



UNIVERSITY CODE OF PRACTICE: ACADEMIC APPEALS (UG/PGT)

Item	Description
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Contact:	quality@hull.ac.uk
Application to collaborative provision:	Mandatory
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Definitions

The following terms will apply throughout this document:

Academic Appeal	means a request for a review of a decision of an academic body charged with decisions on student progression, assessment and awards ¹
Appeal Administrator	means the person to whom the appeals are forwarded by the student.
Chair of SCC	means the Chair of the Student Cases Committee or their nominated deputy.
Examiner	means anyone involved in the assessment process or awarding of marks. This includes placements mentors, tutors, supervisors etc.
Day	means working day unless otherwise specified
Programme	means any academic activity undertaken by a student for the purpose of achieving the award of credits, a certificate, a diploma or degree, or for the purpose of achieving progression as prescribed in the relevant regulations
Secretary of SCC	means the Secretary of the Student Cases Committee or their nominated deputy.
Supporter	means friend, fellow student, Students' Union representative or member of University of Hull staff who may assist the student with their appeal. Legal representation is not normally permitted

Students are strongly encouraged to consider the detail of this Code carefully. Students should also refer to the Good Practice Framework for Handling Complaints and Academic Appeals published by the Office of the Independent Adjudicators.

<http://www.oiahe.org.uk/providers-and-good-practice/good-practice-framework.aspx>

¹ QAA Quality Code 2018

What is an academic appeal?

1. For the purposes of this document, and in line with external sector requirements an academic appeal is defined as “a request for a review of a decision of an academic body charged with making decisions on student progress, assessment and awards.”

Distinction between appeals and complaints

2. This document will apply only to academic appeals. Other matters of dispute involving a student and the University or Academic Unit thereof, will be termed “complaints”.
3. A complaint is defined as the expression of a concern about the provision of a course or programme of study, or a related academic service and is subject to consideration in accordance with the University of Hull’s Regulations for the Investigation and Determination of Complaints by Students.

Scope of Academic Appeals

4. This document applies to:
 - a) The decisions of the Module or Programme Board of Examiners to which powers have been delegated by Student Cases Committee, decisions of Mitigating Circumstances Committees, Academic Misconduct decisions and any decisions made by Student Cases Committee;
 - b) All University of Hull students on undergraduate and postgraduate taught programmes;
 - c) For students on University of Hull programmes delivered by partner institutions, that institutions’ policies and procedures for Academic Appeals must be exhausted first. Should students be dissatisfied with the result at the end of this process, an appeal may be raised at the University of Hull using the process outlined in this document.
5. Generally, appeals are lodged from individual students. However, where the issues raised affect a number of students, those students can submit an academic appeal as a ‘group appeal’. In such circumstances, the students may nominate one student to act as group representative. The University will then communicate only through the representative and expect them to liaise with the other students.
6. Students may be supported and advised by third parties during the appeals process. This third party may be a Students’ Union officer or adviser, but will not normally be a legal representative.
7. No person will take part in the making of a decision regarding an appeal where they have a conflict of interest.
8. All communication with students relating to appeals will be to the address indicated by the student on the approved appeals form. It is the student’s responsibility to check this account regularly.

Decisions which may be appealed

9. Subject to para 1 above, a student may appeal against the following recommendations or decisions:

- a) Termination of a programme of study for non-compliance with the expected standards of academic integrity, conduct and/or submission requirements of the programme;
- b) Termination of a programme of study on grounds of professional unsuitability of professional misconduct; including and Professional Statutory Regulatory Body (PSRB) requirements;
- c) Exclusion from the assessments for the module;
- d) To award or refuse to award the student the qualification or classification of the qualification;
- e) Any other decision of the Academic Unit including decisions of the Module or Programme Board of Examiners to which powers have been delegated by Student Cases Committee, decisions of Mitigating Circumstances Committees, Academic Misconduct decisions and any decisions made by Student Cases Committee.

Legitimate Grounds for appeal

10. A student may appeal on one or more of the following grounds:

- a) There is evidence that was not brought to the attention of the relevant Committee, Board of Examiners or Panel at the time of their decision, that would have led them to a different decision; and there is good reason why the evidence was not presented at the appropriate time;
- b) Demonstrable procedural irregularities in the conduct of the assessment process of such a nature as to cause reasonable doubt as to whether the result would have been different if they had not occurred;
- c) Evidence of prejudice or bias on the part of one or more of the examiners and/or member of the relevant Committee, Board of Examiners or Panel.

