



THE
TRAFFORD
COLLEGE
GROUP

Section:	Academic Appeals
Version:	2
Author:	Mark Harris
Introduction:	March 2017
Review Date:	September 2019

REVISION HISTORY

Version	Date	Author	Description
1	March 17	Mark Harris	Initial Approval
1.1	Nov 17	Tristan Edwards	Adopted by the Trafford College
2	April 18	Mark Harris	Trafford College Group Approval, amendments to titles, roles

APPROVAL

Version	Committee	Approval Date	Comment
1	CMT	March 17	
1.1	Executive	December 17	
2	HECOMM	May 2018	

APPEALS POLICY AND PROCEDURE: HIGHER NATIONAL QUALIFICATIONS

1. Introduction and Scope

1.1. This policy is made for the use of staff and students of the Trafford College Group, comprising of Trafford College and Stockport College. For convenience, and unless otherwise indicated the group of colleges are referred to as 'the College' within this document.

1.2. This policy and procedure does not relate to students on a course leading to an award of the University of Chester, Sheffield Hallam University, Manchester Metropolitan University and University of Bolton, you may access their policies and procedures to academic appeals here:

University of Chester

<https://goo.gl/ZEx9dp>

Sheffield Hallam University

<https://goo.gl/7erDV6>

Manchester Metropolitan University

<https://goo.gl/WFbvfk>

University of Bolton

<https://goo.gl/E15J17>

1.3. This policy explains what to do if students wish to appeal a decision made by one of the following:

- Mid-year Assessment Board
- End of year Assessment Board
- Academic Misconduct Panel

1.4. The aim of this policy and procedure is to enable students enrolled on Higher National qualifications at the Trafford College Group to request a review of a published decision of an Assessment Board particularly as it applies to decisions on student progression, assessment and award. The appeals processes detailed in this policy also apply to decisions resulting from investigations into academic misconduct.

1.5. A student who wishes to seek a review of a provisional mark awarded by a module leader prior to confirmation and ratification of that mark from the appropriate assessment board should, in the first instance, discuss the issue with the module leader. If the student is not satisfied with the response provided, they should be invited to discuss the matter further with the relevant Higher Education Head of School.

1.6. The appeals procedure can only be invoked once marks have been made definitive and the assessment board has determined the learner's progression or overall award. There is no provision to appeal academic judgement. The grounds on which an appeal can be lodged are set out at section 4.

1.7. The appeals procedures contained within this policy refer only to decisions made by the aforementioned decision-making bodies. Appeal mechanisms for matters relating to Disciplinary, Fitness to Study and admissions decisions are referenced in those policies.

- 1.8. The Academic Appeals procedure should not be used to formally record dissatisfaction with College facilities, services or teaching-related provision. These areas fall within the purview of the Higher Education Student Complaints Policy. Outcomes of the appeals process cannot be made the subject of a complaint.
- 1.9. This policy has been informed by the Good Practice Framework for the Handling of Complaints and Academic Appeals, published by the Office for the Independent Adjudicator for Higher Education (OIA) in December 2014.

2. Policy statements

2.1. Appointment of a third party/representative

The College expects students to engage fully with this policy and make their own representations when using the procedures described. Where a learner feels unable to do that, they may request that they be permitted to appoint a representative to act on their behalf. They should make their request in writing alongside the submission of their appeal form explaining their reasons for their request. If the College accepts the request to communicate through a third party representative, the student expressly permits the College to:

- Share personal data pertaining to the investigation,
- Channel all communication, including determinant information requests regarding the appeal, through the nominated representative, and,
- Communicate final appeal outcomes to the nominated representative.

Additionally the student accepts responsibility for any claims made by their representative on their behalf, including the ramifications of any false claims made in their name.

2.2. Collective appeals

It is expected that students will submit an appeal against the outcome of an assessment board's decision which relates to their results only. However, there is provision to make a collective appeal should material error or irregularity (as defined at paragraph 4.1) be found to have disadvantaged more than one student. Where a collective appeal is made, the College will request one student is nominated as a spokesperson to act on the group's behalf. In doing this, all correspondence, including outcomes will be through the nominated spokesperson.

