

Academic Appeals Procedure

Version Number 3.7

Effective from 1 September 2018

Author: Quality and Enhancement Manager

Quality and Enhancement Office

Table of Contents

Academic Appeals Procedure	1
1.0 Purpose	3
2.0 Scope.....	3
3.0 Academic Appeals Procedure.....	4
3.1 Grounds for an Academic Appeal.....	4
3.2 Stages of the Academic Appeals Procedure	4
3.3 Submission of an Academic Appeal	4
3.4 Initial Assessment of an Academic Appeal.....	5
3.5 Stage 1: Consideration by School/Research Centre	6
3.6 Stage 2: Consideration by Appeals Review Panel.....	6
Information which Applies to all Stages of the Procedure	9
3.7 Attendance at Meetings or Hearings	9
3.8 Representation at Meetings	10
3.9 Recording of Procedures.....	10
3.10 Appointment of Substitutes.....	10
3.11 External Review.....	10
3.12 Attendance at a graduation Ceremony Whilst an Appeal is Under Consideration.	10
3.13 Status of a Student During an Appeal	11
4.0 Related Documentation	12
5.0 Appendices	12

1.0 Purpose

- 1.1 This Procedure explains the valid grounds for an academic appeal, the procedure that will be followed to consider an appeal and the status of students during the appeal process.
- 1.2 An academic appeal is a request for a review of a decision made by the Board of Examiners (this includes decisions made by a Module or Programme Board) or the Postgraduate Research Award Board charged with making decisions about student assessment, progression or award.

2.0 Scope

- 2.1 This Procedure applies to all students registered at the University of Salford, including those following University of Salford programmes at collaborative partner institutions or to those individuals who have recently finished their studies, as long as appeals are raised within the timeframes specified in the Procedure.
- 2.2 Appeals by third parties (including parents, guardians and friends) will not be dealt with through the Procedure except where a consent form is completed. Students can give authority for a third party to pursue an appeal on their behalf and students wishing to do this should complete the [third party consent form](#) and return this to the Quality and Enhancement Office.
- 2.3 Appeals which are frivolous, vexatious or malicious or which have already been considered will not be reviewed. In addition, where students or their representatives are aggressive, offensive or abusive or where demands are unreasonable in nature or unreasonably persistent, appeals may not be reviewed. Where such instances arise, the student or their representative will be advised of the reason for terminating the review.
- 2.4 Where students identify individual needs, reasonable adjustments may be made to the Procedure.
- 2.5 An academic appeal differs from a complaint. Appeals and complaints are considered under different Procedures. A complaint is defined as an expression of dissatisfaction by one or more students about the University's action or lack of action, or about the standard of service provided by or on behalf of the University.
- 2.6 The Academic Appeals Procedure **cannot** be used to bring complaints related to teaching, supervision or services. These must be raised at the time when they occur and through the appropriate channels e.g. programme/module leader, personal tutor, supervisor, Staff-Student Committee or the [Student Complaints Procedure](#).

3.0 Academic Appeals Procedure

3.1 Grounds for an Academic Appeal

3.1.1 An academic appeal can only be submitted on one or more of the following grounds:

- i. personal mitigating circumstances where, for good reason, the Board of Examiners was not made aware of a significant factor relating to the assessment of a student through the Personal Mitigating Circumstances Procedure when it made its original decision;
- ii. that there has been a procedural irregularity in the assessment process;
- iii. that the Board of Examiners/Postgraduate Research Award Board has acted in a way which is manifestly unreasonable. In this context, unreasonable shall be taken to mean perverse, i.e. the decision was not a possible conclusion that a similar meeting of the Board of Examiners/Postgraduate Research Award Board might have reached.

3.1.2 Disagreement with the academic judgement of the Board of Examiners or the Postgraduate Research Award Board in confirming marks, grades or recommendations of examiners for assessments does not constitute valid grounds for appeal. The University defines academic judgement as 'a judgement that is made about a matter where only the opinion of an academic expert will suffice'¹.

3.2 Stages of the Academic Appeals Procedure

3.2.1 Before initiating an academic appeal, students are advised to discuss any concerns about results or decisions with an appropriate member of staff in their School (e.g. relevant module leader/programme leader or with staff in the School Office). If it has not been possible to resolve any concerns via this route, then a student may submit an academic appeal. It is important for students to note the timescale for submission of an appeal provided in section 3.2.2 as appeals submitted outside of the timescale, without good reason, will not be considered.

