



Higher Education Academic Appeals Policy

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GENERAL PRINCIPLES

1. Purpose, Definition and Scope

- 1.1. The purpose of this policy is to facilitate students to request that the College reconsiders a decision about their academic progress that could have the effect of hindering progress, terminating studies, or affecting the level of award. The process is intended to provide a student with the opportunity to demonstrate their academic ability without hindrance.
- 1.2. Throughout this policy, use of the term 'Assessment Board' normally means a Module Examination Board and/or Programme Examination Board.
- 1.3. An Academic Appeal Committee is not constituted as an Assessment Board and does not have the authority to set aside the decision of an Assessment Board, but it can ask an Assessment Board to reconsider a decision. The College will not adjust marks, grades or degree classifications as a result of this process.
- 1.4. This policy applies to higher education programmes delivered at the College.
- 1.5. Concerns relating to the operation of this policy must be considered in accordance with the Review Stage established by this policy. Concerns relating to the operation of this policy cannot be investigated using the College's Student Complaints Policy and Procedure.

2. Eligibility

This policy applies to:

- students who are registered or enrolled on a College higher education programme of study;
- former students who have submitted their Academic Appeal within the time scales set out in Paragraph 21.1.3;
- non-registered RPL applicants who believe their application has not been dealt with according to the process identified in the College RPL policy.

With the exception of the last point in the above list, this policy only applies to decisions which are academic in basis and are made by an Assessment Board. They do not apply, for example, to decisions which require a student to leave a programme on disciplinary grounds, or due to non-payment of fees.

The following **do not** constitute grounds for an Academic Appeal:

- questioning the academic judgement of a properly convened and constituted Assessment Board;
- questioning the assessment of the quality of one or more pieces of work by a student;
- questioning marks or grades awarded;
- questioning the overall decision on a student's progression or on the final level of award based on the marks or grades awarded;

- complaints made against the College or its staff, or the level of supervision and teaching - these should be made using the College's Student Complaints Resolution Process at the time when the concern arises;
- following a decision of an Extenuating Circumstances Committee or Regulations relating to Academic Misconduct on the assessment(s) in question - a separate review process is available.

3. Legal Proceedings

The College tries to resolve all Academic Appeals through the College's internal processes. If a student chooses to start legal proceedings against the College, any Academic Appeal, will be paused until those legal proceedings are completed. If the matters appealed about are disposed of in these proceedings, then the College may terminate consideration of the Academic Appeal and the student would be issued with a 'Letter of Completion'.

4. Simultaneous Applications

- 4.1. If a student submits an Academic Appeal Application under this policy at the same time as an application under any other relevant College process - for example the Student Complaints Policy and Procedure relating to the same set of circumstances - the application under the relevant process may be paused until the conclusion of the Academic Appeal. In exceptional circumstances, the Academic Board may ask the members of the Academic Appeals Committee to consider the other related process at the same time as the Academic Appeal.
- 4.2. Where consideration of the other related process is incorporated into the process for an Academic Appeal, the Academic Appeal Committee, after consideration of the issues related to academic progress, may make a decision to resolve any associated issues, sitting for this purpose as a Panel constituted under the relevant process.
- 4.3. Where, on receipt and subsequent investigation of an Academic Appeal, it appears to the College that the matter can, in the interest of the student, be better dealt with via another relevant College process, the matter will be transferred to that process and the student will be informed of the transfer. Where only part of the matter raised in the Academic Appeal is transferred to the related process (e.g. complaints or Extenuating Circumstances), the related process will be put on hold pending the outcome of the Academic Appeal, or the Academic Appeal Committee may be asked to consider a related issue on the same occasion as consideration of an associated issue relating to academic progress. The student will be told of the change within the time limits for dealing with the case.
- 4.4. If, after any initial investigation, it appears to the Higher Education Office (HEO), that the Academic Appeal falls within the scope of any other College process, reclassification of the Academic Appeal will be discussed with the student, and the appropriate referral made.

