



## Academic Appeals Policy & Procedure

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<b>Related policies</b>	<ul style="list-style-type: none"> <li>● Complaints Policy and Procedure</li> <li>● Assessment Policy</li> <li>● Learning Teaching and Assessment Strategy</li> <li>● Student Handbook</li> <li>● Data Privacy Notice and Consent Policy</li> </ul>
<b>External reference points</b>	<p>Office of the Independent Adjudicator for Higher Education's (OIAHE) Good Practice Framework for Handling Complaints and Academic Appeals</p> <p>UK Quality Code UKSCQA/02 [March 2018]            Expectations for Standards Core Practice 1 &amp; 2            Related QAA Advice and Guidance:            Theme 11: Concerns, Complaints and Appeals 11.3  <i>The provider has fair and transparent procedures for handling complaints and appeals which are accessible to all students.</i></p>

## Contents

1.	Introduction	3
2.	Purpose the Policy	3
3.	Scope	3
3.1.	Who can Appeal?	4
4.	Precedence	4
5.	Principles of this Policy	5
6.	Definition of an Academic Appeal	5
7.	Grounds for an Academic Appeal	6
7.1.	Procedural Irregularity	6
7.2.	Adverse Circumstances	6
7.3.	Prejudice or Bias	6
7.4.	Appeals and Complaints	7
8.	How to Appeal	8
8.1.	Early Resolution & Results Surgery	8
8.2.	Formal (Written) Academic Appeal	8
8.3.	Appeal Outcomes	8
8.4.	Review of an Appeal Outcome	9
9.	Appeals to External Bodies/Organisations	9
9.1.	University and College Partners	9
9.2.	Pearson Awarding Organisation	10
9.3.	Office for the Independent Adjudicator for Higher Education (OIAHE)	10
9.4.	Office for Students	10
10.	Recording, Reporting and Organisational Learning	10
11.	Confidentiality	11
12.	Appendix 1 Appeals Form	12
13.	Appendix 2: Appeals Process	13

## **1. Introduction**

The College understands that assessment decisions can have a significant impact on a student's academic progress and future opportunities. It is important for the College to have a fair and transparent process in place for handling appeals, so that students can have confidence in the assessment process. This policy assures students that they can appeal without facing any negative consequences and aims to ensure that assessments are conducted in alignment with the UK Quality Code for Higher Education. The appeals process is meant to address any flaws in the assessment process and promote fairness for all involved, while also striving for timely resolution. All parties involved are expected to remain impartial and disclose any conflicts of interest.

## **2. Purpose the Policy**

This policy procedures are designed to assist students and staff in effectively handling appeals. It gives students the opportunity to appeal a decision if they believe an error has been made, under the specific grounds outlined below. Students are entitled to appeal a decision once.

## **3. Scope**

This policy and procedures apply to all students and staff at all College Study Centres. A student is defined as anyone who has signed a Student Declaration agreement with TEC when submitted their work or attending an examination. All students at any of the College's Study Centres, including those enrolled full-time, part-time, or in short courses or online learning, are covered by this Academic Appeals Procedure and Policy.

This policy concerns students appealing one or more assessment results. To file an appeal, the assessment in question must be listed on the module, unit, or course assessment plan and can be initiated at any academic level provided by the College.

### **3.1. Who can Appeal?**

The process outlined in this document is available to all current or former students at the College, with details on when appeals must be submitted by students.

Only the student themselves can submit an academic appeal to the College; appeals cannot be made on behalf of the student by another individual. This policy ensures that students take ownership of their academic concerns and are directly involved in the appeals process.

Students have the right to seek support and guidance from other individuals within the College during any part of the appeal process. This individual can be either a current TEC student or a staff member. This option is in place to provide students with additional assistance and ensure they have someone to turn to for support throughout the procedure.

Students must adhere to the timeline of submitting their formal academic appeals within 21 days after the assessment results are released. It is imperative to exhaust all efforts in seeking an early resolution before proceeding with the formal appeal process.

## **4. Precedence**

The Academic Appeal Policy and Procedures of awarding organisations and TEC's university or college partner(s) will supersede this policy and procedures in specific circumstances as follows:

- The appeal is in reference to a student enrolled in a programme that is working towards a qualification from a recognised awarding organisation, or from a partnership between TEC and a university or college that are not covered by this policy and procedure.
- The relevant awarding organisation or partner university or college has specified that TEC must adhere to their Academic Appeals policy rather than the TEC's own policy.