3.3 Submission of an Academic Appeal

3.3.1 A student wishing to submit an academic appeal must complete a [stage 1 academic appeal form](#) and provide evidence. When completing and submitting the form, students must:

- i. specify which of the permitted grounds the appeal relates to;
- ii. state clearly the decision of the Board of Examiners/Postgraduate Research Award Board against which they are appealing;
- iii. state clearly the case for the appeal;

¹ OIA (2013) retrieved 4th December, 2012 from <http://www.oiahe.org.uk>

- iv. provide appropriate evidence to support the appeal (Appendix B provides indicative guidance about the types of evidence that may support personal mitigating circumstances) and, if relevant, evidence to explain why a PMC request was not submitted within 10 working days of the relevant assessment(s);
- v. ensure that all evidence provided is in English, if any evidence is submitted in a language other than English, an approved certified translation should also be provided;
- vi. provide a copy of the relevant Board of Examiners letter or Postgraduate Research Award Board letter.

3.3.2 An appeal must be submitted within 10 working days from the date on a student's results letter. If full evidence to support the appeal is not available within 10 working days, a student may submit their intention to appeal using the stage 1 academic appeal form within 10 working days from the date on their results letter and then supply all remaining information, including any relevant documentary evidence, within 20 working days, again from the date of publication of results.

3.3.3 Where an appeal is raised by a number of students it can be dealt with as one collective appeal in the following circumstances:

- i. the names of all students who wish to bring the appeal forward as disclosed to the University on a Group Appeal Form;
- ii. the case is conducted through a lead student to facilitate the progress of the appeal.

3.3.4 All academic appeals will be managed in a confidential and sensitive way. Staff involved in the review process will be receive information provided with the appeal. Students are advised to contact the Quality and Enhancement Office if they have concerns about disclosure of information within their appeal.

3.4 Initial Assessment of an Academic Appeal

3.4.1 The Quality and Enhancement Manager (or nominee) will review all appeals submitted and reject those which:

- i. are clearly out of time without good cause (i.e. submitted after the 10 working day deadline or when notification of intention to appeal is made within the 10 working day timescale but full information is submitted outside the 20 working day timescale);
- ii. do not state one or more of the specified grounds for appeal (including those based on academic judgement and those which form the basis of a student complaint);

- iii. comprise personal mitigating circumstances, and no good and reasonable cause has been established to explain why the University was not notified about mitigating circumstances via the Personal Mitigating Circumstances process;
- iv. do not provide evidence to support circumstances outlined in the appeal;
- v. request an outcome that is not possible through the Academic Appeals Procedure.

3.4.2 Whilst recognising that all appeals need to be resolved within reasonable timescales, the Quality and Enhancement Manager (or nominee) will identify any appeal which may need early consideration and take appropriate action, for example where the impact of the issues raised by the student within their appeal may have a detrimental effect on their mental health.

3.4.3 Any appeal which may meet one or more of the specified grounds will be considered through the following stages as appropriate:

- i. Stage 1: consideration via the relevant School or Research Centre;
- ii. Stage 2: a review conducted by the Appeals Review Panel.

3.5 Stage 1: Consideration by School/Research Centre

3.5.1 Any appeal which may meet one or more of the specified grounds will be referred by the Quality and Enhancement Manager (or nominee) to the student's School or the relevant Research Centre for investigation and review. This process should be undertaken by someone independent from the programme team. The School/Research Centre will review the appeal within 20 working days and will notify the Quality and Enhancement Office of the outcome. In cases where the appeal cannot be upheld, a detailed rationale shall be included. The Quality and Enhancement Office will then write to the student to inform them of the outcome.

3.6 Stage 2: Consideration by Appeals Review Panel

3.6.1 If a student is dissatisfied with the outcome reached at Stage 1, a request for a review of the decision reached at Stage 1 may be submitted at Stage 2 of the Procedure. Stage 2 may only be invoked when Stage 1 has been completed. No new issues may be introduced at Stage 2.