5. Group Academic Appeal Applications

A group of students may use this policy, but the group must identify, on their Application Form, one person as spokesperson and correspondent. Each member of the group must be able to demonstrate that s/he has been affected by the matter which is the subject of the application. All students must agree, in writing, to the spokesperson acting on their behalf. Students who have not associated themselves

with the Academic Appeal, at the point of submission, will not normally be permitted, subsequently, to do so.

6. Third Party Academic Appeal Applications

Representation of a student under this policy cannot be made by a third party unless written consent is received from the student allowing an individual to act on their behalf. This requirement for written consent includes an Academic Appeal submitted by a legal representative, parent, guardian, or spouse of the student. Where consent is provided to - and accepted by - the College, all communications relating to this policy will be made through the nominated individual only.

7. Academic Progress during an Appeal

- 7.1. If a student has a reassessment, they should continue with that work pending the outcome of their Academic Appeal unless advised otherwise by the Assessment Board.
- 7.2. If a student has failed or been withdrawn from their programme of study, the College will not normally allow the student to continue or progress whilst an Academic Appeal is pending. However, on an exceptional basis, the student may be allowed to continue or progress whilst an Academic Appeal is pending by the HEO in consultation with Chair of the Academic Appeal Committee. If such an exception is granted, it is on the understanding that if an Academic Appeal is not successful, the student will be discontinued from study with immediate effect. The decision of the HEO on whether or not to exceptionally allow a student to continue is final and not subject to further appeal.
- 7.3. A student is not typically required to be physically present at the College for an Academic Appeal Application to be investigated, though participation in a Meeting/Hearing, may be necessary via electronic communication, such as Teams.

8. Attendance at an Award Ceremony

Students who are eligible to receive a College award may attend an Award Ceremony. In such cases, the award will be that previously determined by the Assessment Board. If the award is subsequently amended there will be no further opportunity to attend an Award Ceremony. If preferred, students may defer attendance at the Award Ceremony until the outcome of their Academic Appeal. Should the student receive a Certificate of Award whilst an Academic Appeal is ongoing, and the Assessment Board amends its decision, the Award Certificate must be returned to the College and a replacement will be issued. Attendance at an Award Ceremony does not stop a student's Academic Appeal through the Academic Appeal process.

9. Fair Treatment

- 9.1. No student submitting an informal or formal Academic Appeal whether successfully or otherwise, will be treated less favourably by any member of staff. All staff involved in handling any stage of an Academic Appeal have a duty to ensure that no decision they make regarding assessment of academic work, or the way a student is treated, is influenced by the submission of an Academic Appeal. If evidence to the contrary is found, the member of staff may be subject to action under the College's Staff Disciplinary Procedure.

- 9.2. Where a student or staff member believes that consideration of an Academic Appeal is likely to affect the relationship between them, all parties will be expected to continue that relationship in a professional manner. Only in exceptional circumstances will the HEO consider agreeing to a request for alternative working arrangements whilst the Academic Appeal is being investigated.

10. Confidentiality

- 10.1. Information provided by students under this policy will be handled in confidence and released only to those members of staff who need it for the purposes of investigating and responding to the Academic Appeal. No third party will receive any data other than is necessary in order to obtain the information required. Breach of confidentiality may result in formal disciplinary action being taken through the College's Student or Staff Disciplinary Procedures.
- 10.2. Any outcomes of a Meeting/Hearing must be confidential until formal notification is sent to the parties involved.

11. Timescales

- 11.1. Procedures shall normally be completed within the timescales cited in this policy. There may be circumstances where the timescales cannot be met. When this happens, the College must keep all parties updated on progress. The College also expects students and internal departments to meet the timescales when communicating with the College unless there are exceptional circumstances beyond the reasonable control of the student or College. In such circumstances, the student or College department should contact the Higher Education Office to discuss the feasibility of a new date.
- 11.2. Reference to timescales in this policy relates to calendar days excluding closure periods of the College and statutory bank holidays.
- 11.3. For the purpose of this policy, written communication with a student can be in paper or electronic format, for example email.