2.3. Vexatious appeals

The College can reject an appeal at any time if, in the opinion of the Academic Registrar (Higher Education), or nominee, the appeal is vexatious or frivolous in nature.

An appeal can be characterised as such in a number of ways, for example:

- Appeals that are persistent, obsessive, harassing;
- Insistence upon pursuing unrealistic outcomes beyond all reason;
- Pursuing meritorious appeals in an unreasonable manner;

- Appeals that cause disruption or annoyance;
- Remedy and redress that lack any serious purpose or value.

If an appeal is considered to fall within any of the above categories, the Academic Registrar (Higher Education), or nominee, will write to the student explaining that the College is terminating further consideration of the appeal, clearly stating the reasons for doing so and issue a Completion of Procedures letter.

2.4. Unacceptable behaviour

All students have the right to be heard and respected; staff have those rights, too. Communication or actions from appellants or their representatives that are demanding, angry or persistent can result in unreasonable demands or unacceptable behaviour towards staff. Aggressive, offensive or abusive actions or behaviour and unreasonable demands or persistence are all areas of unacceptable behaviour that are managed under this policy.

3. Academic Judgement

3.1. Students may not appeal against the academic judgement of examiners.

3.2. The OIA define academic judgement as “a judgement that is made about a matter where only the opinion of an academic expert will suffice”.¹

4. Grounds on which an appeal can be made

4.1. Material error or irregularity

There has been an error or irregularity in the process of assessment or by which an Academic Conduct Panel has considered outcomes. Examples might include being examined outside of approved regulations or an academic conduct panel failed to follow its own procedures.

4.2. Mitigating Circumstances not known

There were mitigating circumstances or exceptional factors that the student was unable to disclose for good reason(s), before the deadline for receipt of applications to the mitigation panel. Where this is the case, the student must support their claim with supporting evidence, such as medical reports, which verify the reasons the learner could not disclose the circumstances but also validate the original claim of mitigation.

The College accepts that in some cases, students may feel embarrassed when disclosing their circumstances and their impact on the ability to complete study, however this is not a valid reason for not divulging mitigating circumstances. The College considers applications for mitigation in confidence with a small, discreet panel whose role it is to establish the merits of the claim only.

¹ <http://www.oiahe.org.uk/glossary.aspx>

5. Procedure

5.1. There is a three stage process students need to follow when pursuing an academic appeal. It is expected that students will complete each stage before moving on to the next. There may be occasion where it is necessary to escalate appeals which will be managed on a case by case basis.

5.2. Stage 1: Initial concern or query

Before submitting a formal appeal, students should discuss their concerns with their Course Leader or the Head of School for their department. If a student has a concern about the decision of an academic conduct panel, they should discuss their concerns with the relevant chairperson in the first instance. Students can access impartial advice from student services or their student representatives. Students are encouraged to raise their initial concerns in a timely manner as all formal appeals should be received by the College within 14 days of the decision of the assessment board.

5.3. Stage 2: Formal appeal

If after completing actions described at paragraph 5.2 the student decides to submit a formal appeal, s/he should complete an academic appeals form (appendix 1) and send it to: appeals@stockport.ac.uk. It is important that all sections of the form are completed within the time period allowed for appeals to be submitted. The written appeal must be received in the appeals inbox within 14 days of the date that the results were released to the student.

The appeal form should be supported by all available evidence to substantiate the claims made. The appellant is responsible for providing any evidence that they wish to be considered. Digital copies of evidence are acceptable, although the College reserves the right to require paper copies to be provided for verification purposes. Claims that cannot be verified with independent evidence are likely to be dismissed.

The Academic Registrar (Higher Education), or nominee, will acknowledge receipt of the appeal and conduct an investigation. The Academic Registrar (Higher Education), or nominee, will normally make one of the following decisions:

- a) Reject the appeal – evidence that assessment boards or academic conduct panels' policies and procedures were properly implemented within the realms of the assessment regulations and academic misconduct policy, or, no reason why mitigating circumstances could not have been revealed before the meeting of the mitigation panel.
- b) Uphold the appeal – clear evidence that there has been an irregularity or error. In doing so the Academic Registrar (Higher Education), or nominee, may refer the matter back to the decision making body who will be charged with reviewing the decision based on the new information that has come to light following the investigation.