3.6.2 The request for review should be submitted using the Academic Appeals Review Form (or [stage 2 appeal form](#)) and the following information shall be provided:

- i. the ground(s) on which the request is based (see 3.6.3 below);

- ii. a rationale to explain the grounds;
- iii. any relevant evidence

3.6.3 The grounds for review are:

- i. that there was a procedural irregularity at Stage 1 of the Academic Appeals Procedure which has materially disadvantaged the student;
- ii. the emergence of new and relevant evidence which, for good and reasonable cause, was not available during Stage 1;
- iii. that evidence is available to show that the outcome reached at an earlier stage was manifestly unreasonable. In this context, unreasonable shall be taken to mean perverse, i.e. that the outcome was not a possible conclusion which a similar hearing or process of consideration might have reached.

3.6.4 Completed forms should be sent to the Quality and Enhancement Office within 10 working days of the date of the response from the Stage 1 review.

3.6.5 On receipt of a request for review, the Head of Quality and Enhancement (or nominee) shall review the document, normally within 5 working days, to determine whether the request for review is valid, based on the grounds for review stated in section 3.6.3. Additional information may be sought from the relevant School, if required, to assess the case. On the basis of additional information received at stage 2, Schools may be asked if they wish to reconsider an appeal again at stage 1 in the first instance if this will enable more timely resolution for the student.

3.6.6 If there are valid grounds, appeals relating to undergraduate and postgraduate taught programmes will be considered by an Appeals Review Panel consisting of:

- i. A senior member of academic staff (as Chair) from a School other than that in which the student's programme of study is located;
- ii. One member of academic staff who is from a School other than that in which the student's programme of study is located;
- iii. A member of the Students' Union.

An officer from the Quality and Enhancement Office will provide administrative support (the Panel Secretary). The student will be invited to attend the meeting along with the relevant Dean of School (or nominee). Meetings will normally be scheduled within 15 working days of a request for review being confirmed. Copies of relevant documentation will be made available to all parties, normally 5 working days in advance of the meeting. The Procedure to be followed during a meeting is included in appendix C.

- 3.6.7 Appeals relating to research programmes will be considered by an Appeals Review Panel consisting of:
- i. Two academic members of staff who have been part of a supervisory team for a research award over the past three years (members must not include the student's supervisor or be a member of the student's supervisory team), one of whom will be nominated as Chair;
 - ii. A member of the Students' Union.
- 3.6.8 In the case of research programmes which have a significant taught component (e.g. MRes, DProf), if the appeal relates to the taught element of the programme, the appeal will be considered by the Appeals Review Panel for Taught Programmes. If the appeal relates to the research element of a programme it must be considered by the Appeals Review Panel for Research Programmes.
- 3.6.9 The Panel, having considered all relevant information and submissions, shall make one of the following decisions:
- i. uphold or partially uphold the appeal and determine the ground(s) on which the appeal is upheld;
 - ii. dismiss the appeal.
- 3.6.10 If the appeal is partially upheld or upheld on one or more grounds, the Panel Secretary shall write to the student to advise of the outcome within 5 working days and:
- i. for taught programmes, refer the matter back to the Board of Examiners with a detailed rationale for its decision;
 - ii. for research programmes, refer the matter back to the Postgraduate Research Award Board with a detailed rationale for its decision;
 - iii. for research awards which have a significant taught element, refer the matter with a detailed rationale for its decision back to the appropriate Board dependent upon the nature of the appeal.
- 3.6.11 It is the responsibility of the Board of Examiners or Postgraduate Research Award Board to notify the student of the outcome once the matter has been considered by the Board.
- 3.6.12 In the case of research awards, the Postgraduate Research Award Board may refer the matter back to the original examiners or may have to appoint new examiners to re-assess a thesis; the examiners would then make further recommendations to the Postgraduate Research Award Board.

- 3.6.13 In cases where the Board must reconsider its decision, this will be considered either at its next meeting or through Chair's Action after appropriate consultation. Once the Board of Examiners or Postgraduate Research Award Board has met, the Secretary to the Board should write to the student to confirm the outcome.
- 3.6.14 Where an appeal has been rejected, the Panel Secretary will write to the student within 5 working days of the panel meeting to advise of the decision and outline the reason(s) for rejection. The letter will also constitute a 'Completion of Procedures' letter outlining the scheme of the Office of the Independent Adjudicator (see 3.10).
- 3.6.15 The Appeals Review Panel may request an investigation through the Quality and Enhancement Office if the Panel finds that there has been serious administrative error, non-observance of guidelines or University regulations or irregularity by a Board of Examiners or Postgraduate Research Award Board. Where deemed appropriate by the Quality and Enhancement Office, the matter shall form the subject of a report to the Academic Quality and Standards Committee or the Research and Enterprise Committee with recommendations for remedial action.

