

## ACADEMIC APPEALS PROCEDURE

### Purpose

1. The Academic Appeals Procedure is intended to allow students enrolled on undergraduate and taught postgraduate courses at the University of Suffolk or one of the University's partner institutions to appeal their ratified academic results, as published by Assessment Boards, or circumstances relating to them.
2. The Academic Appeals Procedure comprises three stages: an informal stage for early resolution; a formal stage in which a panel of academics appointed by the Academic Registrar considers the appeal; and a review stage which a student may follow if they are dissatisfied with the outcome of their formal stage appeal.
3. The Academic Appeals Procedure operates in accordance with the Quality Assurance Agency (QAA) [UK Quality Code for Higher Education Advice and Guidance for Concerns, Complaints and Appeals](#) published in November 2018, and the [Good Practice Framework for Handling Complaints and Academic Appeals](#) issued by the Office of the Independent Adjudicator (OIA) in December 2016.

### Definition

4. An academic appeal is defined in the UK Quality Code as "a request for a review of a decision of an academic body around a mark, outcome or decision. Students may appeal an outcome on the basis of evidence or procedure, but not on the basis of disagreement with academic judgement."
5. Any academic appeal should relate to one or more of the following categories:
  - a module result (or component thereof);
  - required withdrawal from a course;
  - a verdict of, or penalty applied in respect of, academic misconduct;
  - a refusal to permit an extension or deferral in accordance with the [Additional Time due to Extenuating Circumstances Policy](#).

### Scope

6. This procedure applies to any appeals against an academic result or decision as defined in paragraph 5. There are separate procedures that deal with appeals against decisions relating to [Fitness to Practise](#), [Support to Study](#), [Student Discipline](#) and [Safeguarding, Suitability and Criminal Convictions](#). Concerns about other matters should be raised via the [Student Complaints](#)

[Procedure](#) (which includes complaints about academic matters that do not concern an academic result). *Normally* issues raised under appeals and complaints procedures are kept separate to avoid confusion of outcomes. Appeals against admissions decisions by applicants to the institution will be dealt with under the [Applicant Appeals and Complaints Procedure](#).

7. This Academic Appeals Procedure does not apply to those courses where academic results are decided by an external awarding body. In such cases, that body's appeals procedure shall apply.

8. Each appeal will normally be considered individually. Where a series of appeals involve the same subject matter, the appeals may be considered collectively, subject to any confidentiality requirements. In such a case, the individual students involved will normally be invited to nominate one of their number as a spokesperson to facilitate the process.

### **Commitments and principles**

9. The University of Suffolk takes academic appeals seriously and the procedure is designed to enable a student's appeal to be investigated and considered fully without risk of disadvantage. As such, students who submit a case under this procedure will be treated fairly and with dignity and respect. Any student who believes that they have been disadvantaged by submitting an appeal should contact the Office for Student Appeals, Complaints and Conduct (OSACC) immediately.

10. The University expects that students will not engage in frivolous, vexatious or malicious appeals. This could include:

- appeals which are harassing, repetitive or pursued in an unreasonable manner;
- insistence on pursuing non-meritorious appeals and/or unrealistic or unreasonable outcomes;
- appeals which are designed to cause disruption or annoyance;
- demands for redress which lack any purpose or value.

11. In such cases, the Academic Registrar or nominee reserves the right to terminate consideration of the appeal. The student will be given an explanation, in writing, of why their appeal has been terminated and details of any further right to appeal. Where no further right of appeal is permitted, the student will be issued with a Completion of Procedures letter (COP). Where an appeal is found to have been brought with frivolous, vexatious or malicious intent, this may itself prove grounds for disciplinary action against the student under the Student Discipline Procedure.

12. In considering any appeals, appropriate attention will be paid to the requirements of the Equality, Diversity and Inclusion Policy. In particular, reasonable adjustments will be made for those with disabilities, specific learning difficulties or long-term medical conditions.

13. All parties to the appeal and individuals who have been involved in any related investigation and/or the management and/or the administration of the appeal will observe the requirements for confidentiality. Whilst confidential information may need to be disclosed in order to consider the appeal, this will only be to those staff involved in the consideration of the appeal.

14. Each case is considered on its individual merits. All members of the Academic Appeals Panel considering the appeal will be properly trained and have no conflict of interest or prior involvement in the case.

