though depending on circumstances, where a series of appeals involve the same subject matter or

individual(s), the Academy may consider such appeals collectively, subject to any confidentiality requirements).

- 6.6 It may not always be desirable for the original Board of Examiners to review a decision it previously made following a Stage One or Stage Two academic appeal (paragraphs 8.2, 8.3, 12.2. and 12.4 of the Procedure refer). 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. Where the Dean of UEA London or Academic Appeals Panel conclude that the original examiners should not be asked to review a decision the normal process for approval of changes to membership of a Board of Examiners should be followed. Such changes require the approval of the UEA Academic Director of Partnerships.

7. TIMESCALES FOR STAGE ONE

- 7.1 The Student must submit the completed Academic Appeal Form and any supporting documents to the Academy Manager within 10 working days of the notification of the result (See Appendix A for definitions). Appeals submitted after this deadline with good reason for the delay may still be considered. The Student should contact the Academy Manager if s/he is unable to meet this deadline. Disputes about whether an appeal submitted after the deadline should be accepted should be referred to the DUS (PPE).
- 7.2 The Dean of UEA London must advise the Student of the outcome of the investigation into the Stage One appeal in writing within 10 working days of receipt of the Academic Appeal Form, or advise the Student within that time if more time is needed either for investigation or for a review of the academic decision by the Examiners.
- 7.3 The Dean of UEA London must advise the Student of the decision of a reconvened Board of Examiners in writing within 20 working days of the date of the letter in 7.2 above.

8. ACTIONS AND OUTCOMES

- 8.1 If after receiving and investigating an appeal, the Dean of UEA London concludes that the decision of the Examiners should be reviewed in accordance with paragraph 6.3 of the Procedure, the Student will receive a letter giving the likely timescale for further action and for notification of the outcome. Details can be found in Appendix B: "Instructions to Examiners in the event of an Appeal".
- 8.2 If the Dean of UEA London refers an appeal to a Board of Examiners, the Dean will present the case to the Board (in person whenever possible). The Board of Examiners shall determine whether and to what extent the

circumstances reported to it had an impact upon a Student's academic performance. 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 Dean and the Academy Manager dealing with the appeal.

- 8.3 After the Examiners have reviewed their academic decision, the Dean of UEA London will notify the Student of the outcome of Stage One giving a full and clear explanation of the decision. The Student may request a meeting with the Dean to discuss the outcome.
- 8.4 If after receiving and investigating an appeal, the Dean of UEA London concludes that no further action is merited the Student will receive a letter giving a full and clear explanation of the decision in accordance with the timescale set out in 7.2 above. The Student may request a meeting with the Dean to discuss the outcome.
- 8.5 A Student who is not satisfied with the outcome of the Stage One appeal (whether or not it was referred to the Exam Board) may decide to move to Stage Two of the Academic Appeals Procedure as described below under Section 9.

STAGE TWO ACADEMIC APPEAL

9. HOW A STUDENT SUBMITS A STAGE TWO ACADEMIC APPEAL

- 9.1 For a Stage Two appeal to be considered there must be at least one of the following grounds:

- there is new information to be put forward by the Student that was not known to the Board of Examiners or to the Dean of UEA London who investigated the original appeal;
- that evidence put forward at Stage One was not fully and properly considered;
- that there was procedural irregularity in the conduct of the Stage One appeal;
- that there was prejudice and/or bias and/or the appearance of prejudice and/or bias, in the conduct of the Stage One appeal.

- 9.2 A Student who has been found guilty of plagiarism and/or collusion may appeal against the decision by submitting a Stage Two academic appeal.
- 9.3 A Student must submit a completed Stage Two Academic Appeal Form (and any supporting evidence) to the Director of University Services (Postgraduate Research, Partnerships and Equality and Diversity (DUS (PPE)) at UEA. Forms are available from the UEA Partnerships Office or on the UEA Learning and Teaching Services website. All evidence submitted by the Student will be

provided to the Dean of UEA London under section 10.3 of the Procedure. No evidence submitted can be anonymous.

- 9.4 A Student may decide to withdraw an appeal, providing the DUS (PPE) is advised in writing before the date of any Appeal Hearing.