Matters which do not constitute grounds for appeal

11. The following are not normally considered to be legitimate grounds for appeal:

- a) Where a student questions the exercise of academic judgement, that is, the decision made by academic staff on the quality of the work itself;
- b) Where a student disagrees with the conclusions reached by the panel which considered their mitigating circumstances, unless further evidence can be provided as in para 10 above;
- c) Lack of awareness or knowledge of the relevant regulatory framework;
- d) Lack of awareness or knowledge of the requirements for the submission of mitigating circumstances and extensions.

Deadline for lodging an appeal

12. A student wishing to appeal must do so through their My Hull Portal by selecting 'Talk to Us', 'Useful Forms' and selecting 'Request to appeal academic decision'. If the student no longer has access to their University account then an appeal form can be requested by emailing spc@hull.ac.uk. The completed form must be submitted within 15 working days of the date on which the notice of recommendation or decision was served on the student in writing. Appeals received after this deadline will not normally be considered. Late appeals will be referred to the Chair or Deputy Chair of Student Cases Committee to determine whether exceptional circumstances apply as to why the appeal was not submitted within the accepted timeframe.

13. Results or decisions will normally be released on the *student portal* or sent via email to the student's university email address. It is the responsibility of the student to check both the portal and emails.
14. The completed appeals form must be accompanied by supporting evidence at the time of lodging an appeal. In exceptional circumstances where a student is unable to provide supporting evidence at the time of lodging an appeal, they should indicate on the form the nature of the evidence, the reasons for the difficulty in obtaining it and the date by when it can be submitted. Evidence must normally be received within 10 working days following submission of the appeal.
15. Failure to lodge an appeal as outlined in paras 12 and 14 above will result in the forfeiture of the right to appeal.

Privacy, confidentiality and data protection

16. Any appeal raised by a student will be treated with the highest level of confidentiality that can be maintained. The University of Hull will only disclose confidential information relating to any appeal to members of staff who are directly involved in the administration and consideration of an appeal, and as necessary to allow an open and fair investigation and for the outcome of the investigation to be reported appropriately.
17. Depending on the nature of the appeal, the information gathered may include third party data, opinion and information which was provided in confidence. This information will be handled consistently and fairly and in accordance with data protection principles, making it clear to all parties that the sharing of this information is only agreed for the purposes of reaching an informed and fair decision.

Informal resolution

18. Where possible, on receipt of an appeal, every attempt shall be made to offer opportunities for early and informal resolution.
19. Where informal resolution is offered, the student will be contacted with a proposal and will need to decide whether to accept or reject this proposal.
20. If the student accepts the informal resolution, the appeal will be withdrawn and the matter will be considered closed.

Investigation of the Appeal

21. On receipt of the Appeals form, the Head of Registry or nominees appointed by the Head of Registry will investigate appeals (Investigating Officers).
22. During this investigation, contact may be made with the student, academic unit or relevant Board of Examiners, Committee or Panel who must make a formal written response within 10 working days to the issues raised.
23. The appeal will be rejected where it falls within those areas which do not constitute legitimate grounds for appeal or fall outside of the decisions which can be appealed as detailed in para 9 of

this document. The student will be notified in writing within 10 working days of the decision. The student will have the right to request a review of this decision as detailed in paras 48-51.

Determination of the presence of grounds for appeal

24. Where grounds for appeal have not been demonstrated, the appeal will be rejected and the student will be informed in writing within 5 working days, setting out the reasons for the rejection.
25. The student will have the right to request a review of this decision as outlined in paras 48-51.
26. Where grounds for appeal have been demonstrated, but where no informal resolution has been agreed, an Appeals Panel will be convened.

Membership of the Appeals Panel

27. The membership of the Appeals Panel must take into consideration the desirability of diversity and the context of the University equal opportunities policy. The constitution will consist of the following members:
 - a) The Chair of the Appeal Panel, who will normally be the Chair of SCC (or their nominee) unless there is a conflict of interest, in which case an appropriate authorised representative will be invited to act as Chair;
 - b) Two senior academic colleagues who must not be members of the academic area to which the student belongs or who are responsible for the delivery of any module(s) to which the appeal relates;
 - c) There shall be a Secretary to the Appeal Panel who is responsible for ensuring that all documentation and notifications are dealt with in accordance with this document;
 - d) The Chair will be responsible for ensuring that members of the panel are familiar with the contents of this document prior to the Appeals Panel.

