



POLICIES & PROCEDURES

Higher Education Assessment Appeals Policy V3.0

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CONTENTS

1. Introduction.....	2
2. Aim of the Policy.....	2
3. Scope of the Policy.....	2
4. Academic Appeals.....	3
5. Procedure for Considering Appeals against Decisions on Academic Progress.....	5
6. Appeals on the Basis of Extenuating Circumstances	5
7. Grounds for Appeal	6
8. Matters Excluded from Academic Appeals.....	7
9. Procedure for Notification of an Appeal.....	7
10. Authority of Academic Appeals Panels.....	12
11. Monitoring and Review.....	12
Appendix 1 Appeals Form	14
Related Documentation	18
Change Log.....	18
Communication.....	18
Communication Plan	18
Document Development.....	19
Approval Dates.....	19
Document History	20

1. Introduction

- 1.1 This policy has been aligned to and meets the requirements of the UK Quality Code under Expectations for Standards and Expectations for Quality. For further information visit <https://www.qaa.ac.uk/quality-code> or refer to the Quality Assurance Agency's advice and guidance on assessment via https://www.qaa.ac.uk/docs/qaa/quality-code/advice-and-guidance-assessment.pdf?sfvrsn=ca29c181_4

2. Aim of the Policy

- 2.1 This policy and accompanying procedure outlines the grounds that a student may use for making an Academic Appeal and the manner in which the College will deal with such appeals.

3. Scope of the Policy

- 3.1 This policy is concerned with appeals against a decision made by the Academic and Quality Standards Committee i.e. student appeals arising from a request that the Academic and Quality Standards Committee should reconsider its decision.
- 3.2 A complaint about any service that South West College provides to its students that is not directly related to academic matters (marks awarded for assessed work, progression on a course and awards), should be dealt with through the Complaints & Complaints Policy, which can be found on the College website.
- 3.3 This policy covers all South West College Higher Education courses with the exception of programmes that are approved by a Higher Education Institution (HEI) through collaborative, franchised, validated arrangements.
- 3.4 To make an academic appeal, students must follow the procedure detailed below and all academic appeals must be submitted to the Course Director/ Head of Higher Education in writing within 10 days of assessment decisions being approved and released by the Academic and Quality Standards Committee (AQSC).

3.5 Under no circumstances should students be provided with marks and grades until these have been internally moderated and approved by the Course Committee and then formally approved by the Academic & Quality Standards Committee. Equally, it must be noted that all student marks/results are provisional until they have been formally approved at the end of year meeting of AQSC and ratified by the External Examiners at that meeting.

4. Academic Appeals

4.1 This policy has been aligned to and meets the requirements of the revised UK Quality Code. Academic appeals and student complaints on academic matters provides guidance on effective policy and procedure for dealing with appeals and complaints:

- Institutions should have effective procedures for resolving student complaints and academic appeals. Students should have a full opportunity to raise, individually or collectively, matters of proper concern to them without fear of disadvantage and in the knowledge that privacy and confidentiality will be respected.
- The procedures should be ratified by the governing body or other body with ultimate corporate responsibility and should form a part of the institution's overall framework for quality assurance.
- Institutions should ensure that their procedures are fair, and decisions are reasonable and have regard to any applicable law.
- Institutions should address student complaints and appeals in a timely manner, using simple, transparent procedures. Informal resolution should be an option at all stages of the complaints procedure and should operate, in the first instance, at the level at which the matter arose.

4.2 Whilst evidence of Extenuating Circumstances may be received by the appropriate personnel, at any time throughout the student's course of study, the Academic Appeals procedure only comes into play after an Academic and Quality Standards Committee has sat, and students have been advised of their mark (by Course Committee in respect of semester one 'first sit' decisions). Students should have the right of appeal, in appropriate circumstances, against a decision of an Academic and Quality Standards Committee (AQSC).