10. RESPONSE TO THE APPEAL

- 10.1 The DUS (PPE) will check whether the appeal meets at least one of the conditions in 9.1 and decide whether or not there are grounds for the appeal to be accepted. The Student will be informed within 10 working days of receipt. If the appeal is accepted solely on the grounds that there is evidence that there was procedural irregularity in the conduct of the Stage One appeal, the DUS (PPE) will refer the appeal back to the Stage One process.
- 10.2 An appeal which the DUS (PPE) does not believe meets any of the conditions and should therefore be rejected will be referred to one of the Learning and Teaching Directors (normally the Academic Director of Partnerships or the Academic Director of Taught Programmes). The Learning and Teaching Academic Director will review the decision and the Student will be informed of the outcome within 15 working days of receipt (by the DUS (PPE)). If the appeal is rejected, this decision is final and there is no further right to appeal to the University. Regulation 14.2 below refers to how a complaint can be pursued beyond the University. The Learning and Teaching Academic Director who reviews the appeal will not sit on the Hearing Panel should the appeal proceed to a hearing.
- 10.3 If the appeal is accepted on the grounds of procedural irregularity alone, the appeal will be sent to the Dean of UEA London who shall make the appropriate arrangements to remedy the procedural irregularity in the Stage One process. 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 to the University. Regulation 14.2 below refers to how a complaint can be pursued beyond the University.

If the appeal is accepted and, in the judgement of the DUS (PPE) in consultation with the Learning and Teaching Academic Director of Taught Programmes, there is a concessionary remedy available that falls within the powers of the Learning and Teaching Academic Director of Taught Programmes to address the matter(s) complained of, referral to the Dean of UEA London or a Stage Two Appeal Panel shall not be required. Provided that there are no further matters of complaint in this part of the process, there shall be no further right to appeal to the University. Regulation 14.2 below refers to how a complaint can be pursued beyond the University.

If the appeal is accepted on grounds other than on or in addition to procedural irregularity and/or covers matters in respect of which a concessionary remedy is inappropriate or unavailable, the DUS (PPE) will appoint an Appeal Secretary from the University's Partnerships Office who will be the main contact point for Stage Two proceedings. The Appeal Secretary will send a copy of the appeal form and supporting evidence submitted by the Student to the Dean of UEA London. If a substitute for the Dean responded to the appeal under Stage One (see section 6.1), the substitute will continue to deal with the appeal. Notwithstanding this provision, for ease of reference, the person responsible for responding to the appeal will be called the Dean of UEA London hereafter in this Procedure.

- 10.4 On receiving a Stage Two appeal, the Dean of UEA London may decide to reconsider the Stage One decision (if for instance new information has been provided), and will proceed as in Section 8 of the Procedure. In such a case, the Student retains the right to submit a Stage Two appeal should s/he be dissatisfied with the outcome.
- 10.5 If the Dean of UEA London does not change the Stage One decision, s/he must provide the Secretary to the Stage Two Academic Appeals Panel (hereinafter referred to as the Panel) with a written response to the Student's Stage Two 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 Dean. The decision of the Chair of the Panel regarding the witnesses to be called to the Hearing shall be final.
- 10.6 The Appeal Secretary will provide the Student with a copy of the Dean of UEA London's written response to the Stage Two 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.
- 10.7 Exceptionally the Chair of the Panel may agree to additional witnesses. The Panel may also request additional witnesses. Witnesses attend as neutral witnesses for the Panel to provide information to the Panel to help it reach a decision; witnesses do not represent the Student or the Dean of UEA London. If any proposed witness is not a member of the Academy or UEA staff, the proposer must first seek the person's permission before making the nomination.
- 10.8 With limited exceptions (for example, where information cannot be disclosed because of the University's obligations under the Data Protection Act), all written material considered by the Dean of UEA London under this procedure, any additional material gathered by the DUS (PPE) to inform his/her decision and all the material available to the Academic Appeals Panel will be provided

to the Student, edited where appropriate. No evidence submitted may be anonymous.