## **5. Principles of this Policy**

This policy and procedures are guided by the Office of the Independent Adjudicator for Higher Education's (OIAHE) Good Practice Framework for Handling Complaints and Academic Appeals. As such it adheres to the following principles:

- All assessment decisions are fair and transparent.
- Decisions and procedures are well understood, and students have the opportunity to appeal against them and to seek an independent review.
- All appeals are dealt with in a timely manner through early resolution where possible.
- Students are informed about their right to appeal assessment decisions and are kept informed throughout their studies.
- No student is treated unfairly or faces negative consequences for making an appeal in good faith.
- Reasonable adjustments when making assessment decisions must be taken into consideration.
- Reasonable adjustments will also be taken into account during the appeals process.
- The validity, reliability, and consistency of assessment decisions throughout the College must be maintained.
- Students are supported throughout the assessment process and their views are taken on board.
- Students understand the reasons for the assessment decisions that have been taken and recognise that these decisions are accurate and fair and inform them of what they need to do to improve.

## **6. Definition of an Academic Appeal**

For the purpose of this procedure, and in line with the Quality Assurance Agency's UK Quality Code for Higher Education (UK Quality Code), in accordance with the Quality Assurance Agency's UK Quality Code for Higher Education, an academic appeal is defined as: 'a request for a review of a decision of an academic body charged with making decisions on student progression, assessment and awards.' An academic appeal relates to the mark or grade a student is given for an assessment, or a decision about their progression or award, which is confirmed by the Assessment/Exam Board.

## **7. Grounds for an Academic Appeal**

Students are not able to challenge assessment decisions if they disagree with the assessor's academic judgement. They can, however, request a "results surgery" where the assessor will provide clarification on the assessment decisions to manage their expectations and resolve any issues.

In order to address any concerns, students must first submit an informal Academic Appeal to their Tutor/Assessor, Programme Leader, or Head of Higher Education either verbally or through email. If they wish to escalate the appeal further, they must follow the outlined procedures below

Students are only permitted to appeal against assessment decisions on certain grounds, which include:

### **7.1. Procedural Irregularity**

The student was put at a disadvantage due to a procedural irregularity that occurred during the assessment process. This could be a situation where the student was not given enough time to complete an exam, like having only 2 hours for a 3-hour exam. It could also involve an administrative error that affected the final grade awarded to the student, such as recording the wrong result. This appeals process is specifically for cases where a student wants to challenge an assessment, exam, or progression board decision.

### **7.2. Adverse Circumstances**

At the time of the assessment, there existed circumstances which adversely affected the student's performance and which the student was unable to communicate to their Tutor, Assessor, Internal Verifier, the College assessment/exam, or progression board before the assessment decision had been taken.

In cases where a student faces challenges that hinder their performance during an assessment, resulting in an inability to disclose these issues to relevant authorities before the decision is made, the student must provide documented evidence and reasons for not being able to notify the College assessment/exam or progression board in a timely manner. Please note that retrospective medical certification will not be accepted as valid evidence in such situations.

### **7.3. Prejudice or Bias**

The student can present evidence of prejudice or bias that influenced the decisions made by the assessment/exam or progression board.

## **7.4. Appeals and Complaints**

In case a student is unhappy with the teaching, supervision, academic guidance, or any other services provided during their study program, they have the option to file a complaint following the Student Complaints Policy. It is important for students to address these concerns promptly, as they cannot be used as reasons for an academic appeal later. If a student's appeal seems more suitable to be handled as a complaint by the Head of Higher Education, the College may choose to proceed with the complaints process instead of, or in addition to, the appeals process, depending on the specific issues raised.

An appeal may or may not be related to perceived reasons for a complaint. A complaint involves actions or lack of actions that a student feels have negatively impacted them. In some situations, these issues may be combined, such as if a student believes they were unfairly graded due to a personal issue with the assessor and wants to appeal the grade while also lodging a complaint against the assessor's behaviour. If a student is unsure whether their concern should be handled as an appeal or a complaint, they should talk to the Head of Higher Education or another staff member before taking further action.

