

Academic Appeals & Complaints – Guidance for Staff and Students

Please Note:

1. The flow –charts that accompany these guidance notes will not cover all possible eventualities, but are intended to provide an easy to follow process that will be applicable for the majority of academic appeals and complaints. This focus on standard processes was chosen in order to avoid unhelpfully complex diagrams.
2. The guidance notes and accompanying flow-charts are not formally part of the University Regulations but are designed to assist staff and students in their reading of the regulations covering Academic Appeals and Complaints and in understanding how the regulations will be applied in practice.
3. If you have detailed queries regarding any aspect of the Academic Appeals and Complaints Regulations please do contact your Hub and staff will direct your query to the most appropriate office within the University.
4. Numerical references in the guidance below refer to the relevant section of the Academic Appeals & Complaints Regulations

Which Route to use Appeals or Complaints?

- Appeals allow students to challenge academic decisions and should be submitted when seeking to change an academic outcome (for example the classification of a degree)
- The term ‘academic decision’ includes formal agreement of marks, progression across years of study, and the classification of a degree.
- Complaints are concerned with aspects of a student’s academic experience other than academic decisions (for example a complaint about the learning environment) or where the student is not seeking to change an academic decision but is nonetheless dissatisfied.
- Academic Appeals can lead to different academic outcomes for students, Academic Complaints, even when upheld, cannot change academic decisions

Are students required to follow the Informal Stage?

- The University recognises that there may be occasions where it would not be appropriate for a student to attempt an informal resolution of their concerns before moving to the formal part of the process. However, there may be occasions where a matter could be very simply resolved to the student’s satisfaction. In such

circumstances the University may follow 5.2 in requiring that the informal procedures be applied to resolve the student's concerns

- Students are encouraged to use the informal process since many concerns can be addressed within the School without the need for a formal appeal process. This is often a swifter route to resolution and does not remove the student's right to proceed to the formal process if they remain dissatisfied.
- The regulations do allow a Head of School to act within the limits of his/ her authority to resolve an appeal or complaint even after a formal Stage One has been submitted. This is not intended to undermine the rights of students, but to ensure that wherever possible, issues are resolved to the student's satisfaction without waiting for the formal process to run its course

Can an appeal be submitted that does not relate to the list of appeal topics in the regulations?

- Any academic appeal must be submitted in relation to the list of issues given at 4.1 in the regulations.
- The list at 4.1 covers all academic decisions that can be appealed and where a student has concerns about an issue not listed at 4.1 the appropriate route for them to follow would be the Academic Complaints process
- The restriction detailed at 4.3 refers to circumstances where a student is hoping to achieve a different academic outcome. If a student has concerns about an issue that is listed at 4.1 (for example, A degree result), but does **not** wish to change the academic outcome (for example their own degree classification), then an Academic Complaint route can be followed

What process should a student follow if appealing a Plagiarism and/ or Collusion Penalty?

- If a student wishes to appeal against the penalty or the level of plagiarism and/ or collusion s/he should submit a Stage One Academic appeal
- If a student has committed High Level plagiarism and has subsequently appeared before a Senate Student Disciplinary Committee hearing (SSDC) and wishes to appeal against the decision of the SSDC s/he should follow the Disciplinary Appeals Procedures which are wholly separate from the Academic Appeals procedures. Students who appear before a SSDC will receive full information on their right to appeal in the letter that explains the outcome of the SSDC hearing

What information will the panel use to make its decision?

- The panel will consider all the documentation provided by the student along with other materials that are relevant to the issue under consideration. The exact detail of the documentation considered will vary from case to case

- It is important that students include all the evidence that they wish to be considered at the point of submitting the Stage One form since the Stage Two process does not allow a case to be upheld on the grounds of new information except where there are very strong supporting reasons to justify why this information was not made available at Stage One
- If a student is awaiting evidence to support the Stage One case, or has good reason for not supplying it with their Stage One submission, this should be noted on the Stage One form. For example, if a student is waiting for confirmation of medical issues concerning a relative, s/he should provide details of the medical issues on the Stage One form and then forward the evidence to his/ her hub as soon as it is received.
- When preparing cases for consideration by a panel, staff may request additional information from the student, the School, or other offices within the University to assist the presentation of clear and complete cases to the panel

What are the deadlines for dealing with Academic Appeals and Complaints?