4.3 The College policy stipulates that a candidate may appeal against a decision on academic progress:

- On the basis of new evidence of extenuating circumstances, relevant to his/her examination performance which, in his/her view was not in the possession of the AQSC at the time of the Committee's initial decision about his/her academic progress.
- On the basis of procedural or other irregularities in the conduct of the examinations or in the decision-making process. A procedural irregularity is normally regarded as a deviation from published examination arrangements which has not been notified in advance to students or which has been applied to some but not other students in the course/module.
- In the case of new information on extenuating circumstances, students should note that the original decision of the AQSC will be confirmed if:
 - i) It is determined that the student has not submitted any new information or that they have not provided a satisfactory explanation for their failure to supply the information by the date(s) prescribed in the regulations, OR
 - ii) There is no contemporaneous, independent, medical, or other evidence to support the appeal.

4.4 The academic judgment of the examiners is not open to appeal. Appeals are made to an Academic Assessment Appeals Panel (Terms of Reference can be found in AQSC). An Academic Assessment Appeals Panel cannot make academic judgments, that is, it cannot change a student's marks to enable an assessment to be passed or the classification of an award to be changed. Instead, if an appeal is upheld the student will be permitted to complete, take, or repeat the assessment which, if successful, will enable the student to proceed to the next stage of the course or to complete it.

4.5 An appeal will not be allowed on the grounds of complaint about the delivery or management of a course after a student has presented himself/herself for examination. Students should raise any concerns or complaints about any aspect of programme delivery or supervision as soon as they arise.

4.6 The Appeals Procedure gives the student the right to submit an appeal to an Academic Assessment Appeals Panel and guarantees that the student will not suffer any disadvantage where they do so in good faith. While privacy and confidentiality will be

maintained, the student should be aware that evidence which is submitted will normally be made available to staff involved in considering the appeal and will be held on file at the conclusion of the process.

- 4.7 The Academic Assessment Appeals Panel will not consider an appeal if it is deemed to be vexatious or frivolous.

5. Procedure for Considering Appeals against Decisions on Academic Progress

5.1 Academic and Quality Standards Committee /Boards of Examiners determine the academic progress of students on the basis of their performance in examinations and other forms of assessment. A student may appeal against a decision of the Board:

- i) On the basis of evidence of extenuating circumstances, relevant to his/her examination performance which, in his/her view, was not in the possession of the Board at the time of the Board's initial decision about his/her academic progress,
OR
- ii) On the basis of procedural or other irregularities in the conduct of the examinations.

5.2 Course Committees are empowered to allow a first sit in semester two arising from extenuating circumstances which affected a student's performance during semester one. Appeals may be made to request such an outcome in accordance with these procedures provided a student submits to the Course Director, by a specified date following the decision of the Board, a written appeal, stating the grounds on which it is made, the decision will be reviewed in accordance with the following procedures.

6. Appeals on the Basis of Extenuating Circumstances

6.1 Appeals on the basis of extenuating circumstances shall be considered by the Extenuating Circumstances Panel convened by authority under the Extenuating Circumstance Procedure which may be accessed via the College website.

7. Grounds for Appeal

- 7.1 An appeal against any decision made by AQSC may only be made on the following grounds that:
- i) The assessment was not conducted in accordance with the current regulations for the course, or a material administrative error, or some other material irregularity relevant to the assessment, has occurred.
 - ii) The judgement of an Examiner(s) was improperly affected by personal bias.
 - iii) Misleading information was provided about the assessments and/or examinations.
 - iv) For a student with a disability or additional needs, the assessment was not correctly carried out, or the support Identified was not provided or the agreed assessment procedures for that student were not properly implemented.
- 7.2 Disagreement with the academic judgement of the Academic and Quality Standards Committee in assessing the merits of an individual piece of work, or in reaching any assessment decision based on the marks, grades and other information relating to the candidate's performance, cannot in itself constitute grounds for a request for reconsideration by a student. Such matters of academic judgement remain the exclusive prerogative of the Academic and Quality Standards Committee. Matters of academic judgement include:
- i) Whether a student has reached the academic standard required for the unit
 - ii) Whether a student would benefit academically from further study, for example, by repeating a unit on the course.
- 7.3 Subject to the previous paragraphs, the appeal may be against a decision or recommendation of an Academic and Quality Standards Committee that:
- i) The student has failed a module or part of the module.
 - ii) The student should not be permitted to proceed to the next stage of the course.
 - iii) The student should be excluded from continuation of studies on the course.
 - iv) A particular class or grade of award should be made.
- 7.4 Pending the outcome of an academic appeal the student will be treated as if the assessment had not yet taken place. This means that progression or the making of an award will not take place, where such progression or the making of an award would

depend on the assessment concerned.