Information which Applies to all Stages of the Procedure

3.7 Attendance at Meetings or Hearings

- 3.7.1 If a student does not attend a meeting/hearing under this Procedure, without providing good reason in advance, the Chair may decide that the meeting or hearing may proceed in the student's absence. In this instance, the appeal/review will be considered on the basis of the evidence available at the time of the meeting/hearing.
- 3.7.2 If the Dean of School (or nominee) does not attend a meeting/hearing under this Procedure, without providing good reason in advance, the Chair may decide that the meeting or hearing may proceed in the Dean/nominee's absence. In this instance, the appeal/review will be considered on the basis of the evidence available at the time of the meeting/hearing.
- 3.7.3 If, for good reason, a student or the Dean of School (or nominee) is unable to attend a meeting/hearing under the Procedure, then the student/Dean or School (or nominee) may request that the meeting/hearing is deferred until a later date. Alternatively the student may request permission from the University for their representative to attend the meeting to present the case on the student's behalf (see 3.8).
- 3.7.4 A student is responsible for paying the costs of attendance at meetings/hearings. The University will not reimburse any costs. Students are also responsible for paying any costs incurred by their representative.

3.8 Representation at Meetings

- 3.8.1 A student may be accompanied at any meeting/hearing under this Procedure by a representative of their choice and that representative may speak on the student's behalf. The representative must not be someone who has been suspended or excluded from the University for any reason and the representative must be willing to act in that capacity.
- 3.8.3 It is the student's responsibility to relay all relevant notices and other communications under the Procedure to their representative.
- 3.8.4 The name of the representative shall be provided to the University before any meeting/hearing.
- 3.8.5 Where a representative is attending a meeting/hearing on behalf of a student, the meeting/hearing will only be required to consider the representations made by the representative during the meeting/hearing and written representations provided before the meeting. Any written or oral representations made by the student after the meeting/hearing cannot be considered.

3.9 Recording of Procedures

- 3.9.1 The audio recording of hearings/meetings held under this Procedure is prohibited, subject to such reasonable adjustment as may be agreed by the University where required under the Equality Act 2010.

3.10 Appointment of Substitutes

- 3.10.1 If any post-holder of the University who is specified in this Procedure for any reason declines, fails or is unable to take action that is their responsibility under this Procedure, then the Registrar or Head of Quality and Enhancement is able approve the appointment of a substitute who will be as close as possible to the specified post holder in terms of their position within the University.

3.11 External Review

- 3.11.1 If, on receipt of a 'Completion of Procedures' letter, a student is still dissatisfied, they may request a review through the [Office of the Independent Adjudicator for Higher Education](#). This will require completion of an OIA scheme application form upon receipt of the 'Completion of Procedures' letter. The scheme application form must be submitted within twelve months of the date that the Completion of Procedures letter was issued. The OIA website provides further information regarding the scheme and its eligibility criteria.

3.12 Attendance at a graduation Ceremony Whilst an Appeal is Under Consideration

3.12.1 A student appealing a decision which relates to a final award may be able to attend a graduation ceremony where an award has been confirmed. Attendance will not prejudice the appeal. Subsequently, if the outcome of the appeal permits the student to receive a different classification of degree or a different award, and they have received their certificate, the student will be required to return any original award certificate obtained before receiving a revised award certificate.

3.13 Status of a Student During an Appeal

3.13.1 A student whose academic appeal is under consideration may continue and temporarily progress to the next level or stage of study, if, as a direct result of their appeal being upheld, they will achieve all the necessary credits for progression at that point. This does not apply to students whose appeal, if successful, will entitle them to a replacement assessment opportunity at a later stage. They will only be able to progress when they have achieved all necessary credits.

3.13.2 A student whose academic appeal is under consideration may not progress to the next stage or level of their programme of study if, as a consequence of their appeal being upheld, they will not accumulate the credits to complete the stage or level and progress.

3.13.3 In cases where an academic appeal relates to a clinical placement or practice the student may be permitted to undertake a further placement or period of practice only at the discretion of the programme team.

