



# **POLICY 002 PROCEDURE: ACADEMIC APPEALS**

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## PROCESS 002: ACADEMIC APPEALS

### 1. PURPOSE AND SCOPE

1.1 This procedure describes how the Academy of Contemporary Music (ACM) ensures the equitable, transparent and timely consideration of a student's appeal against an academic decision in relation to assessment, progression, grades, and award outcomes.

1.2 This Procedure aims to explain the reasonable due course which students are required to consider and follow when submitting an Academic Appeal.

### 2. PROCEDURE

2.1. ACM seeks to resolve all appeals and complaints in a timely manner through considered escalation of matters as outlined in this procedure.

#### Early Resolution Stage 1:

2.2. Students should note that formal academic appeals (stage 2) should usually be submitted in writing to the Academic Leadership Team within 21 working days of the publication of the academic decision that is being disputed. Early resolution should be undertaken and completed within this timeframe. Where a student wishes to dispute an academic outcome they should, in the first instance, seek further advice and clarification via [assessment@acm.ac.uk](mailto:assessment@acm.ac.uk). They will assign staff who will facilitate meetings and responses to the student's queries. This is considered the first early resolution stage. Normally consultation through this stage will provide further clarity around the academic decision and provide guidance in relation to the formal appeals process, where relevant.

2.3 Where there are reasonable grounds to remedy the academic decision due a clear material or administrative error, the investigating staff may take actions to remedy the matter. Any resolutions and actions that are agreed with the appellant must be kept on record and communicated to the student and Programme team in writing.

2.4 Where a student is not satisfied with the outcome of the informal stage, they may escalate their appeal to the formal stage.

2.5 If the ACM Assessment Board (Tier 1), ACM Progression Board (Tier 2), , or Final Exam Board (FEB) considers that there may be grounds for an academic appeal, it may request, through the Academic Leadership Team, that a written statement be provided to the Board providing the required information. These written statements should be in a form suitable for use as evidence at an Appeal Panel they may be escalated to the first formal stage.

#### Formal Stage 2:

2.6 All academic appeals should usually be submitted in writing to the Academic Leadership Team within 21 working days of the publication of the academic decision that is being disputed. This should allow students to undertake and complete early resolution within this

timeframe. The appellant should attach relevant supporting materials and evidence to support their appeal. Appeals that lack relevant supporting documentation may be dismissed. Appeals that are submitted after the 21-day timeframe without clear and compelling reasons may be dismissed.

2.7 The Academic Leadership Team or an appointed nominee will assess whether the application meets conditions for academic appeal, and may request further information from the appellant, relevant programme team, or independent staff, to ensure a fair assessment is made of the appeal.

2.8 The Academic Leadership Team or an appointed nominee will acknowledge receipt of the appeal in writing and notify the appellant of the next steps within 21 working days of receiving the appeal. Normally one of the following will apply:

1. the matter the appellant has raised does not meet conditions for academic appeal and no action will be taken,
2. the matter the appellant has raised does not meet conditions for academic appeal, they may seek further recourse through the Complaints and Grievances provisions,
3. the matter will be referred to an Appeal Panel, the FEB or SPAB for consideration.

### **Appeal Panel**

2.9 An Appeal Panel will be constituted by The Academic Leadership Team or an appointed nominee and will consist of a minimum of three staff members, chaired by a senior staff member that has not been directly involved in the matter that is subject to appeal. The panel will normally consist of a member from the Programme team and two members from the Academic Leadership Team. The panel will examine the evidence that has been submitted, and may opt to call meetings with the appellant, and staff involved in order to gather further evidence to make a reasonable determination of the outcome of appeal.

2.10 For an appeal against a penalty imposed for academic misconduct the documentation used in relation to the academic misconduct shall be provided to the Appeal Panel.

### **Assessment and Progression Panel, Finalist Exam Board (Appeal Panel)**

2.11 Appeals of provisional grades may be considered by the SPAB and appeals of the final grades will be considered by the FEB. These Panels shall consist of a minimum of three members including the Chair.