8. Matters Excluded from Academic Appeals

- 8.1 A student may not make an academic appeal on the grounds that poor teaching, supervision, academic advice, or guidance affected his or her performance. In such circumstances the student may make a complaint under the Student Complaints Policy and Procedure.
- 8.2 A student may not make an appeal under these procedures on the grounds that mitigating circumstances adversely affected his or her performance in an assessment and/or that he or she believes an inappropriate allowance was made for such circumstances. Such issues are the subject of the Extenuating Circumstances policy and procedure.

9. Procedure for Notification of an Appeal

- 9.1 A student may not make an academic appeal on the grounds that poor teaching, supervision, academic advice, or guidance affected his or her performance. In such circumstances the student may make a complaint under the Student Complaints Policy and Procedure.
- Stage 1 Conciliation
 - Stage 2 Formal Academic Appeal
 - Stage 3 Academic Appeals Panel Hearing

9.2 Stage 1: Conciliation

- 9.2.1 The conciliation stage is an informal process. If a student considers that he or she may have grounds for an appeal or is seeking clarification of an Academic and Quality Standards Committee, he/she should first attempt to conciliate with the Chair of the relevant Academic and Quality Standards Committee, or in her or his absence, the Head of Higher Education. This should be done within ten days of the publication of the results of the relevant Academic and Quality Standards Committee.

9.2.2 Only when the informal stage of conciliation has been exhausted, and the student remains convinced that he/she has grounds for an Academic Appeal, should formal (Stage 2) procedures be initiated.

9.2.3 Where a group of students wishes to submit a collective appeal, the group should nominate a spokesperson to act as the channel of communication for the group.

9.2.4 Following discussion with the student, the Chair of the Academic and Quality Standards Committee should discuss the issues raised by the student with the Head of Higher Education. Following this discussion, a decision over the following two options will be made:

- a) To refer the matter back to the appropriate Assessment Board for further consideration.
- ii) To dismiss the informal appeal.

9.3 Stage 2: Formal Academic Appeal

9.3.1 Where the Stage 1 Conciliation is unsuccessful, the student must submit his or her academic appeal in writing using the Appeal Form. This must normally be completed within five working days of the conciliatory meeting or no longer than ten days after publication of the results from AQSC. The completed form should be submitted to the Course Director or Head of Higher Education.

9.3.2 On receipt of the Academic Assessment Appeal Form, the Course Head of Higher Education shall consider the appeal to establish whether there is a prima facie case for the appeal. The grounds for appeal detailed in Section 7 and 8 above will be referred to in helping to make a decision.

9.3.3 The student making the appeal will be informed by the Head of HE about whether or not there is a prima facie case or whether the appeal is dismissed because there are no proper grounds for an appeal. If there is deemed to be a prima facie case the Head of Higher Education will inform the student of the date of the meeting of the Academic Assessment Appeals Panel. These communications to the student will normally be made within five working days of the completed Academic Assessment Appeals Form being submitted.

9.3.4 In submitting a Stage 2 appeal, the Academic Assessment Appeal Form must be properly completed and contain the following information:

- a) A clear statement of the actual decision of an Academic and Quality Standards Committee being appealed against.
- b) A brief and clear summary of the grounds for the appeal referring to Section 2 above, and stating, as appropriate, the following:
 - i) The ways in which it is alleged that the assessment failed to accord with the regulations pertaining to the programme. It would be helpful to precisely identify the regulation(s) which has/have been breached. If an administrative error is thought to have occurred, then state the nature of the error or other material.
 - ii) Irregularity relevant to the assessment(s) which has/have occurred.
 - iii) How it is alleged that, for a student with a disability or additional needs, the needs assessment was flawed, the provisions recommended were not implemented, or the agreed assessment procedures failed to be implemented.
- c) A statement about the nature of the revised assessment sought from the Academic and Quality Standards Committee if the appeal was to be upheld:
 - i) Evidence, other than personal testimony from the student, in corroboration of the factual base of the appeal, or an indication of how such corroboration will be provided.
 - ii) A demonstration that conciliation has been attempted with the Chair of the Academic and Quality Standards Committee, and/or Head of HE, as appropriate.
- d) An appeal may be dismissed in the following circumstances:
 - i) When the appeal is submitted late, without explanation which is satisfactory to the Head of Higher Education.
 - ii) When the Head of Higher Education is able to demonstrate that the appeal does not fall into any one of the four categories detailed in 2.1 above.