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

11. THE APPEAL HEARING

- 11.1 When the Student receives the written response to her/his appeal s/he will be asked which type of hearing is preferred. The hearing may be 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. The Hearing will take place at UEA London.
- 11.2 The Student may nominate someone either to accompany or to represent them in the oral hearing. This person will not be permitted to speak during the hearing unless nominated to represent the Student.
- 11.3 With the agreement of the Panel, 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.
- 11.4 If the Student is expected at an 'oral' hearing but fails to attend, the Panel may decide whether 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.
- 11.5 The Academic Appeals Procedure is not a formal legal process and therefore members of the legal profession (other than UEA Law School staff acting in their capacity as members of staff of the University) are not permitted to accompany or represent the Student.
- 11.6 The person who made the decision at Stage One of an academic appeal (normally the Dean of UEA London except in cases of appeals against the charges of plagiarism and/or collusion) must present the case at Stage Two hearings. A substitute for the person who made the decision at Stage One 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.

11.7 The Panel will have an appropriate composition having regard to equality and diversity considerations wherever possible and consist of three academic staff. The Panel shall comprise:

- The UEA Learning and Teaching Academic Director of Partnerships or Academic Director of Taught Programmes who will normally chair **or** a UEA Faculty Associate Dean (Learning, Teaching and Quality) **and**
- Two members of senior academic staff from UEA who have received appropriate training.

11.8 The oral hearing will proceed as follows:

1. The Student or his/her representative may make an opening statement;
2. The Dean of UEA London may make an opening statement;
3. After the opening statement by the Student or his/her representative and by the Dean of UEA London, the Student or his/her representative and the Dean may question each other through the Chair of the Panel;
4. Members of the Panel may ask questions of the student or his/her representative and of the Dean of UEA London on completion of the questioning of the student (or his/her representative) and of the Dean by each other;
5. 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;
6. The Dean of UEA London may make a closing statement if wished (and may leave the Hearing for a few minutes to prepare this);
7. 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);
8. The hearing closes and all parties except the Panel and Appeal Secretary leave the room to allow the Panel to reach a decision.

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

11.10 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.

12. ACTIONS AND OUTCOMES

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

- Require members of staff of the Academy and the University to make written submissions, attend, give evidence, and answer questions
- Review recommendations of Examiners
- Require Examiners to review academic decisions
- Require the Academy to undertake remedial actions, which may be in addition to a review of the academic decision by the Examiners

The Panel does not have the power to change an academic decision or to grant concessions against the regulations, except as set out in 12.2 below.

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

- 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;
- 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;
- In the case of an appeal against a penalty applied in respect of work that has been plagiarised and/or in respect of which there has been collusion, instruct that the penalty be set aside, that the work be reviewed by an independent Plagiarism Officer to reach a view as to the level of offence and the penalty to be imposed (in accordance with the Plagiarism and/or Collusion Policy) and instruct the relevant Board of Examiners to review its academic decision.

- 12.3 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.

Details can be found in Appendix B: "Instructions to Examiners in the event of an Appeal" at the end of this procedure.

- 12.4 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 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.

- 12.5 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.
- 12.6 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 DUS (PPE) will consider the Board's response and determine whether or not the matter should be referred to the UEA Senate. The Appeal Secretary will notify the Student of the position and thereafter notify the Student of the final outcome of Stage Two, giving a full and clear explanation of the decision.
- 12.7 If the Panel decides that, based on evidence presented at the hearing, remedial action is not warranted, it will write to the Student and the Dean of UEA London to inform them that the appeal has been rejected. The letter from the Panel will give a full and clear explanation of the decision.

13. TIMESCALES FOR STAGE TWO

- 13.1 The Student must submit the completed Stage Two Academic Appeal Form and any supporting documents to the DUS (PPE) at UEA within 20 working days of the notification of the outcome of the Stage One 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.
- 13.2 The Dean of UEA London must provide a response within 10 working days of receiving the Student's appeal from the Appeal Secretary.
- 13.3 If the Dean of UEA London 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 Dean receiving the appeal.
- 13.4 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.
- 13.5 If a Stage Two 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 Two 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.

13.6 The Appeal Secretary will normally advise the Student and Dean of UEA London of the outcome of the Stage Two appeal in writing within 5 working days of a Stage Two 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.

14. FURTHER RIGHT TO APPEAL

14.1 Following completion of Stage Two there is no further right to appeal within the Academy or to the University.

14.2 Students who are dissatisfied with the outcome of their Stage Two 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.