Prior to the Appeals Panel

28. The panel meeting will be held as soon as is reasonably practicable, but normally within 25 working days of the decision that grounds for appeal have been demonstrated.
29. The student will be informed in writing of the time, date and venue of the meeting with at least 10 working days' notice. The student will be emailed with the details to the address notified by the student on the approved appeals form.
30. The student must confirm their attendance at the appeals panel and also confirm if they will be accompanied by a supporter. The student must notify the Secretary of the Appeal Panel of the details of any supporter at least 5 working days prior to the panel meeting. Should they be unable to attend, evidence will need to be provided as to why.
31. The appointed Secretary will ensure that all parties are provided with copies of any written statements or other evidence which is likely to be relied on at the panel meeting.

32. Failure of the student to attend the panel without good cause will normally be taken as evidence of the student's intention to withdraw the appeal. Good cause will be determined by the Chair of the Appeal Panel. An appeal may be heard in absentia with agreement of the student.
33. For students whose country of domicile is outside the United Kingdom, or for whom the programme of study is normally delivered outside the United Kingdom, with the agreement of the student, arrangements may be made for the conduct of the panel to take place via other means such as video conferencing or other appropriate forms of technology.

The Appeal Panel

34. The student will have the right to be heard in person by the Appeal Panel. They may be accompanied by a supporter. The student must notify the Secretary of the Appeals Panel of the details of any supporter at least 5 working days prior to the panel meeting. The supporter is permitted to speak on the student's behalf but the student will be required to answer any questions put to them and to provide information directly as required by the Appeals Panel.
35. At the request of the student, in addition to their supporter, an academic supporter is also entitled to be present throughout the giving of evidence, to provide advice to the student and relevant information to the Appeal Panel.
36. The student may call any witness or other person whom they deem qualified to provide relevant evidence, which may include representatives from the Academic Unit against whose decision the appeal was lodged.
37. The Appeal Panel may call any other witness or other person whom it deems qualified to provide expert advice.
38. Both parties are entitled to be present while evidence is presented by any witness and to question any witness through the Chair.
39. The meeting agenda will consist of the following:
 - a) Panel introductions;
 - b) Case presentation ;
 - c) Evidence presented by the student;
 - d) Evidence presented by the witness(es);
 - e) Questions for student and witness(es).

Powers of the Appeal Panel

40. The duty of the Appeal Panel will be to consider all the evidence presented and determine whether the appeal should be upheld or rejected by deciding whether any or all of the grounds have been satisfied.
41. Where the Appeal Panel determines that the appeal should be rejected, the student will be informed of this decision in writing. This letter will advise the student of their right to request a review of that decision in accordance with paras 48-51.

42. Where the Appeal Panel determines that the Appeal should be upheld, it will declare the decision against which the appeal was lodged invalid and make one or more of the following decisions as appropriate:
43. That the relevant Board/Committee or panel be required to reconsider its decision in light of the evidence presented.
- a) That in the case of a decision resulting from assessment of a piece of coursework, dissertation, project or similar, the student be permitted to submit a fresh piece of work within a deadline determined by the Appeal Panel and for a fresh decision to be made on the basis of its fair assessment;
 - b) That in the case of a decision resulting from an examination mark, the student be entitled to sit a further examination as a first attempt (or second attempt if the appeal is against a resit mark);
 - c) That the student be reinstated and permitted to proceed with their programme of study;
 - d) That another decision be made as the Appeal Panel deems appropriate (subject to para 45 that they cannot be empowered to award any credit or qualification).
44. Any decision detailed above may be accompanied by guidance from the Appeal Panel to the relevant Board/Committee/Panel.
45. The Appeal Panel will not be empowered to award any credit or any other qualification (including achievement of progression requirements) or raise or lower a mark or degree classification.
46. The Appeal Panel will be empowered to make any additional recommendation relating to issues arising from the appeal as it deems appropriate, for example, advice for the future on the way any similar decision making process is conducted.
47. The student will be notified in writing of the Appeals Panel's decision with reasons within 5 working days of the Appeals Panel meeting. The student will also receive a copy of the minutes of the meeting once they have been finalised.

