

# INTERNAL PROCEDURE



**Title: Higher Education  
Academic Appeals/Academic Complaints**

**POLICY HOLDER:** HE Senior Academic Administrator

**EXECUTIVE OWNER:** Jacky Sturman

**VERSION NO:** 12

**TO BE REVIEWED:** August 2017

**Accessibility:** If you would like this information in an alternative format, e.g. Easy to Read, large print, Braille or audio tape, or if you would like the procedure explained to you in your language, please contact the Communications & PR Officer on 01603 773 169.

Further information: If you have any queries about this policy or procedure, please contact the name policy holder or the Communications & PR Officer on 01603 773 169.

City College Norwich, Ipswich Rd, Norwich NR2 2LJ

## Contents

1. PURPOSE, APPLICATION AND SCOPE .....	3
2. THE RIGHT OF ACADEMIC APPEALS/ACADEMIC COMPLAINTS .....	4
3. MAKING AN INFORMAL APPROACH.....	7
4. MAKING A FORMAL ACADEMIC APPEAL OR ACADEMIC COMPLAINT .....	8
5. PROCEDURE FOR STAGE TWO ACADEMIC APPEALS/ACADEMIC COMPLAINTS .....	13
6. FURTHER RIGHT TO APPEAL OR COMPLAIN .....	19
7. APPELLANT'S EXPENSES.....	19
8. ACADEMIC APPEALS/ACADEMIC COMPLAINTS LOG.....	19
9. ACADEMIC APPEALS/ACADEMIC COMPLAINTS OFFICER'S ANNUAL REPORT .....	19
10. APPENDICES.....	20

## **1. PURPOSE, APPLICATION AND SCOPE**

### **1.1 Purpose**

The purpose of the Academic Appeals and Academic Complaints Procedure is to allow City College Norwich (CCN) students on University of East Anglia (UEA) validated Higher Education (HE) programmes and Higher National Certificate/Diploma Pearson Education Ltd validated programmes, to formally raise concerns about their assessment results and the outcomes of the Boards and Panels which make decisions on progression, awards and classifications (Academic Appeals) and to allow students to raise concerns about academic matters that have a direct impact on a student's academic experience (Academic Complaints).

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

If a more appropriate route exists to consider the substantive concern, the student will be advised to engage with the relevant alternative procedure. However this procedure purposely covers both the academic appeals and academic complaints process and will be implemented with flexibility so as to minimise delay and ensure a fair and equitable outcome should a student embark upon a particular route, for example the Academic Complaints Procedure, but it becomes clear that the Academic Appeals Procedure should have been used instead.

This procedure comprises of three parts; an informal approach, a formal Stage One Academic Appeals/Academic Complaints Hearing, which is considered by the College, and a formal Stage Two Academic Appeals/Academic Complaints Hearing which is considered by the relevant awarding body (either by the UEA or Pearson Education Ltd) if the student is dissatisfied with the outcome of the Stage One Academic Appeals/Academic Complaints and the submission meets the required conditions for consideration as detailed in 2.3.and 2.5 below.

Details of all Higher Education City College Norwich procedures are available from the Advice Shop and online at Blackboard/HE@CCN/Regulations & Procedures.

### **1.2 Application**

This procedure applies to all Higher Education programmes operated by City College Norwich which lead to an award of the University of East Anglia or Pearson Education Ltd.

### **1.3 Scope**

This procedure shall have within its scope the decisions of module lecturers, the Higher Education Academic Disciplinary Panel, the Mitigating Circumstances and Special Allowances Board, Module Assessment Boards, Referral Boards, Awards Boards and any decisions made by Chair's Action on behalf of those Boards, whether confirmed or not.

A student shall also be entitled under this procedure to appeal against any penalty (but not the decision giving rise to the penalty) imposed by an Academic Disciplinary Panel. 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. The Professional Misconduct or Unsuitability Committee procedure is available online at Blackboard/HE@CCN/Regulations & Procedures.

Collective academic appeals and academic complaints will be considered in the same manner as those received by an individual student. However, where a collective academic appeal/academic complaint is to be heard at Stage One (and should the right to attend the hearing in person be chosen), one appellant shall normally be nominated to attend the hearing to present the collective evidence.

Any non-academic complaints should be raised via the College's Complaints procedure, which is also available online at Blackboard/HE@CCN/Regulations & Procedures.

#### **1.4 Time Limits and Exhaustion of Academic Complaints Procedures**

Where applicable, the College (in conjunction with the UEA) will normally complete the formal Stage One and Stage Two Academic Appeals and Academic Complaints Procedure within 90 calendar days where possible.

The College will not normally consider an academic complaint which is raised once a period of six months has lapsed following the end of a student(s) registration (end of study).

#### **1.5 Definition of Terms**

Terms used in the Academic Appeals/Academic Complaints Procedure are set out in Appendix 2.

Throughout this procedure the term 'result' is used to represent mark, grade, classification or outcome.

Throughout this procedure the term 'Assessment Board' includes any formally constituted Board, Panel or Committee which decides/confirms students' results and progression.

#### **1.6 Appointment of the Academic Appeals/Academic Complaints Officer**

At the beginning of each academic year the College Academic Management Board will confirm the appointment of the Academic Appeals/Academic Complaints Officer (normally the HE Office Coordinator) whose duties are described within the text of this procedure.