9.4 Academic Appeals Panel Constitution:

The Academic Assessment Appeals Panel shall comprise of the following:

- A Chair, normally the Head of Higher Education, and three other members, consisting of: Deputy Heads of Department – one from each Department (See

QASC document Appendix 1).

- No member of the Academic appeals Panel shall be a member of staff either teaching and/or assessing on the module/course concerned.
- No member of the Academic Assessment Appeals Panel shall be an interested party.
- To the extent practicable, the same Chair will preside in hearings of appeals.

9.5 The Academic Appeal Hearing

9.5.1 The student making the appeal shall have the right to appear before the Academic Assessment Appeals Panel and to be accompanied and assisted by a friend. The friend must be either an enrolled student at South West College or a member of staff at South West College, for example the Student Welfare Officer.

9.5.2 The student making the appeal and their representatives shall have the right to call and to question witnesses.

9.5.3 The Academic Assessment Appeals Panel shall be entitled to call witnesses as it deems appropriate and to call for the production of relevant documents.

9.5.4 The appeal shall only be heard on the grounds stated and accepted by the Head of Higher Education in the Academic Appeals Form unless the Academic Assessment Appeals Panel decides otherwise. In the latter event, the appellant or the Academic and Quality Standards Committee shall be entitled to demand an adjournment of no more than one week to prepare evidence.

9.5.5 Both the student making the appeal and the Academic and Quality Standards Committee shall have the right to receive a copy of any written submission that is made on the part of the other.

9.5.6 The student making the appeal shall be invited to provide details of any reasonable adjustment that may need to be made for the hearing in order to accommodate the appeal, as long as the student has a declared disability.

9.5.7 If the student making the appeal does not appear at location, time and date set for the Appeal Hearing the Academic Assessment Appeals Panel shall consider whether any

reasons sent by the student in advance of the Hearing are valid, and:

- a) If members of the Panel so judge, adjourn proceedings to a later date and time.
- b) If no reasons are advanced, or if they are judged to be invalid, proceed in the student's (appellant's) absence.

9.6 Outcome of an Appeals Hearing

9.6.1 The Academic Assessment Appeals Panel shall be empowered to either:

- a) Refer the matter back to the relevant Assessment Board.
- b) Dismiss the appeal.

9.6.2 In making a referral back to the Academic and Quality Standards Committee, the Academic Admission Appeals Panel shall state the grounds on which it has reached its decision and what matters it requires the Academic and Quality Standards Committee to consider further. The Academic Admissions Appeals Panel may make recommendations provided these are not academic judgements and provided that reasons for the recommendations are given.

9.6.3 Academic and Quality Standards Committee may set up a sub-board from their own membership to review the strength and possible effect of the Academic Admission Appeals Panel's recommendations. The full membership of the Academic and Quality Standards Committee shall then meet as promptly as possible to consider the referral back in the light of the sub-board's findings and shall submit a report to the Chair of the Academic Admissions Appeals Panel.

9.6.4 Should the Academic Admissions Appeals Panel have made recommendations which the Academic and Quality Standards Committee is unable to accept the Academic Admissions Appeals Panel may recommend to the Academic and Quality Standards Committee that the assessment(s) be annulled?

9.6.5 A decision to annul an assessment can only be taken by a meeting of the Academic and Quality Standards Committee.

9.6.6 When a decision of an Academic and Quality Standards Committee has been annulled it is the responsibility of the Higher Education Academic Board to take action, including,

if necessary, the appointment of new assessor/ internal verifiers, to ensure that the student(s) concerned are properly assessed.

9.6.7 Where the appeal is dismissed or where Academic and Quality Standards Committee has declined to annul the assessment(s), the most recent decision prior to the appeal being lodged of the Academic and Quality Standards Committee shall prevail.