15. While the appeal remains unresolved, the original decision will stand, and any reassessment will proceed in accordance with the original timescales specified by the Assessment Board. For the avoidance of doubt:

- Where the academic decision being appealed is withdrawal from the course, the student will not be permitted to attend any further part of the course unless or until this decision is changed by the Assessment Board as an outcome of the academic appeal;
- Where the academic decision being appealed is the requirement that a student's work and/or practice be reassessed, the student will be expected to resubmit the work or participate in the examination or other reassessment activity on the date(s) specified by the Assessment Board. The reassessment will not be delayed or deferred because of the appeal.

16. The Assessment Board will not increase or estimate a mark as a result of a successful academic appeal, and work will not be remarked unless there has been a procedural irregularity in the marking or moderation process. Where work is remarked, this will be carried out in accordance with the Assessment Moderation Policy.

17. A student may withdraw an appeal at any point providing OSACC is advised via email, but the student may not later re-launch the same appeal.

18. All personal information will be processed in accordance with the General Data Protection Regulation (GDPR).

19. The University recognises that pursuing an appeal may be stressful. Impartial and

unbiased advice and guidance, as well as signposting to internal and external specialised agencies and services where the need arises, is available through the Students' Union Advice Service and/or Student Services.

### **EARLY RESOLUTION (INFORMAL STAGE)**

20. Students are expected to seek feedback whenever possible and to try to resolve the matter they are concerned about informally before submitting a formal appeal.

21. A number of avenues exist through which further information, clarification or explanation can be provided which might satisfactorily answer a student's concerns. An informal approach could be made to a lecturer, personal academic coach, module leader, course leader, academic administrator or the Student Centre/HE Administration Office.

22. Students can be assisted in making an informal approach by the Students' Union Advice Service and/or Student Services.

23. Should the informal approach not resolve the matter to the student's satisfaction, the student may submit a formal academic appeal under the Formal Stage of the procedure. Attempts to resolve appeals informally should take no longer than fifteen working days from the notification of the result of the academic decision. A student is required to notify OSACC if attempts to informally resolve a concern are likely to take longer than this.

### **Non-submission of work or non-attendance at an examination**

24. In accordance with the Additional Time due to Extenuating Circumstances Policy, in exceptional circumstances, a student may submit a retrospective deferral request for non-submission of work or non-attendance at an examination following the outcome of an Assessment Board where they believe their ability to engage with their study and submit work had been affected adversely by extenuating circumstances of which they were unaware at the time (for example an undiagnosed mental health or medical condition) or which they could not have reasonably reported by the deadline. A retrospective deferral request should be made within fourteen calendar days of notification of the academic decision. The Extenuating Circumstances Panel will consider the claim and, if approved, request that the academic decision be reconsidered by the Assessment Board without requiring the student to submit a formal stage appeal. If the claim is not approved, the student will have fifteen days from notification of the decision of the Extenuating Circumstances Panel to submit a formal stage appeal.

### **Withdrawal of 'fit to sit' declaration**

25. A student should submit a formal stage appeal under this procedure where they have submitted work or attended an examination/presentation but subsequently wish to withdraw their 'fit to sit' declaration due to extenuating circumstances not known in advance which impacted their ability to make a rational decision about their fitness to sit at that time.

## **FORMAL STAGE ACADEMIC APPEAL**

### **Submitting a Formal Stage Academic Appeal**

26. The student must submit the completed Formal Stage Academic Appeal form and any supporting documents to OSACC within fifteen working days of the notification of the result or academic decision against which they wish to appeal. Appeals submitted after this deadline with good reason for the delay may still be considered. The student should contact OSACC immediately if they are unable to meet this deadline. The Academic Registrar or nominee will determine whether a late appeal can be accepted.

27. The Formal Stage Academic Appeal form is available on the [University of Suffolk website](#). The student must state the grounds on which they wish to appeal and must include all necessary supporting evidence and documentation. No evidence submitted can be anonymous.

### **Grounds for Formal Stage Academic Appeals**

28. The grounds on which a formal stage appeal can be considered are:

- a. Procedural irregularity where the procedures and regulations of the University have not been complied with and where the validity of the academic result or decision has therefore been undermined;
- b. Extenuating circumstances where, for good reason, the Assessment Board was not made aware of a significant factor relating to the assessment of the student when it made its decision.

29. All appeals shall be considered on their merit. However, the following will not normally be considered as valid grounds for appeal and any appeal submitted on one or more of these is likely to be rejected:

- retrospective reporting of extenuating circumstances which the student could reasonably have been expected to submit in advance;
- appeals against the academic judgement of internal or external markers on the quality of the work itself or the criteria being applied to mark the work. Work will not be remarked, except in cases of procedural irregularity;

- appeals based upon the informal assessment of the student's work by academic staff;
- appeals to obtain a higher award classification due to marginally missing the required mark;
- retrospective complaints against the standard of tutoring (these must be made through the Student Complaints Procedure before the results of the Assessment Board are published).