It is acknowledged that certain cases may involve a combination of concerns. The College will assess each concern separately. In these situations, students will be informed of which issue will be addressed under which procedure and directed to the appropriate course of action to ensure that all issues are considered. Students will be informed of any potential impact of following two procedures simultaneously, particularly if one procedure may be put on hold until the other is completed.

If there is a significant overlap in the issues raised in an appeal, the College may opt to combine and address them together if the student agrees. This could involve looking at matters that could also be handled through other procedures, such as the Student Complaints process. In these instances, there may be a joint investigation conducted, and the student will be informed of who will be leading the overall investigation and issuing the final decision.

## 8. How to Appeal

### 8.1. Early Resolution & Results Surgery

Students are required to seek an early resolution by making an informal Academic Appeal, which can be carried out verbally or by email to the Tutor/Assessor, Programme Leader, or Head of Higher Education. If a student wishes to proceed further with a formal Academic Appeal, they should follow the procedures below.

### 8.2. Formal (Written) Academic Appeal

If a student has tried to resolve an issue informally and believes they have a reason to make a formal appeal, they can fill out an Academic Appeal form found in Appendix 1 and submit it to the Head of Higher Education. The Head of Higher Education or Programme Leader will review the grounds for the appeal. The student must complete the form with a detailed explanation of why they are appealing and provide any necessary supporting evidence, such as emails with staff or medical documentation. Personal information about others should not be shared unless permission is granted. Students should also specify what outcome they are hoping for from the appeal.

The Head of Higher Education or Programme Leader will select a member of the College's academic team as an Investigating Officer (IO) to investigate the appeal, provided they have not been previously involved in the matter. If the IO determines that there are no valid grounds for appeal, the appeal will be dismissed. Students are responsible for raising all relevant issues with the IO and submitting all necessary information and supporting documents.

**Formal academic appeals must be made within 21 days of the assessment results being published, and only after an early resolution has first been sought.**

All aspects of the assessment will be considered, and a decision will be made within 5 working days of receiving the appeal. The student will be informed of the outcome by the Head of Higher Education or Programme Leader through the completion of the 'Appeals Form' (Appendix 1). Students can anticipate receiving an email acknowledging their written appeal within 5 working days. In case of not receiving an acknowledgment within this timeframe, the student should reach out to the Head of Higher Education or Programme Leader to confirm the receipt of their appeal.

### 8.3. Appeal Outcomes

There may be two possible outcomes following an appeal decision:

- The request for an appeal will be approved, and the assessment outcome will be revised along with a written clarification provided to the student.
- The appeal will not be granted, and the student will be informed of the rationale behind this decision either verbally or in writing.

Notification of the written appeal will be communicated to the student and the Chair of the relevant assessment/exams board.



If a change in grade is made that benefits the student and they agree to accept it, this will be considered as resolving the appeal, and the student will not be able to proceed to Stage Three of the appeal process. This means that if the student is satisfied with the new grade they received, they cannot continue with the appeal or seek a different outcome.

If the student is still not satisfied with the outcome of the appeal, they may go to the Review of an Appeal Outcome below.

#### **8.4. Review of an Appeal Outcome**

If the student is not happy with the outcome of their appeal, they must submit a written request for a review of the appeal to the assessment/exams board within five working days of the initial appeal decision.

The Academic Board, chaired by the College's Executive Principal, will then review the appeal, and make a final decision. No-one involved in the earlier stages of the appeal process will be able to take part in the review of the appeal outcome, including the Head of Higher Education or Programme Leader. The decision of the Academic Board will be communicated to the student in writing and will be considered as the final decision. Typically, the student can expect to receive this written communication within 5 days of submitting the request for a review.

**Any further appeals will need to be made to an external body such as the relevant Awarding Organisation or the OIAHE. See Appeals to External Bodies below.**

### **9. Appeals to External Bodies/Organisations**

Students have the right to appeal to external bodies. However, it is recommended that they exhaust all internal options before turning to external bodies. For students in TEC-delivered programmes in partnership with universities, they must first attempt informal resolution at TEC before lodging a formal Academic Appeal with the university partner.

#### **9.1. University and College Partners**

Students have the option to submit a formal appeal to the university or college partner associated with their specific programme of study. They can access the necessary contact information on our website or ask the College's academic or administrative personnel for the contact details of the relevant partner.