12. Attendance at Meetings or Hearings

- 12.1. Students and the relevant member of staff are expected to attend all relevant Meetings/Hearings convened under this policy.
- 12.2. If a student or member of staff does not attend a Meeting/Hearing without providing a good reason for their non-attendance in advance, the Meeting/Hearing may proceed in their absence. If this happens, the Academic Appeal will be considered on the evidence available at the time.
- 12.3. If, for good reason, a student or member of staff is unable to attend a Meeting/Hearing, then they may request that the Meeting/Hearing is postponed until a later date, or request that a third party attend the Meeting/Hearing on their behalf. The decision on whether a Meeting/Hearing will be deferred is made by the Chair.
- 12.4. A student or member of staff also has the right to be accompanied to a Meeting/Hearing by a friend. The 'friend', is entitled to speak or act on the student's/member of staff's behalf.

- 12.5. If a student, or member of staff is accompanied at any Meeting/Hearing by a friend, it is the student's responsibility to provide all relevant notices, communications, and documents to their friend.
- 12.6. The student, or member of staff, must provide the name of the representative to the Chair of the Meeting/Hearing prior to any Meeting/Hearing.

13. Behaviour at Meetings/Hearings

All participants are expected to behave in an orderly and non-confrontational manner during any Meetings/Hearings. The Programme Leader/Curriculum Team Leader (CTL) at the Early Resolution Stage, or Chair of the Academic Appeal Committee at the Formal Stage, may adjourn proceedings if, in their opinion, progress of the Meeting/Hearing is being hampered.

14. Recording of Proceedings

Making an audio recording of Meetings/Hearings held under this policy is prohibited subject to such reasonable adjustments as may be agreed by the College where required under the Equality Act 2010. The only other exception to this rule is to support the accurate capture of the minutes of the discussion.

15. Monitoring and Evaluation

The Higher Education Office shall provide a written report to Academic Board and to the Governors relating to Academic Appeals. That report shall provide statistical data, identify any trends or wider issues, and make any observations and/or recommendations which may assist the College to further good practice in the management of the assessment processes.

16. Expenses

- 16.1. In the event that a case is upheld during the formal process, the College will consider meeting reasonable and proportionate incidental expenses such as travel (within the UK), subsistence and accommodation costs where the College is satisfied that it was necessary for the student to incur such expenses. Expenses will not be met without the production of original copies of receipts to the Higher Education Office (HEO) and any monies will not be paid until completion of this procedure. Students are required to submit claims, in writing, to the HEO. Students who are in doubt should check in advance with the HEO, as to the acceptability of any expenses. The decision on whether to meet incidental expenses will be made by the Chair of the Academic Appeal Panel and this decision will be final.
- 16.2. The student or member of staff will initially be responsible for paying the costs for his/her friend's attendance at any Meeting/Hearing, and third-party costs will only be reimbursed subject to approval by the Chair of the Academic Appeals Panel.

17. Advice and Guidance

- 17.1. Students and staff can obtain advice on this policy from a number of sources. In particular, Student Services can provide students with advice, independent of the process. This advice can include, assistance in submitting an application and

attending Meetings/Hearings in a supporting role. Staff and students can also seek advice and support on understanding the Policy from the Higher Education Office.

- 17.2. The Higher Education Office can only provide advice on the operation of this policy, and staff will not be able to provide advice to students on individual Academic Appeal Applications.

18. Publication of Results

- 18.1. It is the responsibility of the student to ensure they know their own results.
- 18.2. The date of formal publication of results is the date specified beforehand by the Chair (or other responsible officer).

19. Grounds for Review

- 19.1. For students enrolled on higher education programmes an Assessment Board may be asked to reconsider a decision at the request of a student in the following circumstances:

19.1.1. The student's academic achievement or progression was adversely affected by illness or other factors which the student was unable, for valid reasons, to bring to the attention of the relevant Extenuating Circumstances Committee (Incapacity).

19.1.2. The student's request must be supported by the outcome of the relevant Extenuating Circumstances Committee.

And/or

19.1.3. The student's performance in an assessment was adversely affected by a material administrative error attributable to the College, or to an agent acting on behalf of the College, or that an assessment was not conducted in accordance with the current College assessment Regulations (Procedural Error).