## **2. THE RIGHT OF ACADEMIC APPEALS/ACADEMIC COMPLAINTS**

### **2.1 Our Commitment**

- a) No disadvantage - Any student who submits an academic appeal or an academic complaint under this procedure will not be disadvantaged for having done so. Any student who believes that s/he has been disadvantaged by making an academic appeal or an academic complaint should contact the Academic Appeals/Academic Complaints Officer immediately. On this basis, the College will not consider anonymous complaints.
- b) Advice and guidance in relation to this procedure can be obtained from The Advice Shop (Room A1), the Students' Union Office (Room A40a) or the HE Office (Room E12).

- c) Equal Opportunities - The College will, in considering academic appeals/academic complaints, apply this procedure in accordance with its published Equal Opportunities Policy.
- d) Confidentiality - All parties to the Academic Appeals/Academic Complaints and individuals who have been involved in any related investigation and/or the management/administration of the Academic Appeals/Academic Complaints, will observe the requirements of confidentiality. Whilst confidential information may need to be disclosed in order to consider the Academic Appeals/Academic Complaints, this will only be to those staff involved on a 'need to know basis'.

All papers relating to an Academic Appeal/Academic Complaint will be kept confidential and will only be seen by those who need to do so in order to consider the Academic Appeal/Academic Complaint fairly. A list of names of the above could be provided if requested by the student. After the Academic Appeal/Academic Complaint has been considered, 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 one year.

- e) Data Protection - All personal information will be processed by the College and the University in accordance with the Data Protection Act 1998. Any information shared with Pearson Education Ltd will be at the discretion of the student.
- f) Conflict of Interest - It may not always be appropriate for the original Assessment Board to review a decision it previously made following a Stage One or Stage Two Academic Appeal/Academic Complaint. Individuals who are involved in the Academic Appeal/Academic Complaint (e.g. named in the appellant's papers; witnesses to a hearing) may have a conflict of interest between their role in the Academic Appeal/Academic Complaint and their role as a member of the Assessment Board. Should such a change be necessary following a Stage One or Stage Two Academic Appeal/Academic Complaint, the College (through the Chair of HELTC) will inform the Partnerships Office.
- g) Staff Training - Training will be provided for all College staff involved in the coordinating and the conducting of academic appeals/academic complaints.

## 2.2 Your Commitment

Students will not engage in submitting frivolous, vexatious or malicious Academic Appeals/Academic Complaints. It should be noted that if an Academic Appeal/Academic Complaint is found to have been brought with mischievous, vexatious or malicious intent, this may provide grounds for disciplinary action against the appellant.

## 2.3 Grounds for Academic Appeals – Stage One

A student may raise an academic appeal on the following grounds:

- a) a mark for an assessment which has not been double marked;
- b) a result where unspent Mitigation has not already been considered;
- c) undisclosed Mitigation, where valid grounds exist for non-disclosure at the appropriate time;
- d) a penalty applied in respect of an outcome of a cheating, plagiarism and/or collusion (please also refer to item 39(ii) of the College's Cheating and Plagiarism Procedure);

- e) a penalty applied for late submission, but not on the grounds of Computer/IT problems of any sort.

Students have the right to expect that the results of individual assessments have been arrived at fairly in accordance with College regulations and procedures on assessment which are set out in the Norfolk Regulatory Framework (NRF).

Students shall have the right to informally approach their module tutor for a review of the decision if they are dissatisfied with the provisional result awarded to his/her assessment. Following this, if the student remains dissatisfied the next step is for the student to complete a Request for Reconsideration of Result form (AAP:RfR).

If the mark for an assessment has not been double marked the mark can be queried by a student by requesting a 'reconsideration of result' (see 4.2 - re-marking). If work has been double marked it cannot be queried or form the subject of an Academic Appeal on this basis (see para 2.3.a above).

#### **2.4 Grounds for Academic Appeals – Stage Two (UEA Validated Programmes ONLY)**

A student may lodge an appeal using the Stage Two Academic Appeals/Academic Complaints Procedure, provided that they have completed a Stage One Academic Appeal/Academic Complaint and are dissatisfied with the outcome.

**However, a Stage Two Academic Appeal must be based on at least one of the following grounds:**

- a) there is new information to be put forward by the student that was not known to the Assessment Board or to the Stage One Academic Appeals Panel that investigated the original appeal;
- b) evidence put forward at Stage One was not fully and properly considered;
- c) that there was procedural irregularity and/or evidence (or the appearance) of prejudice and/or bias of prejudice in the conduct of the Stage One Academic Appeal;
- d) an appeal against the decision that Cheating or Plagiarism is proven can only be lodged on grounds of *maladministration*.

#### **2.5 Grounds for Academic Complaints – Stage One**

Academic complaints can be raised when a student is dissatisfied with an aspect of their academic experience (not an academic decision/judgment in relation to their result). For example, you may have evidence that: -

- a) significant changes have been made to a course without proper communication;
- b) the teaching provided was inadequate;
- c) poor supervision was experienced;
- d) the learning support provided was inadequate;
- e) the information you were given about your assessment, module or course was inadequate or inaccurate;
- f) the learning environment was inadequate;
- g) any other aspect of your experience of the course.

#### **2.6 Grounds for Academic Complaints – Stage Two (UEA Validated Programmes ONLY)**

A Stage Two Academic Complaint can only be considered where the student claims that there was a procedural irregularity at Stage One:

- a) there is new information to be put forward by the student that was not known by the Stage One Complaint Panel that investigated the original complaint;

- b) that there was procedural irregularity or evidence of prejudice in the conduct of the Stage One Academic Complaint;
- c) evidence put forward at Stage One was not fully or properly considered.

### **3. MAKING AN INFORMAL APPROACH**

#### **3.1 Informal Approach to the Module Lecturer**

A direct approach to the module lecturer concerned will often resolve anxieties or dissatisfaction in relation to any aspect of student's learning experience. However, a student may also informally approach the relevant Course Leader or Programme Manager.

