



## **POLICY 002: ACADEMIC APPEALS POLICY**

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## Policy 002: ACADEMIC APPEALS POLICY

### 1. PURPOSE AND SCOPE

1.1. This Policy aims to explain in an open, transparent and accessible way how ACM approaches an appeal against the decision of an ACM Assessment Board (Tier 1), an ACM Progression Board (Tier 2), or Final Exam Board.

1.2. This policy outlines the provisions in place for student appeal of an Academic outcome.

1.3. This policy applies to all students and is designed to ensure that students are treated in a fair and equitable manner.

### 2. ACADEMIC APPEALS

2.1 If a student is dissatisfied with the outcome of an appeal once all these steps have been completed and no further appeal is possible within ACM's internal procedures, they have the right to appeal to the awarding body, Middlesex University. In order to do this, students will need to download a Collaborative Partner University Level Review (CPULR Form) and submit this via the instructions published here:

<http://www.mdx.ac.uk/about-us/policies/university-regulations>

#### Definition of an academic appeal

2.2 An academic appeal is a request from a student for a decision of a ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board to be reviewed because it is believed that an injustice has occurred.

2.3 If an academic appeal has valid grounds (see relevant section below), the relevant decision of the ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board will be reviewed in the light of any new information provided by the student. If the appeal is upheld in full or in part, the decision of the relevant body may be rescinded, ACM may take other suitable actions, or some combination of the two.

2.4. An appeal may only be made against a **published** assessment result which has been made by an ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board. This includes provisional results where these have been communicated. Students can therefore appeal decisions made by specially delegated Boards and provisional decisions made by a Board at which an External Examiner has not been present.

2.5 Students wishing to understand a grade which has *not* yet been approved by an ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board should first do so **informally** through [assessment@acm.ac.uk](mailto:assessment@acm.ac.uk) if the issue cannot be resolved at this

level they can assign an appropriate tutor to discuss the issue in full.

2.6 Students who have a **complaint** or **grievance** concerning the provision of a programme of study or academic service which they believe has affected the quality of their academic performance, should, **before submitting an academic appeal**, follow ACM's [Student Complaints and Grievance Procedures \(POL 003\)](#).

### **Grounds for lodging an Academic Appeal**

2.7 Academic Appeals against ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board decisions may be made on any of the following grounds:

- (a) That a student's performance in an assessment suffered through illness or other factors which the student was unable or for valid reasons unwilling to inform the ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) (SPAB) or Final Exam Board (FEB) through the extenuating circumstances procedures before it reached its decision.
- (b) That there has been an administrative or procedural error in the management of the assessment.
- (c) That the assessment was not run in accordance with the programme regulations.
- (d) That the ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board has failed to consider material circumstances, relating to the delivery of a module, which adversely affected a student's performance in assessment. This ground will only be considered acceptable if the circumstances have been the subject of a Student Complaints and Grievance procedure, **and** the case of the complaint has been upheld, **and** steps have not been taken to mitigate the effects of the circumstances.
- (e) An Academic Appeal against a penalty imposed for academic misconduct on grounds listed in the Academic Integrity Policy.
- (f) That some other irregularity has occurred.

### **Invalid grounds for an Academic Appeal**

2.8 An appeal may be rejected for any of the following reasons, or if it is judged to be vexatious or frivolous, without further recourse to the Academic Appeals procedures.

2.9 The Academic Appeal is a disagreement with the academic judgement of a ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board in assessing the merits of academic work, or in reaching a decision on progression, or on the final classification of a qualification, which has been reached in accordance with the regulations.

2.10 The student did not understand or was not aware of the published assessment regulations and procedures for an assessment, module or programme.

2.11 The appeal is on the grounds that poor teaching, supervision or guidance affected

academic performance. In such circumstances a student should submit a complaint in accordance with the Student Complaints and Grievance Procedure. An academic appeal on such grounds will only be considered if a complaint has been upheld, wholly or in part.

2.12 No contemporaneous, independent, medical or other evidence has been submitted to support an application that academic performance was adversely affected by factors such as ill health as per the [Extenuating Circumstance policy and procedure \(POL 006\)](#).

2.13 The student was not aware of the procedures for presenting extenuating circumstances to the ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board.

2.14 No valid reason has been submitted as explanation for not submitting evidence of extenuating circumstances at the appropriate time before the ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board.

2.15 The academic appeal concerns a medical condition, which pre-dates the relevant assessment(s), and which the student has not raised with ACM without good reason; or which has been raised with ACM as a matter for educational adjustments and has been duly considered.

2.16 The student was subject to a disturbance or illness during an assessment and that there is no valid reason for this not to have been brought to the attention of the ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board before it met.

2.17 The student had changed address or other contact details without informing ACM, resulting in assessment information being sent to an out-of-date address.

2.18. ACM receives the appeal later than the time limit, which is 21 working days from the date the student is notified of the decision of the ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board. The only exceptions to this deadline are as outlined below. It is the student's responsibility to ensure that the appeal is submitted to ACM on time.