PROCEDURE

20. The Early Resolution Stage

- 20.1. If a student considers that s/he may have grounds to request reconsideration of a decision by an Assessment Board, s/he is normally expected, firstly to attempt to resolve the issue informally. This attempt informally to resolve the issue constitutes The Early Resolution Stage which must be commenced within **25 days** of the date of publication of results.
- 20.2. Students in the first instance should contact, the appropriate Programme Leader. If the matter has previously been brought to the College's attention and no resolution has been reached, it may not always be helpful to try and resolve the matter informally. Where this is the case, the Programme Leader must decide whether they wish to engage with a student using the Early Resolution process. If necessary, the Programme Leader will inform the student why the Early Resolution process is not suitable and tell the student that they can make a formal Academic Appeal Application, making clear the timescales for doing so.
- 20.3. The Early Resolution Stage does not stop the student from submitting an Academic Appeal Application. Any Academic Appeal must be submitted in accordance with the timescales outlined in this policy. If a student submits an Academic Appeal Application late because of a delay in resolving his/her issues informally, then the Academic Appeal will be considered under the provision of Paragraph 21, subject to confirmation from the College that the delay was due to undertaking the Early Resolution process. If the College is unable to confirm that an Early Resolution process had taken place, then the Academic Appeal will be considered in accordance with Paragraph 21.1.8.
- 20.4. The Early Resolution Stage should normally be resolved within **25 days** from approaching the Programme Leader. At the conclusion of the Early Resolution Stage, the student will be informed in writing of the outcome. A copy of the outcome will be kept in the student's file, and may be circulated, in confidence, to members of staff involved in the investigation of the Academic Appeal.
- 20.5. In the event that agreement has not been reached, a student may submit an Academic Appeal Application Form within **15 days** from the conclusion of the Early Resolution Stage.

21. Formal Stage

- 21.1. Submitting an Academic Appeal Application
- 21.1.1. Students must submit their formal request on an Academic Appeal Application Form. An Academic Appeal Application form is available from the Higher Education Office or the College's website.
- 21.1.2. All sections of the Application Form must be completed as fully as possible, following the guidelines issued on the form.
- 21.1.3. The Academic Appeal Application must be received by the Higher Education Office within 25 days of the date of formal publication of results established by the Assessment Board unless Paragraph 20.5 applies.

- 21.1.4. An Academic Appeal Application Form must clearly identify the relevant ground(s). A student must normally be able to substantiate their case with documentary evidence. The evidence should normally be the original (for example a Doctor's note) and not a copy.
- 21.1.5. It is expected that the supporting documentary evidence will be submitted at the same time as the Academic Appeal Application. Where the submission of supporting documentary evidence is not possible, due to circumstances outside the student's control, the Application Form should be submitted prior to the deadline date together with a clear statement that evidence will follow, normally within 10 days. If no subsequent supporting evidence is received, the Higher Education Office will process the Academic Appeal Application based on the available documentation.
- 21.1.6. Only in exceptional circumstances will an Academic Appeal Application be accepted after the cut-off date, and then only to an absolute deadline of 35 days after the formal publication of results date. Any late Academic Appeal Applications will be considered in accordance with Paragraph 21.1.8.
- 21.1.7. The Higher Education Office, on receipt of the Academic Appeal Application, will have the right to ask for further clarification and/or information from the student prior to referring the Academic Appeal Application to the relevant Chair of the Assessment Board or Chair of the Academic Appeal Panel.
- 21.1.8. Incomplete Academic Appeal Applications, applications that do not meet the criteria or late-submissions, will normally be rejected. If a student submits an Academic Appeal Application late, they must enclose with their Application, a written explanation for the late submission. The decision on whether, exceptionally, to accept an Application will be at the discretion of the Chair of the Academic Appeal Committee. A student who is not happy with the decision of the Chair is entitled to submit a request for review as detailed in Paragraph 24.
- 21.1.9. A student will be entitled to make only one Academic Appeal Application in respect of any one assessment decision.
- 21.1.10. Students are advised to retain a copy of their Academic Appeal Application Form and supporting documentation. Documents supplied as part of the application process will not be returned. Where photocopies of documents are submitted, the student may be required to provide the Higher Education Office with sight of the original documents in order to verify their authenticity. If evidence is provided in a language other than English, it is the student's responsibility to have it independently translated.
- 21.1.11. If a student is suspected of submitting fraudulent Application or documentary evidence, this will be investigated under the Academic Misconduct Regulations.
- 21.1.12. The College reserves the right to contact any person named in the submission, to seek clarification or further information.