***Students are strongly recommended to attempt to resolve the issue through this informal route before proceeding to a formal Stage One Academic Appeal/Academic Complaint.***

#### **3.2 Request for Reconsideration of Result (Remarking)**

If the approach to the module lecturer does not resolve the student's anxieties or their dissatisfaction regarding a provisional result, then they can ask for it to be assessed a second time by a suitably qualified independent assessor by submitting an AAP:RfR (Request for Reconsideration) form to the relevant Programme Manager.

Students considering such a request should note that if the work has been double marked there is no right to request a reconsideration of result.

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

#### **3.3 Procedure for the Informal Approach**

- a) Student approaches the module lecturer, Course Leader or Programme Manager to discuss their concern.
- b) Following this discussion, if the student remains dissatisfied and their concern was in relation to a provisional result, they should complete a Request for Reconsideration of Result form (AAP:RfR) and present it to the relevant Programme Manager no later than 5 working days prior to the next Assessment Board.

The relevant Programme Manager will ascertain whether or not the assessment has been double marked. If it has not, then the assessment will be presented to a second member of academic staff for marking.

Once the assessment has been marked by a second academic member of staff the student will be advised of the outcome in writing by the relevant Programme Manager.

If the student is still not satisfied, then they can proceed to the formal Stage One Academic Appeal provided that they can show evidence that such an appeal can be justified on the grounds listed in paragraph 2.3 above.

The maximum time from presentation of a completed AAP:RfR to the relevant Programme Manager until notification of the outcome will be 5 working days.

- c) Following this discussion, if the student remains dissatisfied and their concern was in relation to any other aspect of their learning experience (not in relation to a result), they should proceed to a Stage One Academic Complaint provided that they can show evidence that the academic complaint can be justified on the grounds listed in paragraph 2.5 above.

- d) The module lecturer, Course Leader, Programme Manager or Head of School will note the actions taken to consider and resolve the concern, the decision, and minimum details of what was communicated to the student, and when.

#### **4. MAKING A FORMAL ACADEMIC APPEAL OR ACADEMIC COMPLAINT**

##### **4.1 Right of Appearance**

Where an Academic Appeal or an Academic Complaint is to be heard at Stage One, the appellant shall:

- a) be offered the right to choose to attend the hearing in person or to have the Academic Appeal/Academic Complaint conducted on the basis of documentary evidence only;
- b) have the right to be accompanied by a friend or Students' Union representative. The accompanying person will not be permitted to speak during any hearing unless nominated to represent the student. It should be noted that the Academic Appeals/Academic Complaints 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.

##### **4.2 Stage One Academic Appeals/Academic Complaints**

Appeals and complaints at Stage One are managed and considered by the College. (Please see paragraphs 2.3 and 2.5 above for details of the grounds for Academic Appeals/Academic Complaints respectively.)

The College Academic Appeals/Academic Complaints Panel operates with the authority of the City College Norwich Academic Management Board.

Should a student's appeal relate to the outcome of an Academic Disciplinary Panel (cheating and plagiarism) they will need to refer to the procedure for a Stage Two Academic Appeal as detailed in paragraph 5.1 and 5.2 below.

The appellant has the right to withdraw a Stage One Academic Appeal/Academic Complaint, provided that the hearing has not actually commenced/convened.

##### **4.3 Procedure for Stage One Academic Appeals/Academic Complaints**

- a) The student completes a Stage One Academic Appeals/Academic Complaints form (AA1/AC1) within 15 working days of notification of either:
  - Appeals - the outcome of the Request for Reconsideration of Result or publication of a provisional or final result.
  - Complaints – the date on which the attempt to resolve matters informally was concluded. This date shall be the date of the last communication to the student regarding the outcome of the informal stage; this may include (amongst other things) meetings, emails and letters.

The AA1/AC1 form is available online at Blackboard/HE@CCN/Regulations & Procedures/AA1/AC1 or from the Advice Shop.

*Academic Appeals/Academic Complaints submitted after the deadline with good reason for the delay may still be considered.*



- b) The completed form, together with any supporting documentary evidence, should be addressed to the Academic Appeals/Academic Complaints Officer and submitted to the HE Office in a sealed envelope marked 'CONFIDENTIAL – ACADEMIC APPEALS/ACADEMIC COMPLAINTS'. Alternatively, it can be e-mailed to the HE Office at he\_office@ccn.ac.uk. Should the student be unable to complete the form a relative may do this on the student's behalf.
- c) Upon receipt of the AA1/AC1 form, the Academic Appeals/Academic Complaints Officer will review the documentation to determine whether the academic appeal or academic complaint can be presented on one or more of the valid grounds listed in paragraphs 2.3 and 2.5 above.  
If the conditions (as set in paragraphs 2.3 or 2.5) are not met, the Academic Appeals/Academic Complaints Officer will write to the appellant informing them if they have a further right of appeal to an external body.
- d) The Academic Appeals/Academic Complaints Officer will acknowledge receipt of the notice of Academic Appeals/Academic Complaints both in writing and to the appellant's College e-mail account, within 5 working days of receipt of the AA1 form.
- e) If applicable the Academic Appeals/Academic Complaints Officer will inform the UEA Partnerships Office that an Academic Appeal/Academic Complaint has been lodged, normally within 5 working days of receipt of the AA1 form.
- f) The Academic Appeals/Academic Complaints Officer will notify the Head of School of Higher Education about the Academic Appeal/Academic Complaint who may then choose, within the limits of their authority, to reverse the action or decision giving rise to the Academic Appeal/Academic Complaint in advance of the hearing. Where this occurs it shall be regarded as an informal resolution to the Academic Appeal/Academic Complaint, subsequent to written confirmation from the student that they are now content that the issue has been satisfactorily addressed.
- g) If the Head of School of Higher Education does not take any action, the Academic Appeals/Academic Complaints Officer will organise the formation of a Stage One Academic Appeals/Academic Complaints Panel (see Appendix 1 for membership) and will act as Secretary and advisor to the Chair regarding the proper procedure for conduct of the hearing. No-one appointed to the Stage One Academic Appeals/Academic Complaints Panel shall have had any involvement in teaching, assessment or decision-making related to the Academic Appeal/Academic Complaint. The Academic Appeals/Academic Complaints Hearing shall normally be held within 15 working days of receipt of form AA1/AC1.
- h) The Academic Appeals/Academic Complaints Officer will notify the appellant both in writing and by College e-mail of the date of the Stage One Academic Appeals/Academic Complaints Hearing, giving 5 working days' notice. This will include the date, time, location, agenda for the hearing, copies of all written or documentary evidence to be presented to the hearing (or otherwise relevant to its proceedings).