### **Supporting Evidence for Formal Stage Academic Appeals**

30. Students should submit, to OSACC, all evidence and supporting documentation relevant to their appeal with their completed Formal Stage Academic Appeal form. This should include evidence to show any attempts at early resolution of their concerns and appropriate evidence to support the stated grounds for their appeal. Appropriate evidence may include independent medical evidence, reports by professionals, correspondence from the University, or other written evidence to demonstrate procedural irregularity.

31. As standard, where an appeal is submitted that meets the requirements set out in paragraph 36, the course team will be informed and asked to provide a statement and/or any other written evidence relevant to the appeal and the grounds on which the appeal is made.

32. The Academic Registrar or nominee has the right to request additional written evidence from the student and/or staff and to include such additional evidence as is deemed conducive to reaching a better-informed judgement.

33. The Academic Registrar or nominee has the right to terminate the consideration of academic appeals which do not include appropriate evidence relating to the grounds selected, or which include no supporting evidence. The student will be given an explanation, in writing, of why their appeal has been closed and details of any further right to appeal. Where no further right of appeal is possible, the student will be issued with a Completion of Procedures letter (COP).

34. A non-exhaustive list of examples of acceptable evidence includes:

- fit note (with relevant date to the assessment)
- medical appointment letters or patient summaries
- death certificate, order of service, or obituary
- police report (of relevant incident)
- letter of support/explanation from a support service at the University of Suffolk or partner institution, e.g. disability or counselling
- letter of support from a tutor, Personal Academic Coach (or equivalent), or another member of the academic team
- letter of support/explanation from a third party (e.g. solicitor, employer, medical

practitioner, or healthcare professional).

35. Supporting evidence should be provided in English or accompanied by an official English translation. Self-translated documents will not be accepted.

### **Consideration of Formal Stage Academic Appeals**

36. All formal stage appeals submitted will be acknowledged by OSACC on receipt and then screened to determine whether:

- a. it is submitted under the correct procedure
- b. it is made under the permissible grounds for appeal
- c. the form is fully completed, with necessary supporting evidence including evidence of an attempt at early resolution where appropriate,
- d. it has been submitted within the required timeframe.

37. Where the appeal has not been submitted under the correct procedure, OSACC will refer the student to the relevant procedure. This may be to the relevant appeals process for one of the procedures set out in paragraph 6, the Student Complaints Procedure where the matter does not relate to an academic result, or the Additional Time due to Extenuating Circumstances Policy where the student has not already submitted a retrospective deferral request at the informal stage.

38. Where the appeal is not made under the permissible grounds or where the grounds selected by the student are not supported by the evidence or details provided, OSACC will consult with the Academic Registrar or nominee to determine whether the appeal should be rejected. If the appeal is rejected, the student will be provided with an explanation, in writing, for the rejection and details of any further right to appeal. Where no further right of appeal is possible, the student will be issued with a Completion of Procedures letter.

39. Where the appeal has been submitted outside of the timeframe, as detailed in paragraph 26, it will not normally be considered without good reason for the delay. The Academic Registrar or nominee will determine whether a late appeal can be accepted. This decision will be final. If a late appeal is not accepted, the student will be provided with an explanation, in writing, and details of any further right to appeal. Where no further right of appeal is permitted, the student will be issued with a Completion of Procedures (COP) letter within ten working days of receipt of the formal stage academic appeal.

40. Where additional evidence and/or clarification is requested from the student, this should be submitted to OSACC by the given deadline. Failure to provide the required supporting evidence

to consider an appeal will result in the appeal being closed. A Completion of Procedures letter will not usually be issued.

41. Where an appeal has met the requirements as detailed in paragraph 36, the appeal will be passed to the relevant Academic Appeals Panel (referred to as the Panel from hereon) for consideration. The Panel will be convened at regular intervals (normally monthly) to ensure the timely consideration of all appeals. OSACC will inform the student of the date of the Panel meeting where their appeal will be considered and the date by which they should normally expect to be advised of the Panel's decision.

### **Academic Appeals Panel**

42. The Panel, appointed by the Academic Registrar, shall comprise:

- A Dean of School, Associate Dean or Associate Professor (who will act as Chair) who was not the Chair of the Assessment Board that made the decision being appealed
- Two members of academic staff, who are not in the pool for the Academic Misconduct Panel or the Extenuating Circumstances Panel

43. Membership of the Panel may be varied to ensure that the academic staff members are not considering any appeals concerning their own modules or courses but have the necessary understanding of the discipline to inform discussions. A representative from OSACC will be in attendance to guide procedurally and to ensure consistency in decision making. OSACC will also record the Panel's decision and justification for that decision.