3.13.4 Where a student is permitted to continue, pending the outcome of an academic appeal, assessment may be completed and marked and feedback shall be given. However, marks shall not be ratified by a Module Board of Examiners while the appeal remains under consideration. Where the appeal is upheld and the student is permitted to progress and register on the next level or stage, the marks obtained pending the outcome of the appeal should be ratified by a Module Board of Examiners in the normal way. Where the appeal is dismissed, any marks obtained pending the outcome shall be declared null and void. The student will then be required to fulfil the outstanding credits in accordance with the original decision of the Programme Board of Examiners.

3.13.5 It is the responsibility of the School to counsel a student permitted to continue pending the outcome of an academic appeal in order to ensure that they understand that they may have to undertake further assessment in order to satisfactorily complete the previous level or stage if their appeal is dismissed.

3.13.6 Attendance at the next level or stage while an appeal is being heard cannot form the basis for a claim that the student has been permitted to progress onto the next level or stage of study.

3.13.7 A student appealing against the requirement to be reassessed in one or more assessments (and who requests a replacement first attempt at the relevant

assessment(s) is strongly encouraged to undertake the reassessment(s) pending the outcome of the appeal. If their appeal is successful, the reassessment(s) shall be considered as a replacement first assessment opportunity and they will receive the full mark(s) obtained.

3.13.8 A student appealing against the requirement to retake one or more modules shall be permitted to undertake the learning and assessment(s) associated with the module(s) pending the outcome of the appeal. If their appeal is successful the reassessment(s) shall be considered as a replacement second assessment opportunity and relevant assessment marks will be capped at the minimum pass mark, subject to the provisions of the Academic Regulations for Taught Programmes.

3.13.9 A student appealing against a decision requiring them to withdraw from the programme because of failure in reassessment(s) must withdraw pending the outcome of the appeal. If their appeal is successful they shall be permitted to undertake further reassessment(s) at the next specified assessment period.

4.0 Related Documentation

- [Frequently Asked Questions – Academic Appeals](#)
- [Academic Regulations for Research Programmes](#)
- [Academic Regulations for Taught Programmes](#)
- [Assessment and Feedback Policy](#)
- [Boards of Examiners for Taught Programmes Policy](#)
- [Personal Mitigating Circumstances Procedure](#)
- [Student Complaints Procedure](#)