The Academic Appeals/Academic Complaints Officer will also advise the appellant that they have the right to choose to appear (either alone or accompanied by a representative) at the hearing or to have the appeal dealt with on the basis of documentary evidence only and request confirmation of their preference.

- i) The Academic Appeals/Academic Complaints Officer will provide detail of whom is required to attend the hearing and will notify them (by email) accordingly.
- j) It shall be the responsibility of both the student and the Academic Appeals/Academic Complaints Officer to collect and present such evidence as is relevant to the academic appeal/academic complaint. At least 5 working days before the Stage One Academic Appeals/Academic Complaints Hearing is held, the Academic Appeals/Academic Complaints Officer will distribute all relevant documents to the appellant and panel members.

The documents could include: -

- the Stage One Academic Appeals/Academic Complaints form AA1/AC1 and accompanying evidence;
  - the student's academic record as maintained on e-ILP/ATS;
  - a statement from the Assessment Board;
  - statements from other appropriate parties e.g. witnesses;
  - documentary / medical evidence submitted by the student.
- k) The Stage One Academic Appeals/Academic Complaints Panel will consider the evidence presented to it and agree a decision, the reasons for it and the remedy it requires. The Academic Appeals/Academic Complaints Officer will clearly note the decision, reasons and recommendations. The possible outcomes for Academic Appeal are:
- refer the issue and any recommendation to the Assessment Board for reconsideration, at its next scheduled meeting, or;
  - require an immediate meeting of the Assessment Board in order to address the decision of the Stage One Academic Appeal Panel. For this purpose the Stage One Academic Appeal Panel shall specify the minimum membership of the Assessment Board required to conduct this business;
  - make specific recommendations to the Chairs of the Academic Management Board, Higher Education Learning Teaching Committee and/or any College staff member with responsibility for Higher Education quality assurance, management or administration;
  - annul the result of the assessment under the academic appeal and make stipulations as to how the assessment process shall be taken forward;
  - dismiss the appeal.
- The possible outcomes for academic complaints will vary depending on the nature of the complaint and the appellant's desired outcome.

- l) If the Academic Appeals/Academic Complaints Panel refers an academic appeal to an Assessment Board, the Chair of the Stage One Academic Appeals/Academic Complaints Panel will present the case to the Assessment 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 Academic Appeals/Academic Complaints Panel.
- m) In normal circumstances the Academic Appeals/Academic Complaints Officer shall inform the student (both in writing and to their College e-mail) of the outcome of the Stage One Academic Appeals/Academic Complaints Panel within 5 working days of conclusion of the hearing. Where the complexity of the case prevents this, the student shall be notified of the delay. The Academic Appeals/Academic Complaints Officer shall also inform the student of their right to proceed to a Stage Two Academic Appeal/Academic Complaint if they are studying a UEA validated programme and are dissatisfied with the outcome. If the student is studying a Pearson Education Ltd programme and are dissatisfied with the outcome of a Stage One Academic Appeal/Academic Complaint, they will be directed to approach the awarding body.
  - n) The Academic Appeals/Academic Complaints Officer shall provide a report of the proceedings (which may constitute the minutes of the proceedings as confirmed by the Chair), with recommendations as appropriate, to the Head of School of Higher Education within 5 working days of the date of the Stage one Academic Appeals/Academic Complaints Hearing. The Head of School of Higher Education will monitor the recommendations and ensure that appropriate action is taken as necessary.
  - o) If applicable, the Academic Appeals/Academic Complaints Officer shall inform the UEA Partnerships Office of the outcome of the Stage One Academic Appeals/Academic Complaints Hearing within 5 working days of the conclusion of the hearing.
  - p) The Academic Appeals/Academic Complaints Officer will ensure that all papers are disposed of confidentially at the end of the meeting and retain one copy for duration of the student's registration, plus one year.
  - q) An Academic Complaint cannot normally be raised once a period of six months has lapsed following the end of the student(s) registration (end of study).

#### **4.4 Academic Appeals/Academic Complaints – Stage Two (UEA Validated Programmes ONLY)**

Where a programme is validated by the UEA the Academic Appeals/Academic Complaints process at Stage Two is managed by the Partnerships Office at the University of East Anglia (UEA). This procedure is to be used if a student is dissatisfied with the outcome of a Stage One Academic Appeal/Academic Complaint on any of the grounds detailed in paragraphs 2.4 and 2.6 (respectively) above.