APPENDIX A

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 this Procedure
Academic Result	<p>may refer to :</p> <p>(1) the result of the sole exercise by one duly authorised Module Leader or the Examiner of academic and/or professional expertise in determining the quality of a student's performance in any part of the assessment process for a degree or qualification of the University; and/or</p> <p>(2) the result of the exercise by more than one duly authorised Teacher or Examiner of academic and/or professional expertise in determining the quality of a student's performance in any part of the assessment process for a degree or qualification of the University. This is also referred to as an Academic Decision and includes:</p> <p>(a) the award of a Mark for work submitted for assessment (for example, essay, report, dissertation, project);</p> <p>(b) the award of a Mark for a written, oral, practical or other examination;</p> <p>(c) the determination of the result of an oral or practical</p>

	<p>examination;</p> <p>(d) the determination of the result of a Fieldwork Placement;</p> <p>(e) the requirement that a student's performance be reassessed;</p> <p>(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 Academy;</p> <p>(g) to allow a reassessment and/or the submission of a revised dissertation; or</p> <p>(ii) not to allow a reassessment and/or resubmission but to award a lower qualification (where permitted by the Regulations); or</p> <p>(iii) not to allow a reassessment and/or resubmission nor to award a lower qualification (where permitted by the Regulations);</p> <p>(iv) the determination 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.</p>
Chair of Examiners	the duly appointed Chair of a Board of Examiners who shall be designated by the Academy Director to act as Chair of Examiners for the purposes of this Procedure.
Fieldwork Placement	such period(s) of assessed practical experience in settings external to the Academy or University as may be required or permitted as part of programmes of study and/or practice, and including work, industrial, clinical and other professional placements.
Higher Degrees	degrees and such other postgraduate qualifications (both Research Degrees and Taught Programmes) as are regulated by the University's Learning and Teaching Committee.
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 and which remains provisional until determined and awarded by the appropriate Examiners.

Notification of Result	<p>the transmission to a student of an Academic Result by any one of the following means:</p> <p>(a) publication on an official University notice board;</p> <p>(b) delivery to a student in person;</p> <p>(c) delivery to a student's letter rack in the Academy (as appropriate) ;</p> <p>(d) despatch by post to a student's last known out-of semester address;</p> <p>(e) via the VLE , the date of release of the result(s) being notified to a Student by prior e-mail.</p> <p>The date of the Notification of Result shall be the date of such publication or delivery in the case of (a), (b) and (e).</p>
Plagiarism and/ or Collusion	as defined in the policy on Plagiarism and Collusion UEA Learning and Teaching Services website.
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- or double-marking.
Taught Programmes	such degrees and other qualifications, at both undergraduate and postgraduate level, as are designated by the University from time to time (not being Research Degrees).
Teacher	a member of staff of the Academy or such other person from UEA 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.
Unauthorised	late submission of work submitted for assessment as set out in the policy on Submission of Work for Assessment (Taught Programmes): extensions and penalties for unauthorised late submission, provisional marks and feedback) in the programme handbook
Working Days	the weekdays Monday to Friday, including University breaks and vacations but excluding those weekdays when the University is officially closed (e.g. a Bank Holiday Monday).
Work submitted for assessment	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, but excluding examinations administered by the University Assessments Office.
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INSTRUCTIONS TO EXAMINERS IN THE EVENT OF AN ACADEMIC APPEAL

When Boards of Examiners are required to review an academic result in the event of an appeal, they should proceed as follows:

1. Reconsideration of an Academic Result where the result has been arrived at by a single Module Leader acting alone

1.1 In the case of an appeal which concerns a student's dissatisfaction with an Academic Result arrived at by a single Module Leader acting alone, the Dean of UEA London shall first ask the Chair of the appropriate Examiners to confirm that the result in question has indeed been arrived at by a single Teacher or Examiner acting alone. If the result has in fact been derived from the exercise of academic and/or professional expertise by more than one Teacher or Examiner, the Dean of UEA London shall reject the appeal.

1.2 If the result in question is confirmed to the Dean of UEA London as being properly an Academic Result arrived at by a single Module Leader acting alone as defined in this Procedure:

(a) where it is practicable to remark the student's performance, the Dean of UEA London shall ask the Chair of the appropriate Examiners:

(i) to arrange for the assessable material to be independently re-marked by another Teacher who shall not be made aware of the original Provisional Mark awarded; and

(ii) to submit both the first, Provisional Mark and second Mark for an Academic Decision (see definition (2) of Academic Result) by the Chair of the Awards Board, who may adjust the original Provisional Mark upwards or downwards, prior to consideration by the relevant Board of Examiners. That Academic Decision shall determine the Mark awarded and the Notification of Result shall take place in the usual way.