### **Before making an Academic Appeal**

2.19 There is a time limit of 21 working days for the submission of a formal appeal to Registry from the date of ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board results being communicated.

2.20 If an academic appeal arises following due process of the Student Complaints and Grievance Procedure, the time limit is 21 working days from the date the student receives the written result of this procedure.

2.21 If an appeal arises following due process of the Academic Integrity Procedure, the time limit is 21 working days from the date the student receives the written result of this procedure. If an appeal investigation cannot be completed within the usual 21 working day

timeframe ACM will notify the student formally in writing at the end of the usual timeframe. They will provide a clear explanation as to why the investigation is going beyond usual timeframes and provide an indication to the student as to when they can expect an outcome.

2.22 The staff team assigned to the Appeal will consider the case and may advise the student:

- That the ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board will reconsider its decision taking account of this new information;
- That the ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board's decision was based on a fair evaluation of the student's assessment performance and will not be reconsidered;
- In any other way deemed appropriate, including that the student should make a formal appeal to our validating university.

2.23 Students should only make a formal appeal if:

- (a) They have been unable to contact and receive an early resolution outcome from relevant members of staff;
- (b) They are dissatisfied with the outcome of these informal discussions.

### **Progression of an appellant while an appeal is being considered**

2.24 The decision of the ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board remains in force until it is formally notified by the Secretary of the ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board to have been rescinded. Therefore, the student remains responsible for:

- (a) Conforming to the requirements of the existing Board decision, such as preparation for reassessment or repetition of curriculum, pending the outcome of the appeal;
- (b) The consequence of not complying with these requirements should the subsequent decision of the appeal process not be in the student's favour.

2.25 While the appeal is being processed, the appellant:

- (a) Shall normally be permitted to continue to the next stage of their studies, unless there are exceptional circumstances, or the student is appealing a termination of studies. This will not prejudice the outcome of the appeal.
- (b) If the appeal concerns a termination of enrolment following an investigation into academic misconduct, the appellant will normally be suspended while the appeal is under consideration. Appellants in this position must obtain written permission from a member of the Academic Leadership Team or an appropriate nominee to continue studies or use ACM facilities during this period.

2.26 The provision under 2.25 (a) above is designed solely to ensure that a student whose appeal is upheld is not academically disadvantaged, and it should not be interpreted as acceptance of the appeal. Satisfactory progress during the consideration of an appeal will not be admissible as evidence at any stage in the appeal procedure. During any such interim

period of attendance, tuition fees will only accrue in the event of the appeal ultimately being resolved in the appellant's favour.

2.27. If a final qualification has been awarded, ACM staff will upon request provide confirmation for potential employers that an outcome is under appeal.

2.28 If a final qualification has been awarded, ACM staff will upon request provide confirmation that a finalist may attend the Graduation Ceremony.

2.29 Appellants may normally proceed with their studies until the date of the letter formally notifying the appellant of the final outcome of their appeal (i.e., dismissal of the appeal or the ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2) or Final Exam Board's reviewed decision). This letter will inform the appellant whether they are entitled to continue on the programme.

### **Confidentiality**

2.30 Academic appeals will be kept as confidential as possible within ACM. Appellants who notify ACM that information has been included of a highly confidential and personal nature will, if requested, be informed in advance of the staff members to whom the information will be disclosed.

2.31 Documents pertaining to an appeal will be kept, in confidence, for six years. After this period, apart from a copy of the notification to a student of the final decision, they will be destroyed.

## **3. RESPONSIBLE PARTIES**

3.1 This Policy is under the responsibility of the Academic Board. The responsible committee will ensure the cyclical review of this Policy is carried out under ACM's Quality Assurance Framework.

3.2 Decisions and appropriate actions in support of the implementation of the Policy will be authorised by the following designated staff:

- Executive Lead for Student Attainment
- Group Lead for Academic Standards
- Head of Continuous Improvement
- Chair and Secretariat of the ACM Assessment Board (Tier 1), or ACM Progression Board (Tier 2)/ Finalist Assessment board

## **4. SUPPORTING INFORMATION**

### **4.1 Internal**

- Fitness to Study Policy
- Student Disciplinary Policy
- Safeguarding Policy
- Student Debt Management Policy

- Participation and Attendance Policy
- Extenuating Circumstances Policy
- Equality and Diversity Policy
- Data Protection Policy

#### **4.2 External**

- Middlesex University (MDX) Regulations
- Middlesex University (MDX) Learning and Quality Enhancement Handbook (LQEH), Section 1: An Overview of quality assurance and enhancement activity at Middlesex-University.
- The UK Quality Code for Higher Education, Chapter B6
- The UK Quality Code for Higher Education, Chapter B9
- UAL Awarding Body qualifications resources (Link: <http://www.arts.ac.uk/about-ual/awarding-body/resources/> )
- Data Protection Act 1998
- UK QAA Quality Code, Chapter B9: Academic Appeals and Student Complaints

## **11. DOCUMENT HISTORY AND NEXT REVIEW**

Version: 3.2

Approved on: 07 September 2020

Approved by: Integrated Executive

Date of next review: August 2021