9.6.8 In cases of procedural or other irregularity, or where it is not possible to reconvene an Academic and Quality Standards Committee, the Academic Board shall have the power to annul a decision of the Assessment Board without making prior request for reconsideration. If an error or irregularity is found to have affected more than one student, the Academic and Quality Standards Committee may annul the whole assessment or any part of it.

10. Authority of Academic Appeals Panels

10.1 There shall be no appeal against the findings of an Academic Appeals Panel. Allegations of procedural irregularity in the conduct of an appeal may be heard by the College Chief Executive, who may, at their discretion, require the Academic Assessment Appeals Panel to reconsider the case.

10.2 Each academic year the Head of Higher Education shall analyse the key features and outcomes of all Academic Assessment Appeals.

10.3 In such instances where the student is still unhappy with the outcome, the student, if an Open University student, may approach the [Open University Validation Partnerships](#) for further advice and guidance.

11. Monitoring and Review

11.1 The College will establish appropriate information and monitoring systems to assist the effective implementation of this Policy.

11.2 The College will ensure that adequate resources are made available to promote this Policy effectively and is committed to reviewing this Policy on a regular basis, in consultation with the recognised trade unions, statutory organisations such as the Equality Commission for Northern Ireland and in line with models of good practice.

Signed Principal and Chief Executive: Celine McCarroll

Date: 12.06.24

Signed Chair of the Governing Body: Nicholas O'Halloran

Date: 12/06/2024

Appendix 1 Appeals Form



Receipt Issued

SA1

APPEAL AGAINST A DECISION OF A BOARD OF EXAMINERS/BOARD OF FACULTY ON THE BASIS OF NEW INFORMATION

NOTES

1 A candidate may appeal against a decision on his or her academic progress on the basis of evidence of extenuating circumstances **which was not known** to the Board at the time the decision was made.

N.B. The academic judgement of the examiners is not open to appeal.

2 The regulations require that relevant written medical evidence, or evidence of compassionate circumstances must:

- a) in the case of examinations be presented to the Course/Subject Director not later than five working days following the examination; or
- b) in the case of coursework be presented to the Course/Subject Director not later than five working days following the due submission date.

3 Evidence of ill-health must be authenticated by the candidate's doctor or registered counsellor. Self-Certification is **not** acceptable.

The completed form will be considered by an Appeals Panel acting on behalf of the examinations board which made the original decision. The candidate may be interviewed if he/she so wishes and may be accompanied at interview by a member of the University.

PLEASE COMPLETE ALL SECTIONS OF THIS FORM

SECTION A:

TO BE COMPLETED BY STUDENT
(please complete legibly or in a form suitable for copying)

1 NAME (IN FULL)

2 ID NO

3 ADDRESS (to which all correspondence will be sent)

.....

.....

.....

.....

.....

.....

EMAIL ADDRESS

4 CONTACT TELEPHONE NO

5 PROGRAMME TITLE 6 PROGRAMME CODE

7 ACADEMIC YEAR OF STUDY 8 CAMPUS

9 PRESENTATION OF NEW EVIDENCE OF ILLNESS OR OTHER EXTENUATING CIRCUMSTANCES
Failure to complete this section may result in your appeal being rejected.

(a) Specify any factors relevant to your academic performance which were not known when the original decision was taken (attach copies of medical certificates or other supporting material); this **must** be new information and not a repetition of information already submitted (see section 10 below);

(b) Explain why the information now being supplied was not made available sooner in accordance with section 36 of the Regulations Governing Examinations in Programmes of Study;

N.B. You should note that the original decision of the Board will be confirmed without the opportunity for interview if:

(i) it is determined that you have not submitted any new information or that you have not provided a satisfactory explanation for your failure to supply the information by the date(s) prescribed in the Regulations as set out above;

or

(ii) there is no contemporaneous, independent, medical or other evidence to support the appeal.