### **9.2. Pearson Awarding Organisation**

Students enrolled in the College's BTEC HND courses can challenge academic decisions directly with Pearson Awarding Organisation. This can be done by submitting an appeal through the provided link below. This process is specifically applicable to courses that lead to the awarding of a BTEC HNC or HND qualification.

[https://qualifications.pearson.com/content/dam/pdf/Support/policies-for-centres-learners-and-employees/Enquiries\\_and\\_Appeals\\_on\\_Pearson\\_Vocational\\_Qualifications.pdf](https://qualifications.pearson.com/content/dam/pdf/Support/policies-for-centres-learners-and-employees/Enquiries_and_Appeals_on_Pearson_Vocational_Qualifications.pdf)

### **9.3. Office for the Independent Adjudicator for Higher Education (OIAHE)**

Regardless of the specific course they are enrolled in, all students pursuing Higher Education have the option to reach out to the Office of the Independent Adjudicator (OIA) for assistance. This can be done by accessing the provided link for the OIA.

<http://www.oiahe.org.uk/making-a-complaint-to-the-oia/how-to-make-a-complaint.aspx>

If a student has gone through all the possible avenues for appeal within the college and is still unsatisfied with the outcome, they will be given a Completion of Procedures letter by the college. This letter serves as confirmation that the internal appeals process has been exhausted. If the student wants to take their appeal to the OIAHE for further review, they must do so within 12 months of receiving the Completion of Procedures letter. The letter will also include the deadline by which the student must submit their appeal to the OIAHE.

### **9.4. Office for Students**

Students enrolled in Higher Education courses can contact the Office for Students through a specific link, regardless of the programme they are attending. This means that all students can seek assistance or guidance from this office, no matter which course they are currently pursuing.

<https://www.officeforstudents.org.uk/contact/notifications-and-complaints/>

## **10. Recording, Reporting and Organisational Learning**

The College will document academic appeals in detailed and proportionate manner for analysis and management reporting. This will facilitate identification and resolution of the causes of appeals and enable the implementation of training opportunities and improvements where necessary.

Each year, the Academic Board will receive a report containing anonymized information regarding the quantity and characteristics of academic appeals reviewed, as well as their respective resolutions. This procedure is designed to effectively monitor all appeals and their outcomes, with the goal of encouraging improvements based on the insights gained from these cases.

The College will keep and dispose of records relating to appeals in accordance with its policy on record retention in the College's Data Protection Policy.

## **11. Confidentiality**

All data collected during the appeals process will be kept in compliance with data protection laws and the College's Data Privacy Notice and Consent Policy.

Students should be aware that details about those filing appeals will be kept private unless disclosure is essential for the appeals process or to enforce a decision, or if mandated by law or for the common good.

When a student submits an appeal, they acknowledge that the staff member overseeing the investigation will have access to their appeal and may need to disclose its contents to other staff members to address the issues raised. If a student has concerns about the confidentiality of certain aspects of their appeal, they can speak with the Head of Higher Education or Managing Director to discuss ways to minimise disclosure.

Students should refrain from sharing unnecessary personal details, such as medical conditions, in their appeal unless it relates to the situation at hand. Additionally, they should not reveal anyone else's personal information in their complaint unless they have obtained consent from that individual.

## 12. Appendix 1 Appeals Form

This form must include a logical explanation for why an appeal is being made. If a grade is questioned without a clear reason, the appeal may not be successful. However, all appeals will be looked into after the form is filled out. Some valid reasons for appealing a grade include, but are not restricted to:

- Desire for a higher grade (e.g. wanted a Merit or Distinction)
- Importance of a higher grade (e.g. needed it for University entry)
- Time management issues (e.g. If I had had more time, I would have done better)
- Effort expended (e.g. I worked hard so I should pass)

Name of Student:

Date:

Course:

Unit Number:

Assessment Title:

Assessor:

Internal Verifier:

Details of the Appeal and why you believe the original grade is incorrect:

Procedural Irregularity

Adverse Circumstances

Prejudice or Bias

Please Explain

Student Signature \_\_\_\_\_ Date: \_\_\_\_\_

Outcome of the Appeal:

Staff Signature \_\_\_\_\_ Role \_\_\_\_\_ Date: \_\_\_\_\_

13. Appendix 2: Appeals Process