21.2. Processing of an Academic Appeal Application

- 21.2.1. The formal process is started by the submission of an Academic Appeal Application Form in accordance with Paragraph 21.1.
- 21.2.2. Receipt of the Academic Appeal Application will normally be acknowledged by the Higher Education Office within 3 working days of receipt.
- 21.2.3. The Higher Education Office will normally circulate the Academic Appeal Application to the Chair of the relevant Assessment Board for consideration unless the Application falls within Paragraph 21.1.8. The term 'Chair of the relevant Assessment Board' in this policy may also mean his/her Deputy.
- 21.2.4. If the Chair of the relevant Assessment Board believes that there appears to be a case for the decision of the Assessment Board to be reviewed, s/he may, if required, request further clarification directly from the student and reconvene the Assessment Board to consider the case if appropriate.
- 21.2.5. The Chair of the relevant Assessment Board must inform the student, in writing, explaining the decision of the Assessment Board, and/or the decision taken by Chair's Action. A copy of the decision must be sent to the Higher Education Office (HEO). The Chair must advise the student of their right to continue to pursue the case through the formal Academic Appeal process, and to contact the HEO if they remain dissatisfied with the decision of the Chair. If no request for the pursuit of the case is received, the student will be issued with a 'Letter of Completion'.

22. Academic Appeal Panel

- 22.1. Within **5 days** of receipt of the Chair's Report the Higher Education Office will convene an Academic Appeal Panel, comprising: HEO representative (Chair), a senior member of academic staff, and a representative from Student Services. A minimum two members must be present at the meeting. A Secretary shall also be in attendance. The student will not be invited to attend this meeting.
- 22.2. The Academic Appeal Panel will consider:
- the student's Academic Appeal Application;
 - the Chair's Report of the relevant Assessment Board;
 - any other additional relevant information.
- 22.3. After consideration of the available evidence, the Academic Appeal Panel may:
- 22.3.1. Request further information from the College or student, or any other relevant person. This information should normally be provided to the Secretary of the Panel within **3 working days** of the request.
- 22.3.2. Dismiss the Academic Appeal Application, where it is agreed that the Application does not meet the grounds for an Academic Appeal, based on the evidence submitted.
- 22.3.3. If the case is well founded, request that the Assessment Board is reconvened to consider the student's Academic Appeal Application. If a student is dissatisfied with the decision of the reconvened Assessment Board they may request a review under Paragraph 24.

22.3.4. Where it is felt that further investigation is required, refer the case to an Academic Appeal Committee to consider an Academic Appeal Application with reference to the procedure set out in Paragraph 23.

22.4. The student will normally be informed of the decision of the Panel within **5 working days** of the meeting. A copy of the Chair's Report, and any additional documentation, will be provided to the student along with the Panel's decision letter. If the Academic Appeal Application is unsuccessful the student will be told they have the right, in certain circumstances, to request a review of the decision under the Review Stage process (see Paragraph 24).

23. Academic Appeal Committee

23.1. Membership of the Academic Appeal Committee

23.1.1. The Committee shall consist of three members who have had no prior involvement with the student, or previously participated in the case under consideration. A Committee will have the following membership:

- The HEO representative, who shall Chair the Committee;
- Student Services representative;
- One senior representative of the College not related to the case.