44. The Panel will consider all appeals based only on the documentary evidence provided. In exceptional cases, for example where reasonable adjustments are required or where the interpretation of evidence is disputed, a student may be permitted to attend the meeting to present evidence in person (this may be by physical attendance or remote attendance via MS Teams or other appropriate means). The decision as to whether to permit a student to attend will be made by the Head of Student Complaints and Conduct (OSACC) in consultation with the Chair of the Panel.

45. The student may be accompanied at such a meeting by a friend. A friend is defined as a member of staff of the University of Suffolk or one of the partner institutions, or a registered student of the University, or a member of staff or sabbatical officer of the Students' Union. The role of a friend is to act as an observer, give moral support and assist the student to make their case. In addition, where reasonable adjustments are required, a student may be accompanied by a supporter e.g. a sign language communicator or a notetaker, and a student with difficulty in



understanding English may be accompanied by an interpreter.

46. OSACC will provide the Panel with the documentation submitted by the student and any additional evidence gathered in accordance with paragraphs 31 and 32 prior to the meeting of the Panel. The Chair of the Panel may also request that additional evidence be gathered prior to the Panel meeting in order to ensure that all information needed to make an informed decision is made available to the Panel.

47. At any time during the panel meeting, the Chair of the Panel may decide to suspend a decision relating to an appeal in order to seek more evidence.

48. With limited exceptions (for example, where information cannot be disclosed because of the University's obligations under the GDPR), all written material considered by the Panel under this procedure will be accessible to the student if requested.

49. The Panel, having considered the evidence, will decide whether the appeal should be justified, partially justified, or not justified.

50. The decision of the Panel is final and will be reported to the student and relevant Assessment Board.

### **Outcomes**

51. The student can expect to hear the outcome of the Panel, in writing via OSACC, within five working days of the Panel meeting. The student will also be informed within that time if the complexity of the case prevents an outcome being reached and advised of the likely timescale for further action and notification of the outcome.

52. In all cases, regardless of whether the appeal was justified, in full or in part, or not justified, the outcome letter will give a full and clear explanation of the decision and rationale.

53. Where the Panel determines that an appeal should be justified, in part or in full, the relevant Assessment Board will be convened (where necessary as an extraordinary meeting) to decide, in the context of the student's overall profile, the relevant assessment regulations and any PSRB requirements, the appropriate action. This may include, but is not limited to:

- a further attempt at a component of assessment;
- a revised penalty in relation to a verdict of academic misconduct;
- retrospective granting of a deferral;

- any other action to correct procedural irregularity, unfair treatment, prejudice or bias.

Recommendations may also be made by the Academic Appeals panel to an Assessment Board in relation to matters concerning any financial implications / penalties associated with a student's appeal.

54. The Chair of the Assessment Board will notify the student, in writing, of the decision of the Assessment Board and any appropriate action, along with the rationale for the decision, within fifteen working days of the date of the letter informing the student of the Panel's decision. A copy of the letter will be added to the student's record (OASIS) for information.

55. A student who is not satisfied with the outcome of their formal stage appeal (whether or not it was justified) may decide to move to the review stage of the Academic Appeals Procedure as described below.

## **REVIEW STAGE ACADEMIC APPEAL**

### **Submitting a Review Stage Academic Appeal**

56. The student must submit a completed Review Stage Academic Appeal form (and any supporting evidence) to OSACC within ten working days of the notification of the outcome of the formal stage appeal (either the decision of the Panel, referred to in paragraph 51, where the appeal was rejected, not justified or partially justified, or the letter from the Assessment Board, referred to in paragraph 54, where any part of the appeal was justified). The student should contact OSACC immediately if they are unable to meet this deadline. The Academic Registrar or nominee will determine whether a late appeal can be accepted.

57. The Review Stage Academic Appeal form is available on the [University of Suffolk website](#). The student must state the grounds on which they wish to appeal and must include all necessary supporting evidence and documentation. No evidence submitted can be anonymous.

### **Grounds for Review Stage Academic Appeal**

58. The grounds on which a review stage appeal can be considered are:

- a. there is new information put forward by the student that, for good reason, could not have been provided earlier in the process;
- b. there was procedural irregularity in the conduct of the formal stage;
- c. there was prejudice and/or bias or the appearance of prejudice and/or bias, in the conduct of the formal stage;
- d. evidence put forward at the formal stage was not fully and properly considered meaning

the outcome was not reasonable in all the circumstances.