- Students must submit Stage One Appeal forms no later than 10 working days after: The date on which the student was formally notified of the academic decision against which they are appealing
OR
If they have tried to resolve the matter through the informal process, the date on which the student was notified that the informal process had been concluded
- Students must submit Stage One Complaint forms not later than 10 working days after the date on which the student was notified that the informal process had been concluded
- Stage One cases will be considered within 20 working days of receipt and students will be advised of the outcome of their case within 10 working days of the date of the panel meeting. If the complexity of the case prevents this deadline from being met, students will be advised of the likely delay in writing
- Students must submit Stage Two Appeal or Complaints forms no later than 15 working days after the date on which the student was formally advised of the Stage One outcome
- Students will be advised of the outcome of their Stage Two case within 20 working days of its receipt. If the complexity of the case prevents this deadline from being met, students will be advised of the likely delay in writing
- Where a Stage Two Case is upheld and referred to a Faculty Panel for consideration the standard Stage One time limits for the consideration of the case by the panel will apply
- If a student believes there is good reason for not meeting the deadline for submission of his/ her form, s/he should provide details of this on his/ her form. The Director of University Services will consider whether the reason provided is

acceptable and the student will be advised in writing whether their case will be considered or will be treated as out of time.

- If a student is advised that his/ her reason for late submission is not acceptable there is no right of appeal within the University against that decision. However, the student will retain his/her right to submit a complaint to the Office of the Independent Adjudicator (OIA) if s/he believes that the University should not have rejected the submission as being late without sufficient reason
- Students should note that late submission of additional material is not an allowable basis for the submission of a Stage Two appeal or complaint

When can a student submit a Stage Two Academic Appeal or Complaint?

- Students can submit a Stage Two Academic Appeal or Complaint if they believe that procedures were not followed correctly at Stage One. This is known as 'Procedural Irregularity'
- A Procedural Irregularity is a broad term and covers any aspect of the consideration of the Stage One that a student believes s/he can demonstrate was not carried out in accordance with regulations
- At Stage One it is the substance of the student's case that is considered, while at Stage Two it is the manner in which that consideration was carried out that is being examined.
- This is why at Stage Two the focus is on whether correct procedures were followed at Stage One and not on simply reconsidering the substance of the original appeal or complaint
- It is important to note that when a panel upholds an appeal or complaint a student may still proceed to Stage Two if s/he believes that the proposed remedy (how the panel suggests the student's position is put right) has arisen from a procedural irregularity (for example, that the remedy is only partial and does not address all of the factors upheld by the panel)
- It is important to note that students cannot submit a Stage Two appeal or complaint on the basis that the student wishes to submit information that was not provided at Stage One. The Stage Two process is designed to ensure the correct working of the Faculty panels and not to facilitate late submission of evidence to a Faculty panel. There are processes described above that students should follow if they believe there is a legitimate basis for non-submission of evidence or delayed submission of evidence to a Faculty Panel.

What sort of things might be covered by the term Procedural Irregularity?

- A formal definition of the term is provided at Appendix A to the regulations. It is important to note that Panels at Stage One have an obligation to comply with both

the principles and the processes which govern the Academic Appeals and Complaints regulations

- The principles themselves are detailed at 1.2 and if a student believes that s/he can demonstrate that a panel has not followed or acted in accordance with those principles s/he may choose to submit a Stage Two Appeal or Complaint
- It is important that students understand that following correct procedures does not just require that deadlines are met, or that the appropriate individuals are present at the panel meeting, but that it also requires that the manner in which cases are considered accords with the core principles detailed at 1.2

When can a student complain to the Office of the Independent Adjudicator (OIA)?

- A student can complain to the OIA about the outcome of an academic appeal or complaint, once they have received what is known as 'a completion of procedures letter' from the University
- In almost all cases this letter will be sent at the conclusion of any Stage Two process. All students who pursue a Stage Two academic appeal or complaint will receive a letter detailing the final outcome of their case and advising them that if they remain dissatisfied they can submit a complaint to the OIA
- The right to complain to the OIA is not restricted to students whose case has been rejected. Students whose case is upheld, but who are unhappy with the proposed remedy may also complain to the OIA on receipt of a completion of procedures letter