Stage Two Academic Appeals/Academic Complaints are considered by an independent panel of senior academic staff from the University and the College. Should the student wish to appear in person, they will present their case and the Chair of the Stage One Academic Appeals/Academic Complaints Hearing will present the College's case. A substitute for the Chair of the Stage One Academic Appeals/Academic Complaints Hearing 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 Stage Two Academic Appeals/Academic Complaints Hearing will determine whether a substitute is permitted.

Should the student opt for a 'paper based' hearing, the Stage Two Academic

Appeals/Academic Complaints Panel will consider the appeal based solely on the documentation provided.

The Stage Two Academic Appeals/Academic Complaints Panel represents and acts with the full delegated authority of the UEA Senate.

In the event of an Academic Appeal/Academic Complaint 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 if in accordance with item 2.4 above
- require the College to undertake remedial actions in addition to a review of the academic decision by the Examiners if in accordance with item 2.4 above

The Academic Appeals/Academic Complaints Panel does not have the power to change an academic decision.

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 One Academic Appeals/Academic Complaints Panel Chair under this procedure will be provided to the student. No evidence submitted may be anonymous, unless circumstances deem it necessary.

Each academic appeal or academic complaint will be considered individually although, depending on circumstances, if a series of academic appeals and/or academic complaints involve the same subject matter or individual(s) they may be considered collectively (subject to any confidentiality requirements). Collective academic appeals/academic complaints will be considered in the same manner as those received by an individual student. However, where a collective academic appeal/complaint is to be heard at Stage Two (and should the right to attend the hearing in person be chosen), one appellant shall normally be nominated to attend the hearing to present the collective evidence.

The appellant has the right to withdraw a Stage Two Academic Appeal/Academic Complaint (in writing to the Partnerships Office) at any stage provided that the hearing has not actually commenced/convened.

#### **4.5 Academic Appeals/Academic Complaints – Stage Two (HNC/HND ONLY, non UEA validated Programmes)**

If a student is dissatisfied with the outcome of a Stage One Academic Appeal/Academic Complaint and the programme of study is an HNC/HND (not validated by the UEA), you may ask the Principal/Deputy Principal to reinvestigate. You must write to the Principal/Deputy Principal within 15 working days of receiving the outcome of the Stage One Academic Appeal/Academic Complaint. After a further investigation you will receive a full reply normally within 10 working days.

## 5. PROCEDURE FOR STAGE TWO ACADEMIC APPEALS/ACADEMIC COMPLAINTS

### 5.1 UEA VALIDATED PROGRAMMES

- a) The student completes a Stage Two Academic Appeals/Academic Complaints form (AA2/AC2) within 15 working days of notification of the outcome of the Stage One Academic Appeal/Academic Complaint. This form is available online at Blackboard/HE@CCN/Regulations & Procedures/AA2/AC2 or from the Advice Shop. *Academic Appeals submitted after the deadline with good reason for the delay may still be considered.*
- b) The completed form, together with any supporting documentary evidence, should be addressed to the Academic Appeals/Academic Complaints Officer and submitted to the HE Office in a sealed envelope marked 'CONFIDENTIAL - ACADEMIC APPEAL/COMPLAINT'. Alternatively, it can be e-mailed to the HE Office at [he\\_office@ccn.ac.uk](mailto:he_office@ccn.ac.uk). Should the student be unable to complete the form a relative may do this on the student's behalf.
- c) Upon receipt of the AA2/AC2 form, the Academic Appeals/Academic Complaints Officer will check whether the appeal/complaint meets at least one of the conditions as set in paragraphs 2.4 or 2.6. If the conditions are met, the appeal will go forward to the Principal/Deputy Principal for initial review or, if unavailable, to a senior academic of the College as nominated by the UEA. If the conditions (as set in paragraphs 2.4 or 2.6) are not met, the Academic Appeals/Academic Complaints Officer will write to the appellant informing them if they have a further right of appeal to an external body.
- d) If the Principal/Deputy Principal considers there to be no grounds for the Stage Two Academic Appeal/Academic Complaint, they will inform the Director of University Services (LTS), (or their nominee) at the UEA of this recommendation. If the Director of University Services (LTS) has already been consulted by the Principal/Deputy Principal, one of the UEA Learning and Teaching Directors (normally the Academic Director of Partnerships or the Academic Director for Taught Programmes) will review the recommendation.
- e) If the Director of University Services (LTS) decides that there are no grounds to proceed to a Stage Two Academic Appeal/Academic Complaint, then they will inform the Partnerships Office, the Principal/Deputy Principal and the Academic Appeals/Academic Complaints Officer. The Partnerships Office shall inform the student in writing that the Academic Appeal/Academic Complaint is rejected, that there is no further right to appeal or complain within the University or College and of their right to contact The Office of the Independent Adjudicator (OIA) within three months of the date of the completion of Stage Two.
- f) If the Principal/Deputy Principal considers there to be grounds for a Stage Two Academic Appeal/Academic Complaint, they will inform the Partnerships Office at the UEA.
- g) The Partnerships Office shall refer the Stage Two Academic Appeal/Academic Complaint back to the Chair of the College Stage One Academic Appeals/Academic Complaints Hearing 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 One Academic Appeals/Academic Complaints Hearing may decide to reconsider the decision, and will proceed as in item 5.2.

The Chair of the Panel must respond formally to the Partnerships Office within 10 days of receiving the academic appeal/academic complaint with a written response that includes a list of the evidence considered.