10 PREVIOUS PRESENTATION OF EVIDENCE OF ILLNESS OR OTHER EXTENUATING CIRCUMSTANCES

If you have already submitted to the College, at any time during the current academic session, evidence of illness or other extenuating circumstances relevant to your academic performance, please indicate below:

(a) the approximate date on which you forwarded these to the College:

(b) the person or office to which they were addressed:

(c) the nature of the illness or other extenuating circumstances and the period over which they could have affected your academic performance:

N.B. The above information is for the advice of the Appeals Panel only and is not for the purpose of reconsideration.

11 DECISION ON YOUR ACADEMIC PROGRESS AGAINST WHICH YOU WISH TO APPEAL

PROGRESS CODE:

12 INTERVIEW

You may not be called to interview if the evidence you have submitted is deemed to be sufficient for upholding your appeal.

- a) Do you wish to be interviewed by the Appeals Panel? YES/NO
- b) Do you wish to be accompanied at interview? YES/NO
- c) If YES, give the name and position of this person.

(Note: The person accompanying you must be a member of the University, for example, a student, a Students' Union Officer or a member of staff, subject to there being no conflict of interest, ie, the person must not be related to the appellant. It is your responsibility to arrange for this person to attend).

Signature: Date:

On completion of this section the student should return the form to the Examinations Office on each campus.

SECTION B: TO BE COMPLETED BY THE CHAIRPERSON OF THE APPEALS PANEL

13 WHERE NEW EVIDENCE HAS NOW BEEN PRESENTED, PLEASE COMMENT ON:

- a) this evidence, and whether or not the student has provided a satisfactory explanation for failure to supply the evidence by the date prescribed in the Regulations.

14 INDICATE WHETHER THE INITIAL DECISION OF THE BOARD IS:

- a) Confirmed b) Amended c) Appeal upheld but no change to decision
(Please tick)

If the decision is confirmed please indicate why:

No grounds for an appeal Insufficient evidence presented

No new evidence presented Appeal late without due reason and therefore not considered

Reason:

If the decision is to be amended, please specify the nature of the amendment:

New Academic Standing Code:

Modules to be taken/retaken (please enter module codes and CRN number)

Ex (Please tick)	Module Code	CRN	Cwk
1	
2	
3	
4	
5	
6	

Signature: Date:

N.B.: Full details of the decision must be recorded

This form must be returned immediately to the appropriate campus Examinations Office.

Related Documentation

Title	Location	Owner
Higher Education Assessment Policy	Gateway	Head of Higher Education
Equal Opportunities, Good Relations & Cultural Diversity Policy	Gateway	Head of People and Culture
Feedback on Assessment Policy	Gateway	Head of Higher Education
Extenuating Circumstances Procedure	Gateway	Head of Higher Education

Change Log

Location	Change from deletion/addition	Change to
Whole document	New template	Entire document has been reformatted in line with required template (number, sequencing etc.)
Section 1	Sections relating to Introduction has been re-written	
Section 2	New 'Aim' section	
Section 5	Revised title: Appeals on the Basis of Procedural or Other Irregularities	
Section 6	Appeals on the Basis of Extenuating Circumstances has been moved to section 6	
Section 9.3.1	Clarity provided in reference to how the student submits the Appeal form for review	

Communication

Who needs to know (for action)	Senior Management Team Heads of Department Heads and Deputy Heads Department Course Coordinators HLA Manager Quality Manager Quality Team Marketing Team Student Support and Engagement Team Applicants Students
Who needs to be aware	All lecturing staff

Communication Plan

Action	By Whom	By When
Upload to Gateway	J Lucas	On approval
Circulation to all staff	L Curran / J Kelly	On approval

Action	By Whom	By When

Document Development

Details of staff who were involved in the development of this policy:

Name	Role
L Curran	Head of Higher Education
J Kelly	Higher Education Development Coordinator

Details of staff, external groups or external organisations who were consulted in the development of this policy:

Name	Organisation	Date
N/A		

Approval Dates

Approved by	Date

Document History

Issue no. under review	Date of review:	Persons involved in review	Changes made after review? Yes/No If Yes refer to change log	New Issue No.	If changes made was consultation required?	If changes made was Equality Screening required?
V1.0	October 2022	Liam Curran	Yes	V2.0	No	No
V2.0	13/05/24	Liam Curran/Julie Kelly	Yes	V3.0	No	Yes