

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 Student Progression and Assessment Board 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 for their qualification. The regulations and policies of the awarding bodies for ACM's awards are available from ACM's Quality, Registry and Data Services and can be requested directly through the Academic Registrar, or the Quality Assurance and Enhancement Manager.

Definition of an academic appeal

2.2 An academic appeal is a request from a student for a decision of a Student Progression and Assessment Board 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 Student Progression and Assessment Board 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 If the appeal is upheld in full or in part, the decision of the relevant body may be rescinded, ACM may take other suitable actions, or some combination of the two.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 a Student Progression and Assessment Board 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 a Student Progression and Assessment Board or Final Exam Board should first do so **informally** through the Programme Manager if the issue cannot be resolved at this level.

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.

Grounds for lodging an Academic Appeal

2.7 Academic Appeals against Student Progression and Assessment Board 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 Student Progression and Assessment Board (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 Student Progression and Assessment Board 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 by Registry 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 Student Progression and Assessment Board 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 Deferral of Assessment or Extenuating Circumstance policies and procedures).

2.13 The student was not aware of the procedures for presenting extenuating circumstances to the Student Progression and Assessment Board 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 Student Progression and Assessment Board 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 Student Progression and Assessment Board or Final Exam Board before it met (see policy and procedures on Examination Rules for Candidates).

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 10 working days from the date the student is notified of the decision of the Student Progression and Assessment Board or Final Exam Board. The only exceptions to this deadline are as outlined in points 2.22 and 2.23 below. It is the student's responsibility to ensure that the appeal is submitted to ACM on time.

Before making an Academic Appeal

2.20 There is a time limit of 10 working days for the submission of a formal appeal to Registry from the date of Student Progression and Assessment Board or Final Exam Board results being communicated. The only exception to this deadline are as outlined in points 2.22 and 2.23 below.

2.22 If an academic appeal arises following due process of the Student Complaints and Grievance Procedure, the time limit is 10 working days from the date the student receives the written result of this procedure.

2.23 If an appeal arises following due process of the Academic Integrity Procedure, the time limit is 10 working days from the date the student receives the written result of this procedure.

2.24 The Academic Registrar will consider the case and may advise the student:

2.25 That the Student Progression and Assessment Board or Final Exam Board will reconsider its decision taking account of this new information;

2.26. That the Student Progression and Assessment Board or Final Exam Board's decision was based on a fair evaluation of the student's assessment performance and will not be reconsidered;

2.27 In any other way deemed appropriate, including that the student should make a formal appeal to our validating university.

2.28 Students should only make a formal appeal if:

- (a) They have been unable to contact the Programme Manager and other relevant members of staff;
- (b) They are dissatisfied with the outcome of these informal discussions;
- (c) They have been advised to do so by the Programme Manager, Group Head of Education or Head of Quality and Student Experience

Progression of an appellant while an appeal is being considered

2.29 The decision of the Student Progression and Assessment Board or Final Exam Board remains in force until it is formally notified by the Secretary of the Student Progression and Assessment Board 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.

2.30 While the appeal is being processed, the appellant:

- (a) Shall normally be permitted by Academic Registrar 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 the Academic Registrar or nominee to continue studies or use ACM facilities during this period.

2.31 The provision under 2.30 (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.

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

2.33 If a finalist, may attend the Graduation Ceremony.

2.34 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 Student Progression and Assessment Board or Final Exam Board's reviewed decision). This letter will inform the appellant whether they are entitled to continue on the programme.

Confidentiality

2.36 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.

2.37 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 The policy lead is responsible for the cyclical monitoring and review of the policy in

liaison with the Quality Assurance and Enhancement Manager. The Academic Appeals Policy lead is:

- Head of Quality and Student Experience

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

- Quality Assurance and Enhancement Manager
- Registry Manager
- Group Head of Education
- Programme Managers
- Senior Programme Officers
- Chair and Secretariat of the Student Progression and Assessment Board

4. Reference Points

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 2016 - 2017
- 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

5. Date of Approval and Next Review

Version: 1.2

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