2.12 In compelling circumstances, the Chair of the SPAB or FEB may take Chair's Action in the student's favour, and this decision must be reported at the first opportunity at the sitting of the ACM Assessment Board (Tier 1), ACM Progression Board (Tier 2), or Final Exam Board. The Chair shall formally communicate this decision to the Academic Leadership Team who will notify the appellant within 5 working days.

2.13 A record of all panel interviews and a record of the panel outcome(s) will be provided to the Academic Leadership Team in writing.

2.14 Panel proceedings should be concluded within 21 working days of the initial notification of the receipt of the academic appeal. The outcome reached by the Panel will be communicated to the appellant in writing through Registry. Registry will communicate the outcome of the Panel proceedings within 5 working days.

2.15 A decision on an appeal by the Appeal Panel (Assessment and Progression or FEB) is final and no further appeal is possible against it.

2.16 At this stage the academic appeal procedures of ACM are concluded. Where the appellant is dissatisfied with the outcome they may escalate the matter to the awarding body.

2.17 An appellant's failure to reply in writing within 21 working days of the date on the letter offering an informal settlement shall be taken as acceptance of the offer.

2.18 A decision on an appeal by an ACM Assessment (Tier 1), ACM Progression Board (Tier 2), or Final Exam Board is final and no further appeal is possible against it within ACM. Students have the right to follow the Appeals Regulations of the awarding body for their programme.

### **Student Progression:**

2.19 Until the appeal is concluded, the appellant:

- Will be allowed to continue their studies, except under circumstances where the academic decision being disputed is in relation to a progression decision in accordance with institutional progression regulations,
- Must continue to meet attendance, engagement, and assessment requirements for the programme.

### **Formal Stage 3:**

2.20 Where a student is dissatisfied with the outcome of ACM's Academic Appeal procedure, they may escalate their appeal to Middlesex University. Students may request a review of the outcome of the Stage 2 investigation carried out by ACM, by completing a CPULR form (Collaborative Partner University Level Review) available from Middlesex University. The CPULR form must be submitted to the Director of Affairs at Middlesex University within 21 working days of the date of the Stage 2 Outcome Letter. Middlesex University Regulations for Appeals apply to all Higher Education programmes and these are set out in Section G: Appeal Regulations and Procedures, of the Middlesex University Regulations which are available online at: <http://www.mdx.ac.uk/about-us/policies/university-regulations>

2.21 The receipt of the CPULR form will normally be acknowledged within 7 working days, and ACM will be informed of the nature and substance of the complaint.

2.22 The CPULR form will be reviewed by the Director of Student Affairs or nominee. The University review will consider whether a) there has been a procedural irregularity in the investigation of the appeal by ACM, or b) any new evidence has come to light which would have had a material impact on the investigation. Discussion may be held with the student and/ or subject of the appeal and with members of staff involved in ACM's investigation process.

2.23 Where possible, reviews should normally take no more than 21 working days to investigate from the acknowledgement being sent. The Director of Student Affairs or nominee will establish appropriate timescales based on the nature and complexity of the case. These timescales should be communicated to the student and the student kept informed of any changes.

2.24 The Director of Student Affairs or nominee will inform all parties of the proposed outcome of their investigation and give all parties the opportunity to comment. Following consideration of any comments, the Director of Student Affairs or nominee will communicate the outcome of the review, with reasons and in writing, to all parties within 21 working days.

#### **Formal Stage 4:**

2.25 The University will issue a Completion of Procedures (CoP) letter at the end of Formal Stage 3 Review. Where the student is not satisfied with the outcome of the University proceedings, they may escalate their complaint to the Office of the Independent Adjudicator (OIA) for students in Higher Education. The University can provide further guidance to the appellant if they wish to escalate their appeal. Information about the OIA is available here: <http://www.oiahe.org.uk/>

### **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
- Appeals Policy

- Extenuating Circumstances Policy
- Extenuating Circumstances Procedure
- Extenuating Circumstances Form
- Student Disciplinary Policy
- Safeguarding 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