### **Supporting Evidence for Review Stage Academic Appeals**

59. Students should ensure they submit all appropriate evidence to support the stated grounds for their appeal. A non-exhaustive list of examples of acceptable evidence is set out in paragraph 34 above. The Academic Registrar or nominee has the right to request additional written evidence from the student and/or staff and to include such additional evidence as is deemed conducive to reaching a better-informed judgement.

### **Consideration of Review Stage Academic Appeals**

60. OSACC will acknowledge receipt of the review stage appeal and undertake an initial assessment in consultation with the Academic Registrar or nominee to check that the appeal meets at least one of the grounds in paragraph 58 and that the form is fully completed with necessary supporting evidence and submitted within the required timeframe. If one or more of these are not met, the Academic Registrar or nominee may reject the appeal (see paragraph 69) or ask the student for further clarification and/or additional evidence.

61. Where the appeal has been submitted outside of the timeframe, as detailed in paragraph 56 it will not normally be considered without good reason for the delay. The Academic Registrar or nominee will determine whether a late appeal can be accepted. This decision will be final. If a late appeal is not accepted, the student will be issued with a Completion of Procedures letter normally within twenty working days of receipt of the review stage academic appeal.

62. Where additional evidence and/or clarification is requested from the student, this should be submitted to OSACC by the given deadline. Should it not be received by this date, the appeal will be assessed on the evidence provided with the original submission.

63. Following the initial assessment, the Academic Registrar or nominee will determine whether the review stage appeal should be reconsidered by a newly convened Panel or, in consultation with a senior representative of the awarding institution, be rejected.

### **Reconsideration by the Panel**

64. Where the Academic Registrar or nominee determines that a review stage appeal should be reconsidered by a Panel, the Panel will be convened as detailed in paragraph 42 with different membership to the original Panel who considered the appeal at the formal stage. The Panel will normally meet within twenty working days of receipt of the review stage appeal.

65. OSACC will send a copy of the review stage appeal form and supporting evidence submitted by the student along with the documentation submitted and considered at the formal stage to the new Panel.

66. On receiving a review stage appeal, the Panel will reconsider the decision made at the formal stage in accordance with paragraphs 44-50. The Panel will notify the Academic Registrar or nominee of their decision, giving a clear rationale for the decision.

67. If the Panel decides that the appeal should be justified, OSACC will notify the student and the relevant Assessment Board of the decision, normally within five working days of the Panel meeting, and the appeal will proceed in accordance with paragraphs 51 to 54. In such cases, the student will be informed of the outcome in writing by OSACC within five working days of the Panel meeting. Should the student request it, the student may also be issued with a Completion of Procedures (COP) letter from OSACC following the meeting of the Assessment Board.

68. If there is no change to the formal stage decision, the Academic Registrar or nominee will consult a senior representative of the awarding institution to agree that the appeal is not justified. OSACC, on behalf of the senior representative of the awarding institution, will notify the student in writing, through the issue of a Completion of Procedures (COP) letter, normally within ten working days of the Panel meeting. The Assessment Board will also be notified of the outcome in writing.

### **Rejection of Review Stage Appeals**

69. Where the Academic Registrar or nominee determines that the appeal should be rejected, the appeal will be referred to a senior representative of the awarding institution for consideration.

70. If the senior representative determines that the appeal should be reconsidered by a Panel, the appeal should proceed in accordance with paragraphs 42 to 50.

71. If the senior representative confirms that the appeal should be rejected, the student will be informed in writing of the outcome of their review stage appeal through the issue of a Completion of Procedures (COP) letter. Students can expect to receive this letter from OSACC within twenty-five working days of receipt of the review stage appeal.

72. If the review stage appeal is rejected or found not justified, this decision is final and there is no further right of appeal within the University of Suffolk. Students may be able to seek a review by the OIA (see paragraph 73).

### **Further right to appeal**

73. Students who are dissatisfied with the outcome of their review stage appeal may be able to seek a review by the OIA should the case be eligible under the OIA's rules (see <http://www.oiahe.org.uk/>). Details will be provided in the Completion of Procedures letter advising the student of the final outcome of their review stage appeal.

### **Monitoring and Evaluation**

74. The University of Suffolk will monitor and evaluate the effectiveness of the Academic Appeals Procedure and reflect upon the outcomes for enhancement purposes. A report will be submitted annually to the Equality, Diversity and Inclusion Committee, Quality Committee and Senate. The report will include equality monitoring data.