(b) where it is not practicable to re-mark the student's performance (e.g. a Fieldwork Placement), the Dean of UEA London shall ask the Chair of the appropriate Examiners to ensure that all reports relating to that performance are expressly considered by the Examiners before an Academic Decision is taken (see definition 2 of Academic Result). That Academic Decision shall determine the Mark awarded and the Notification of Result shall take place in the usual way. Note: Reconsideration of an academic result (under definition 1) may take place without having to pursue a formal academic appeal in accordance with Section 3.2 of the Academic Appeals Procedure.

2. Reconsideration of an Academic Decision (being definition 2 of

Academic Result)

- 2.1 The Dean of UEA London/Hearing Panel shall ask the Chair of the appropriate Examiners to arrange for the original Examiners (wherever practicable) to reconsider expeditiously their Academic Decision in the light of:
- (a) the reasons given by the Dean of UEA London;
 - (b) where applicable, the correction of any administrative error affecting the recording or calculation of marks;
 - (c) where applicable, and where it has been practicable to re-mark the student's performance, the independent remarking by another Teacher or Examiner, to be nominated by the Chair of the appropriate Examiners and not to be made aware of the original Mark(s) awarded, of any part(s) of the assessment considered by the Dean of UEA London/Hearing Panel to have been affected by the grounds on which the Appeal has been upheld;
 - (d) where applicable, and where it is not practicable to remark/regrade the student's performance (e.g. a fieldwork placement), the express review by the appropriate Examiners of all reports relating to the performance in any part of the assessment considered by the Dean of UEA London/Hearing Panel to have been affected by the grounds on which the Appeal has been upheld.
- 2.2 Where there is remarking in accordance with paragraph 2.1(c), the new Mark(s), which may be higher or lower than the original Mark(s), shall be submitted along with the original Mark(s) to the appropriate Examiners, who may adjust the original Mark(s) awarded upwards or downwards. That Academic Decision shall determine the Mark awarded. The Chair of the Examiners shall substitute the newly recorded Mark for the original Mark in the student's record and act in accordance with paragraph 2.3.
- 2.3 If the result of consideration under paragraphs 2.1 and/or any new mark(s) awarded under paragraph 2.2 does not result in a change affecting an academic decision, the appropriate Board of Examiners shall confirm the original academic decision with any new mark(s) substituted in the student's record.
- 2.4 If the result of consideration under paragraph 2.1 and/or any new mark(s) awarded under paragraph 2.2 results in a change which might reasonably have affected an academic decision by the same or other Examiners on:
- (a) the determination of the result of an oral or practical examination or of a Fieldwork Placement;
 - (b) the requirement that a student's performance be reassessed;
 - (c) the progress of a student to a subsequent semester or year of study;

(d) the outcome of consideration for a higher degree;

(e) the result of the Final Assessment (including the determination of the degree classification);

The original Board of Examiners (if practicable) shall reconvene at the earliest possible date (except that the external Examiner(s) may be consulted by video or telephone conference or, exceptionally, by correspondence via concession to the Learning and Teaching Academic Director) to reconsider the original academic decision in the light of the appeal and to make a final decision either to confirm or revise their original academic decision. If, in reconsidering its academic decision, the Board of Examiners determines that remedial action should take the form of (an) action(s) that require(s) a concession from the Learning and Teaching Committee, the Secretary to the Board of Examiners will seek evidence from the Partnerships Office before reaching the final Academic Decision. The Chair shall inform the Dean of UEA London or Chair/Secretary of the Hearing Panel as appropriate of the final Academic Decision and of the reasons for making it. The Dean of UEA London/Secretary of the Hearing Panel shall notify the student in accordance with the procedure. Where necessary, the Head of the Partnerships Office shall authorise the publication of a Supplementary Pass List.

- 2.5 The outcome of the consideration conducted under paragraphs 2.3 and 2.4 and the timescales, shall be as set out in the relevant sections of the Academic Appeals Procedure (Sections 7, 8, 12 and 13).