23.1.2. The Committee will also have a Secretary.

23.2. Procedure for the Hearing of the Academic Appeal Committee

23.2.1. Meetings of the Committee will normally be held within **20 days** of a request for a Committee to be convened.

23.2.2. The Committee will normally be held at the College. Students and staff who wish to use electronic communication to attend the Committee must inform the Higher Education Office prior to the Hearing.

23.2.3. It will not normally be possible for the date of the Hearing to be changed. This will only be done in exceptional circumstances, for example medical treatment. Holiday arrangements do not normally constitute a valid reason. Any requests for a change in the date of a Hearing must be submitted in writing to the Higher Education Office, and the decision to change any previously agreed arrangements will be taken by the Chair. Where a decision to re-arrange a Hearing has been refused, the student will be informed, in writing, of the refusal and the case will be considered in the absence of the student.

23.2.4. No person has the right to be present except the student concerned, who may be accompanied by his/her friend, and the Chair of the relevant Assessment Board accompanied by, where appropriate, one other College representative. The Chair of the relevant Assessment Board may request additional members of staff to attend the Hearing, but this is at the sole discretion of the Chair and all relevant parties will be informed of this prior to the Hearing.

23.2.5. At least **5 days** before the Hearing, the student and the Chair of the relevant Assessment Board should confirm to the Higher Education Office who will be attending.

23.2.6. In considering the Academic Appeal Application, the Committee may call any appropriate persons to give evidence. **5 days'** notice of the Hearing should normally be given if it is expected that attendance of a member of staff may be required by the Committee. The member of staff may be accompanied to the hearing by a 'friend'. The Chair will provide the member of staff with the appropriate documentation. If it appears to the Chair that the Academic Appeal Application, or associated documentation, or oral evidence, raises allegations of misconduct, this may lead to action under the College's Staff Disciplinary Procedures.

23.2.7. In preparing papers for the Committee, there must be no involvement of external examiners, in case this may prejudice any later involvement with a reconvened Assessment Board.

23.2.8. Normally the HEO will obtain all relevant papers from everyone concerned before the Hearing. These papers will normally include the student's Academic Appeal Application; a copy of the Academic Appeal Policy; the Chair's Report and any additional documentation obtained by the Academic Appeal Panel or requested by the Chair of the Academic Appeal Committee.

23.2.9. The papers to be considered by the Committee will be circulated to all parties prior to the Hearing. The presentation of any new documentation, by either party, will only be accepted in exceptional circumstances with the agreement of the Chair. This may result in a suspension of proceedings to provide all parties with the opportunity to consider the new documentation.

23.2.10. The student and his/her friend will normally be allowed to be present throughout the whole of the Hearing except when the decision is being debated. If the Committee, in its absolute discretion, decides that the presence of anyone is not appropriate throughout the whole hearing or during any specific part of it, the Chair shall use reasonable endeavours to ensure that such a person is given an adequate opportunity to present his/her case.

23.2.11. During the Hearing:

- the Chair will outline the procedure of the hearing to all parties;
- the Chair will ask the student and/or friend to present their case in support of their Academic Appeal Application;
- members of the Committee may ask questions of the student and/or friend;
- the College may ask for clarification on any representations made by the student by addressing questions via the Chair;
- the Chair will ask the College representative(s) to present their case;
- members of the Committee may ask questions of the College representative(s);
- the student may ask for clarification on any representations made by the College addressing questions via the Chair;
- the Chair will ask the student and/or friend and the College representative(s) to leave the hearing;
- the Committee will consider the evidence in private and reach a decision in accordance with Paragraph 23.3.

23.2.12. The Committee has the authority to adjourn the Hearing if it requires further information or evidence as is considered appropriate to assist in making its decision.

23.3. Decision of the Academic Appeal Committee

23.3.1. The decision of the Committee will be by majority decision.

23.3.2. After consideration of the available evidence relating to the Academic Appeal Application, the Committee may reach any of the following decisions:

(a) the Academic Appeal Application is rejected;

or

(b) the Academic Appeal Application is upheld and the Assessment Board will be asked to reconvene to reconsider its decision along with any additional recommendation(s)/ direction(s) made by the Committee.