- h) If the academic appeal/academic complaint is accepted on the grounds of procedural irregularity alone, the academic appeal/academic complaint will be sent to the Stage One Academic Appeals/Academic Complaints Panel Chair who shall make the appropriate arrangements to remedy the procedural irregularity. In the case of an Academic Appeal, this may include reconvening the appropriate Assessment Board. Provided that there are no further procedural irregularities in this part of the process, there shall be no further right to appeal or complain in the University or the College.
- i) If the Chair of the Stage One Academic Appeals/Academic Complaints Panel confirms its original judgement, then the Director of University Services (LTS) will appoint an Appeals/Complaints Secretary from the University's Partnerships Office who will be the main contact point for Stage Two Academic Appeals/Academic Complaints proceedings.
- j) The Appeals/Complaints Secretary will then inform the student in writing that the matter will proceed to a Stage Two Academic Appeals/Academic Complaints Hearing.
- k) The Appeals/Complaints Secretary will convene a Stage Two Academic Appeals/Academic Complaints Panel and will appoint, where possible, members of mixed gender as follows:
  - The Academic Director of Partnerships or the Academic Director of Taught Programmes who will act as Chair or a Faculty Associate Dean (Learning and Teaching) in the absence of the Academic Directors;
  - One member of UEA senior academic staff who has received appropriate training;
  - One member of College senior academic staff who has received appropriate training and has not been involved in the Stage One Academic Appeal/Academic Complaint.

No-one appointed to the Stage Two Academic Appeals/Academic Complaints Panel shall have had any involvement in the teaching, assessment or decision making related to the academic appeal or academic complaint.

Any Academic Director who reviews the academic appeal/academic complaint will not sit on the Stage Two Academic Appeals/Academic Complaints Panel.

- l) The Appeals/Complaints Secretary will notify the appellant in writing of the date of the Stage Two Academic Appeals/Academic Complaints Hearing giving 5 working days' notice. This will include the date, time, location, agenda for the hearing, copies of all written or documentary evidence to be presented, along with the Stage One Academic Appeals/Academic Complaints Hearing Chair's response to the Stage Two Academic Appeals/Academic Complaints. The Appeal/Complaint Secretary will also advise the appellant that they have the right to choose to appear (either alone or accompanied by a representative) at the hearing or to have the Academic Appeals/Academic Complaints dealt with on the basis of documentary evidence only and request confirmation of their preference.

The appellant will be invited to provide details of up to three people they propose to call as witnesses for the hearing. Witnesses must have some relevance to the case and for each witness proposed, a brief supporting statement must be provided.

- m) The Appeal/Complaint Secretary will inform, in writing, details of the Stage Two Academic Appeals/Academic Complaints Hearing to the Chair of the Stage One Academic Appeals/Academic Complaints Hearing requesting them to attend and present evidence. The Stage One Academic Appeals/Academic Complaints Chair can provide the Appeals/Complaints Secretary with details of up to 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 One Academic Appeals/Academic Complaints Hearing Chair.
- n) Exceptionally the Chair of the Stage Two Academic Appeals/Academic Complaints Hearing may agree to additional witnesses. The Stage Two Academic Appeals/Academic Complaints Panel may also request additional witnesses. Witnesses attend as neutral witnesses to provide information to the Academic Appeals/Academic Complaints Panel to help it reach a decision; witnesses do not represent the appellant or Stage One Academic Appeals/Academic Complaints 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.
- o) If the appellant opts for a 'paper', rather than an 'oral' hearing, written statements will be submitted by all parties, including witnesses, and the Academic Appeals/Academic Complaints Panel (and Appeals/Complaints Secretary) will meet to consider these and then arrive at a decision.
- p) Should the appellant opt for an 'oral' hearing but fails to attend, the Academic Appeals/Academic Complaints Panel may decide to continue (providing it is satisfied that the student has been properly informed about the arrangements) or to adjourn.
- q) Where the appellant is present at an 'oral' hearing, they (or their representative) will be invited to make their opening statement.
- r) The Stage One Academic Appeals/Academic Complaints Panel Chair will then be invited to make their opening statement.
- s) Both parties may then question each other through the Chair of the Stage Two Academic Appeals/Academic Complaints Hearing.
- t) Both parties may then be questioned by members of the Stage Two Academic Appeal/Academic Complaint Panel.
- u) Upon completion of questioning, 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 members of the Academic Appeals/Academic Complaints Panel.

- v) The Stage One Academic Appeals/Academic Complaints Panel Chair will then be invited to make their closing statement (and may leave the hearing for a few minutes to prepare this).
- w) The appellant (or their representative) will then be invited to make their closing statement (and may leave the hearing for a few minutes to prepare this).
- x) The hearing will then close and all parties (except the Academic Appeals/Academic Complaints Panel and the Appeals/Complaints Secretary) will leave the room to allow the Academic Appeals/Academic Complaints Panel to reach a decision. The rule of the Stage Two Academic Appeals/Academic Complaints Chair on any point of procedure shall be final. The Chair of the Stage Two Academic Appeals/Academic Complaints Hearing may adjourn if it becomes clear during the hearing that the deliberations of the Stage Two Academic Appeals/Academic Complaints Panel would benefit from an adjournment.
- y) If the Stage Two Academic Appeals/Academic Complaints Panel decide that, based on evidence presented at the hearing, corrective action is not warranted, the Appeals/Complaints Secretary will write to the student and the Stage One Academic Appeals/Academic Complaints Hearing Chair to inform them that the academic appeal or academic complaint has been rejected. The letter will give a full and clear explanation of the decision.
- z) If the Stage Two Academic Appeals/Academic Complaints Panel decide that corrective action is required the Appeals/Complaints Secretary will write to the student giving details, the likely timescales for further action (e.g. where Examiners are being required to review their academic decision) and for notification of the final outcome. A full and clear explanation of the decision will be provided.
- aa) If the Stage Two Academic Appeals/Academic Complaints Panel decide that corrective action is required, the Appeals/Complaints Secretary will write to the Stage One Academic Appeals/Academic Complaints Hearing Chair to instruct him/her on the action to be taken, giving a full and clear explanation of the decision. In particular, in the event of an academic appeal it may: -
  - In the case of a result for a taught degree programme, instruct the relevant Assessment Board to reconvene in order to review its decision. The Chair of the Stage Two Academic Appeals/Academic Complaints Hearing will present their decision (in person whenever possible) to the Assessment Board.
  - In the case of an appeal against a verdict of plagiarism and/or collusion, set aside the verdict and instruct the relevant Assessment Board to reinstate the result(s) prior to the application of any penalty and to review its academic decision.