- c) Request additional evidence – to seek clarity on unclear evidence from students and others relevant to the investigation. This is to ensure a well-informed judgement is reached in good time.

5.4. Stage 3: review

If a student is dissatisfied with the outcome of their appeal, they may request a review of the decision taken. Students wishing to do this must do so in writing within 7 days of the date of the appeal outcome. The request for review should be labelled as such and sent to appeals@stockport.ac.uk.

The review will be conducted by the Dean of Higher Education (or nominee) with reference to at least one of the following three reasons, which the student must specify and provide supporting evidence and explanation.

1. That the procedures described at 5.3 were not followed,
2. That the outcome was unreasonable,
3. New material evidence has become available which the learner was unable to provide earlier in the process.

If the Dean of Higher Education considers that there are grounds for the appeal decision to be revised they will refer the matter back to the Academic Registrar (Higher Education), or nominee. The Academic Registrar (Higher Education), will reconsider the evidence presented and seek counsel and advice from senior staff where necessary.

6. **Completion of Procedures**

6.1. The College is a member organisation of the Office of the Independent Adjudicator for Higher Education (OIA).

6.2. Once all stages of the Colleges Academic Appeals procedure have been exhausted, the student will be issued with a Completion of Procedures letter confirming that all internal procedures have been completed. At this point, outcomes in relation to progression and award outcomes are implemented.

6.3. Students are advised to contact the Office of the Independent Adjudicator (OIA) for Higher Education if they are dissatisfied with the outcome of the final stage of the complaints procedure. The OIA will determine whether the student's complaint is eligible for consideration under its rules.

6.4. All applications to the OIA must be made within twelve months of the date of the Completion of Procedures letter issued by the College.

6.5. The OIA's scheme rules and guidelines are available here: www.oiahe.org.uk

7. **Participation of students while appeal is under consideration**

7.1. If a student's appeal is still being considered under the processes described in section 5 at the start of an academic year or mid-way through the year and the decision being appealed prevents a learner from progressing normally, they may attend the programme and undertake assessments.

7.2. Students who chose to attend will not be notified of any results of assessed work.

7.3. Students who chose to attend will be enrolled conditionally and should be aware of the financial implications of choosing this option. If a student's appeal is upheld they will be enrolled unconditionally and resume their programme of study as previously.

7.4. In cases where appeals are rejected students will be withdrawn from the programme.

Appendix 1: Stage 2 formal appeal form

STAGE 2 ACADEMIC APPEALS FORM	
Appellant's details	
Name	
Course title	
Year of study	
Outcome of Stage 1 – local resolution of concern	
When and with whom did you raise your initial concern/query about the outcome of assessment under stage 1 of this policy?	
Please summarise the date and advice you were given at stage 1 of this policy. Please provide copies of any written advice.	
Details of Assessment outcome that is being appealed against and outcomes sought	
Please provide details of the assessment outcome(s) you are appealing against. Please include unit numbers, titles, specific assessments within units and, where relevant, progression or final award decisions.	

<p>Please confirm on what basis you are appealing against the assessment outcome as referenced in section 4, paragraphs 4.1 & 4.2. Please also confirm the evidence you are providing to corroborate the grounds for appeal. There are no grounds on which you can appeal academic judgement – please refer to section 3 of this policy for more information.</p>	<p>Claim on the basis of material error or irregularity as defined in point 4.1 of the appeals procedure:</p>	<p>List of evidence to support each claim, which should be attached / included with this submission:</p>
	<p>Claim on the basis of mitigating circumstances not known to the Assessment Board as defined in point 4.2 of the appeals procedure:</p>	<p>List of evidence to support each claim, which should be attached / included with this submission:</p>
<p>What outcome are you seeking?</p>		

Please send completed forms to Appeals@stockport.ac.uk