23.4. Procedure following decision of Academic Appeal Committee

23.4.1. Within **5 working days**, the student and the College shall be informed, in writing, of the decisions of the Academic Appeal Committee.

23.4.2. This decision will be circulated to the student, the College staff involved and the Academic Board, so that any issues of principle or general interest may be identified and acted upon.

23.4.3. Where an Academic Appeal Application is not upheld, the decision of the Committee shall be immediate.

23.4.4. When it is decided that an assessment matter shall be referred back to an Assessment Board, the Board will be convened at the earliest opportunity.

23.4.5. No member of staff directly involved in the College's submission to the Academic Appeal Application shall act as Chair, or as a panel member, for the reconvened Assessment Board.

23.4.6. The Higher Education Office will advise the student that some delay is inevitable before a final decision is reached.

23.4.7. It is in the student's interest to provide the Secretary of the reconvened Assessment Board, in writing, with any new information presented orally to the Academic Appeal Committee, if the student wishes that information to be known to the reconvened Assessment Board.

23.4.8. The Chair of the relevant Assessment Board will forward the documentation considered by the Committee to the Chair of the reconvened Assessment Board (together with the reasoned decision of the Committee) unless, in exceptional circumstances, the Chair of the Committee directs that it would be appropriate to withhold some of the documentation or agrees with a request by the student to withhold sensitive personal information.

- 23.4.9. Where an Academic Appeal Application is referred back to a reconvened Assessment Board, that Board's ultimate decision shall be final, except in the exceptional circumstances outlined in Paragraph 24.
- 23.4.10. The reconvened Assessment Board shall meet as promptly as possible to consider a referral back and make a decision.
- 23.4.11. The appropriate external examiner(s) must be invited to attend the meeting, but their absence will not invalidate the decision of the reconvened Assessment Board which is properly constituted in other respects. The views of external examiner(s) must have been ascertained before the decision of the Board is published. The comments of external examiner(s) who are unable to attend must be recorded in the minutes.
- 23.4.12. The Chair of the reconvened Assessment Board is responsible for communicating the outcome to the student in writing, within **5 days**. The reconvened Assessment Board must provide a reason for its decision to the student. If the reconvened Assessment Board amended its previous decision, then the communication should explain the decision and when the remedy will be implemented.

24. Review Stage

24.1. Review of Decision of Academic Appeal Panel/Committee.

- 24.1.1. In exceptional circumstances, within **7 days** of notification of the decision of the Academic Appeal Committee, a student or staff member may make a written request for a review, asking for reconsideration of the Academic Appeal Application. The request should be made to the HEO in the first instance. This Review Stage will not usually consider the issues afresh or involve a further investigation.
- 24.1.2. Only in exceptional circumstances will a request for a Review be accepted after the cut-off date, and then only to an absolute deadline of **35 days** after the formal publication of the Academic Appeal Panel or Academic Appeal Committee. The decision on whether, exceptionally, to accept a late Review will be at the discretion of the Chair of the Academic Appeal Committee. Their decision is final and not subject to further review.
- 24.1.3. A Review of the decision of the Academic Appeal Committee, submitted on time, will normally be considered by the relevant Principal's nominee.
- 24.1.4. Receipt of the Review will normally be acknowledged by the HEO within **3 working days** of its receipt.
- 24.1.5. The request **must** identify the grounds and reasons for the Review. If the relevant information is not provided the HEO, will return the Review to the instigator asking that he/she provide the necessary information. The instigator will have **3 working days** to provide this information to the HEO. If the required information is not received the Review will automatically be rejected.
- 24.1.6. A Review can only be made on the grounds:
- (a) That the decision of the Academic Appeal Committee was inconsistent with and unsupported by evidence;

and/or

- (b) That there was a material procedural irregularity by the Academic Appeal Panel or Academic Appeal Committee which has prejudiced the case;

and/or

- (c) That additional evidence has come to light since the decision of the Academic Appeal Panel or Academic Appeal Committee, which could not reasonably have been expected to have been produced at the time of the consideration of the Academic Appeal Application.