Grounds for Appeal on Plagiarism:

  - An appeal against the decision that Cheating or Plagiarism is proven can be lodged on grounds of **maladministration only**; There is no right of appeal against the academic judgement of the ASOs or the ADP (i.e disputing the decision that on the balance of probabilities plagiarism has been proven);



- An appeal against the penalty imposed for Cheating or Plagiarism may lodged on the grounds that it;
    - a) Is disproportionate (i.e excessive in the context of the offence and the student's academic record);
    - b) Is inappropriate;
    - c) Fails to take account of mitigating circumstances made known to the ASOs or the ADP at the time of the investigation or the Hearing.
  - There are no grounds for appeal on the basis of the following:
    - d) New evidence not disclosed at the hearing, for whatever reason (unless the evidence relates to the proper implementation of the procedure);
    - e) Disputing the judgement of the ASOs or the Panel;
    - f) Disputing the academic competence of the ASOs or the Panel members.
- bb) If the review of the academic decision by the Assessment Board leads to a change in decision, the Stage One Academic Appeals/Academic Complaints Hearing Chair will formally notify the Chair of the Stage Two Academic Appeals/Academic Complaints Panel and Appeal/Complaint Secretary of the corrective measures taken in relation to the academic decision along with a full and clear explanation of the final outcome. The minutes of the meeting and any correspondence relating to the reconsideration of the Assessment Board's decision should be included with this response.
- cc) Following the corrective measures taken by the Assessment Board, the Appeal/Complaint Secretary will notify the student of the final outcome and include a full and clear explanation of the decision.
- dd) If the Assessment Board has not changed its academic decision as a result of its consideration of the appeal, the Chair of the Stage Two Academic Appeals/Academic Complaints Hearing and the Director of University Services (LTS) will consider the Assessment Board's response and determine whether or not the matter should be referred to the UEA Senate for further consideration. The Appeal/Complaint Secretary will notify the student of the position and thereafter notify the student of the final outcome, giving a full and clear explanation of the decision.

## 5.2 NON UEA VALIDATED PROGRAMMES (HNC/HND ONLY)

- a) The student must write to the Principal/Deputy Principal within 15 working days of notification of the outcome of the Stage One Academic Appeal/Academic Complaint. *Academic Appeals submitted after the deadline with good reason for the delay may still be considered.*
- b) The appeal in writing, together with any supporting documentary evidence, should be addressed to the Academic Appeals/Academic Complaints Officer and submitted to the HE Office in a sealed envelope marked 'CONFIDENTIAL - ACADEMIC APPEAL/COMPLAINT'. Alternatively, it can be e-mailed to the HE Office at [he\\_office@ccn.ac.uk](mailto:he_office@ccn.ac.uk). Should the student be unable to complete the form a relative may do this on the student's behalf.
- c) Upon receipt of the appeal in writing, the Academic Appeals/Academic Complaints

Officer will check whether the appeal/complaint meets at least one of the conditions as set in paragraphs 2.4 or 2.6. If the conditions are met, the appeal will go forward to the Principal/Deputy Principal for reinvestigation. If the conditions as set in paragraphs 2.4 or 2.6 are not met, the Academic Appeals/Academic Complaints Officer will write to the appellant informing them if they have a further right of appeal to an external body.

### **5.3 Timescales for Stage Two Academic Appeals/Academic Complaints (UEA Validated Programmes ONLY)**

The relevant Stage Two form must be submitted no later than 15 working days of being notified of the outcome of either the Stage One Academic Appeal/Academic Complaint or the Academic Disciplinary Panel (cheating & plagiarism).

Appeals and complaints submitted after this deadline with good reason for the delay may still be considered. The Student should contact the Academic Appeals/Academic Complaints Officer if they are unable to meet this deadline.

The Academic Appeals/Academic Complaints Officer will acknowledge receipt of the Stage Two form and will forward the Stage Two form to the Partnerships Office, Principal/Deputy Principal within 5 working days of its receipt.

If it is determined that the Stage One Academic Appeals/Academic Complaints Panel should be reconvened, the Principal/Deputy Principal shall notify the original Stage One Academic Appeals/Academic Complaints Secretary.

The Principal/Deputy Principal will inform the Partnerships Office if a Stage One Panel is to be reconvened or make a recommendation in relation to the Stage Two Academic Appeal/Academic Complaint within 5 working days of its receipt of the Stage Two form from the Academic Appeals/Academic Complaints Officer (10 working days from original receipt of Stage Two form).

The Partnerships Office will determine if there is grounds for a Stage Two Academic Appeal/Academic Complaint and will notify the student within 10 working days from receipt of the recommendation from the Principal.

The Partnerships Office will inform the student of the date of the Stage Two Academic Appeals/Academic Complaints Hearing and distribute papers at least 5 working days' prior to the hearing.