Review

48. Where an appeal has been rejected, the student can request a review of that decision. The request to review a decision must be sent to spc@hull.ac.uk within 10 working days of the decision being communicated to the student. Any requests received after this period will normally be rejected and a Completion of Procedures letter will be issued to the student. This request must set out the basis of review on one of the following grounds:
- a) There is evidence of procedural irregularity in the initial consideration of the appeal;
 - b) The submission of new evidence, which the student had not, for valid reasons, been able to provide earlier.
49. A request for review will be referred to the Academic Registrar who may uphold the original decision, request that the decision be reconsidered or recommend a new appeal panel be convened. The issues to be considered are as follows:
- a) Was the appeal conducted in accordance with Academic Appeals?

b) Has any new evidence been provided which was not previously considered?

50. At the review stage, the following decisions can be reached:

- a) Uphold the decision
- b) Request that the decision be reconsidered
- c) Recommend that a new Appeal Panel consider the case.

51. The final decision will be communicated to the student in writing and a Completion of Procedures letter will be issued confirming that the internal processes of the University have been concluded.

Recording and Monitoring of Appeals

52. Registry Services will be responsible for keeping a record of the following information in relation to each appeal:

- a) the type of decision against which the appeal is lodged;
- b) the grounds on which the appeal is based;
- c) the outcome of the appeal;
- d) the time taken for each stage;
- e) the diversity of the appeals panels' membership.

53. The Student Cases Committee will receive an annual anonymised report on appeals within each academic year, summarising the information above.

54. As part of this annual report, SCC will, where it is appropriate to do so, make recommendations to the University as to the:

- a) adequacy of advice, guidance and support mechanisms for students;
- b) adequacy of staff development and support for those operating the appeal procedures;
- c) level of understanding of staff and students of the procedures;
- d) effectiveness of the overall procedures in meeting their aims.

55. This annual review of the appeal process and procedures should ensure that they remain effective and consistent with current regulations.

Appeals by students registered for Collaborative Programmes leading to University of Hull Awards

56. An appeal by a student on a collaborative programme (leading to a University of Hull award) shall be made to the partner institution using their appeals procedures.

57. It shall be the responsibility of all Institutions (hereafter 'partner institution') offering programmes of study which lead to awards of the University of Hull (hereafter 'collaborative programmes') to establish regulations and procedures which reflect the expectations set out in the Quality Assurance Agency UK Quality Code of Higher Education, and the general principles embodied in the University of Hull Appeals Regulations.

58. Partners must designate an officer or committee responsible for the Institutions appeals procedures, and inform the Secretary of the Student Cases Committee of the identity of the officer or committee.
59. The officer or committee must lodge with the Secretary of Student Cases Committee a copy of the current appeals regulations and procedures. This should conform with the OIA Good Practice Framework and allow for both a formal appeal and review stage.

Right of Appeal to the University of Hull

60. Where an appellant on a collaborative programme is dissatisfied with the outcome of their appeal made to, and determined by, the partner institution they may complain to the University in accordance with the following paragraphs:
- a) An appeal shall be limited to challenging the application of the procedure through which the original appeal was considered by the partner institution;
 - b) An appeal may only be made where the appellant has exhausted the procedures at the partner institution or where they can demonstrate that the partner institution has failed to follow its procedures in such a way that this failure is likely to have materially affected the outcome of the appeal;
 - c) An appeal must be made in writing using the University's Academic Appeals form - and be submitted to the Secretary of Student Cases Committee within 15 working days of receiving the final decision of the partner institution. The appeal shall include a copy of the partner institution's final determination and any other evidence which the appellant believes is relevant to the matter;
 - d) On receipt of a valid appeal an investigation will be made , which should involve:
 - i. requesting from the appellant such further information as considered appropriate;
 - ii. providing a copy of the appeal and supporting evidence to the partner institution, requesting such response and further evidence as the partner institution wishes to make;
 - iii. providing a copy of the partner institution's response and further evidence to the appellant inviting any final comment which the appellant may wish to make.
61. Where the appeal is upheld the partner institution shall re-consider the original appeal, taking into account any evidence, other than new material, obtained through the University's investigation, addressing any defect in the application of the partner institution's procedures identified.

Finality

62. The decision shall be final and not subject to further challenge within the University of Hull.