24.1.7. The HEO will normally forward the case, within **5** days, to the Principal's nominee for his/her consideration.

24.1.8. The instigator will be informed of the decision on their review within 15 days of its receipt by the Principal's nominee.

24.1.9. The decision as to whether or not to convene/reconvene an Academic Appeal Committee is not subject to further consideration and concludes the Academic Appeal process within the College.

25. Validating University Partner

- 25.1. At the conclusion of the College's internal processes connected with this policy, the student shall be issued with a 'Letter of Completion' of internal proceedings. A student who is of the opinion that his/her case is unresolved may apply to the University partner responsible for the award for reconsideration of the case under the rules of its appeals process. Information on how to initiate this process will be provided in Programme Handbooks as well as on the awarding University's website or by the HEO.

Appendix One: Academic Appeal Form

See next page.

Academic Appeal Form



middlesbrough
college

An Academic Appeal must be submitted in accordance with the timescales outlined in the College [Academic Appeals Policy](#) document which can be found on the College's webpages. Before submitting an appeal, be sure to read the [Academic Appeals Policy](#) document carefully.

Guidance for Completion of this form

- Complete all four sections of the form.
- Please return your completed form to: heoffice@mbro.ac.uk
(if you are unable to email the form, you can post it to:
*Academic Appeals, HE Office, Middlesbrough College Dock Street,
Middlesbrough, TS2 1AD.*)
- It is your responsibility to ensure that the form has been completed correctly and that any supporting documentation is listed in Section Three and attached.
- Receipt of this form will normally be acknowledged by the Higher Education Office within 3 days of receipt.

SECTION ONE	
Full Name	
MC Number	
Date of Birth	
Contact telephone number(s)	
Email Address	
Contact Address* <small>* If you wish to receive correspondence in writing rather than email.</small>	
Course Title	
Year (e.g. 1, 2 or 3)	
Mode: Full-Time or Part-Time	
Group Appeal?	No <input type="checkbox"/> Yes <input type="checkbox"/>

SECTION TWO

Grounds for Appeal - Student's Summary

- Please summarise your reason(s) for appealing.
- Do not exceed 1,00 words. The text box below will automatically expand to accommodate your response.

In your summary you should include:

- the date you received notification of the decision against which you are appealing;
- details of the decision you wish to appeal against;
- the outcome you hope to achieve;
- a concise explanation of the circumstances in chronological order, including the key points to support your appeal.

In accordance with [Data Protection Act](#), you should only submit data relating to living third parties if it is strictly necessary for the consideration of your case. Please don't include other people's data if it is not relevant to your case. Additionally, please notify anyone whose data you are including in your paperwork that you are doing so in order that, if they wish to do so, they can contact the College to object to that data being held.

SECTION THREE

Supporting Documentary Evidence

In the box below, please list any supporting documentary evidence you have attached to this application.

- Any evidence relevant to the appeal must be submitted at the same time as the form and clearly referenced and labelled.
- The evidence should normally be the original (for example a Doctor's note) and not a copy.
- Include evidence of the attempt to resolve the issue(s) informally with the Programme Leader (i.e. the Early Resolution Stage.)

All documentation should be in English and the translation of any documents should be done by an accredited translator. Please ensure that any additional information is relevant and meets the Policy and Procedure requirements for the presentation of a written case.

SECTION FOUR	
Student Signature Please sign in the space below and add the date you signed the form.	
Date of Signature:	

Please retain a copy of this form and supporting documentation. Documents supplied as part of the application process will not be returned. Where photocopies of documents are submitted, you may be required to provide the Higher Education Office with sight of the original documents in order to verify their authenticity. If evidence is provided in a language other than English, it is your responsibility to have it independently translated.

Revision History		
Version	Date	Detail
1.0	September 2017	
1.1	September 2018	Document edited for clarity and to homogenise presentation and implement URLs to College website HE Essential Information page. Academic Appeal Form added.
1.2	January 2022	Checked for accuracy.
1.3	March 2023	Updated to reflect institutional title/department changes
1.4	May 2023	Added detail on non-registered RPL applicants.