If the outcome of the Stage Two Academic Appeal/Academic Complaint is that it is not upheld, the Secretary to the hearing will advise the student and the Stage One Academic Appeals/Academic Complaints Hearing Chair of the outcome in writing within 5 working days of the Stage Two Academic Appeals/Academic Complaints Hearing.

If a Stage Two Academic Appeals Panel refers an academic appeal to a reconvened Assessment Board, the Assessment Board should meet within 30 working days of the Stage Two Academic Appeal Hearing.

Notification of the decision of any reconvened Assessment Board shall be sent in writing to the Appeals/Complaints Secretary within 5 working days of the reconvened Board.

The Appeals/Complaints Secretary will notify the student of the decision of the reconvened Assessment Board within 10 working days of the meeting of the Board.

In normal circumstances, the student shall be advised of the outcome of their Stage Two Academic Appeal/Academic Complaint within 5 working days of the date of the Stage Two Hearing. Where the complexity of the case prevents this the student shall be notified of the delay.

## **6. FURTHER RIGHT TO APPEAL OR COMPLAIN**

### **6.1 UEA Validated Programmes**

Following completion of the Stage Two Academic Appeals/Academic Complaints procedure there is no further right to appeal or complain within the University or the College.

Students who are dissatisfied with the outcome of the Stage Two Academic Appeals/Academic Complaints, or whose Academic Appeals/Academic Complaints 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 Stage Two appeal outcome.

### **6.2 Non UEA Validated Programmes (HNC/HND Only)**

Following completion of the Stage Two Academic Appeals/Academic Complaints procedure there is no further right to appeal or complain within the College. If you are not satisfied with the response from the Principal/Deputy Principal then, depending upon the nature of your appeal/complaint you may have a further right of appeal to an external body. If this is applicable the Academic Appeals/Academic Complaints Officer will inform the appellant accordingly.

## **7. APPELLANT'S EXPENSES**

At a Stage Two Academic Appeals/Academic Complaint Hearing 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 Academic Appeals/Academic Complaints Officer.

## **8. ACADEMIC APPEALS/ACADEMIC COMPLAINTS LOG**

Academic appeals and academic complaints will be logged separately on the relevant log held by the Academic Appeals/Academic Complaints Officer.

## **9. ACADEMIC APPEALS/ACADEMIC COMPLAINTS OFFICER'S ANNUAL REPORT**

The Academic Appeals/Academic Complaints Officer will submit an annual report on all academic appeals and academic complaints received and the outcomes to the first scheduled HELTC and JBOS of the following academic year.

## 10. APPENDICES

### 10.1 Appendix 1 – Stage One Academic Appeals/Academic Complaints Panel Membership

People who may be invited to serve on a Stage One Academic Appeal/Academic Complaint Panel:

- Programme Manager within the School of Higher Education;
- Course Leader within the School of Higher Education.

Stage One Academic Appeals/Academic Complaints Panel members must not be from the same programme area as the student or have in any way contributed to the assessment decision which is the subject of the academic appeals/academic complaint.

Membership of the Stage One Academic Appeals/Academic Complaints Panel will comprise of three people - a Chair (Programme Manager), a Programme Manager and a Course Leader (not from the same discipline as the student), all from within the School of Higher Education.

Panel membership must be approved in writing by the Chair of AMB before any of the work of the Panel can commence.

The Secretary shall normally be the Academic Appeals/Academic Complaints Officer or, if unavailable, a suitably qualified and experienced member of administration staff.

### 10.2 Appendix 2 – Glossary of Terms

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

#### *Academic Appeal*

a process by which a student formally raises concerns about their assessment results and the outcomes of the Boards and Panels which make decisions on progression, awards and classifications.

#### *Academic Result or Result*

- 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;
- h) to allow a reassessment and/or the submission of a revised dissertation; or
- i) not to allow a reassessment and/or resubmission but to award a lower qualification (where permitted by the Regulations); or
- j) not to allow a reassessment and/or resubmission nor to award a lower qualification (where permitted by the Regulations);
- k) 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

### *Result*

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 and which remains provisional until confirmed and awarded by the appropriate Examiners.

### *Academic Management Board (AMB)*

AMB is the senior academic authority within City College Norwich and is chaired by the Deputy Principal.

### *Academic Appeals/Academic Complaints Officer*

A member of the HE Office who is appointed to be responsible for the administration of all academic complaint and academic appeal processes.

### *Assessment*

Work that is required to be submitted for assessment including essays, class presentations, practical laboratory work, course tests/exams, projects, portfolios, reports and dissertations.

### *Chair of Assessment Board*

The duly appointed Chair of any formally constituted board, panel or committee which decides/confirms students' results and progression.

### *HE Office*

Responsible for administration and administrative oversight of all matters concerning HE quality management, regulations and procedures.

### *Notification of Result*

The transmission to a student of an Academic Result by one of the following means:

- a) Publication on the electronic Individual Learning Profile (e-ILP)
- b) Dispatch by post to a student's address as recorded on their EBS student record

### *Placement*

Such period(s) of assessed practical experience in real or simulated work settings (which may be internal or external to the College) as may be required or permitted as part of programmes of study and/or practice, and including industrial, clinical and other professional placements.

### *Plagiarism and/or Collusion*

As defined in the College Cheating and Plagiarism Procedure

### *Provisional Mark*

A Mark issued to a student prior to its review and possible amendment by the appropriate Examiners. The Provisional Mark may have been allocated as a result of single - or double - marking.

### *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.

### *Working Days*

The weekdays Monday to Friday, excluding:

- a. Those weekdays when the College or University are officially closed (e.g. Bank Holidays).