5.0 Appendices

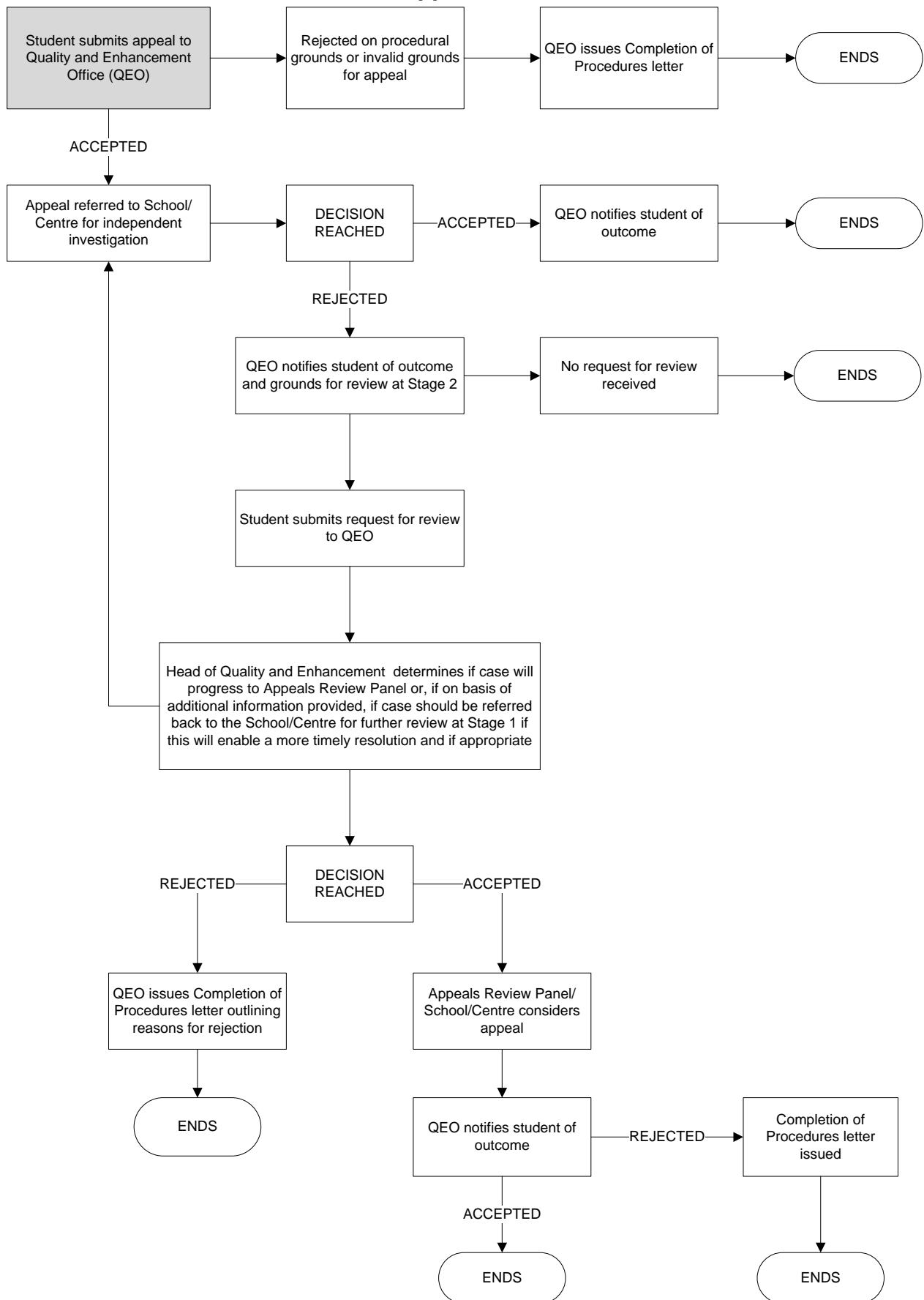
Appendix A: Flowchart – Academic Appeals Procedure

Appendix B: Evidence for Personal Mitigating Circumstances

Appendix C: Procedure to be followed during a stage 2 appeal panel

Appendix D: Document Control Information

APPENDIX A: Flowchart – Academic Appeals Procedure



APPENDIX B: EVIDENCE FOR PERSONAL MITIGATING CIRCUMSTANCES

This table gives an indication of what may be required to support a PMC claim. It is not comprehensive and there will be Personal Mitigating Circumstances that do not fall within the examples given. In such a case, students should still complete a form and supply appropriate evidence. Personal mitigating circumstances will be accepted or rejected depending on their nature, severity, timing and the cogency of the evidence. It may not be necessary to supply all the various forms of evidence listed for each PMC in this table but independent evidence is necessary to support the case. Students must provide the most appropriate type of evidence for their circumstances										
	Letter from Doctor or counsellor	Recorded proof of attendance at hospital or doctor or counsellor	Letter/ evidence from independent professional	SLC / debt letters	Tenancy agreement	Official Witness Report/ Police report	Death Certificate	News/ Media Report	Evidence of Travel Arrangements/ Statement from Independent 3 rd party	Meteorological Office Report
All evidence should be submitted in English or in the original language with an official certified translation provided										
Medical Problem	✓	✓	✓							
Death in family	✓		✓				✓	✓		
Problems at home	✓	✓	✓							
Victim of crime						✓				
Personal Matters	✓	✓	✓							
Housing problems				✓	✓					
Natural/ Environmental Matters (e.g. extreme weather conditions, volcanic ash)								✓	✓	✓

APPENDIX C: Procedure to be Followed by the Stage 2 Appeal Review Panel

The Panel will undertake to conduct a fair and proper hearing and consider all relevant information. The following process will normally be followed during the meeting:

1. The Chair will ensure that introductions are made and the role of each person present is clear.
2. The Chair will invite the student to declare any matters which could impact on their participation in the hearing (e.g. ill health).
3. The Chair will outline the process which will be followed during the panel hearing.
4. The Chair will invite the student to outline the reasons for their appeal.
5. The Chair will invite the Dean of School (or nominee) to respond to any of the issues raised by the student.
6. Panel members may ask questions.
7. The student or Dean of School (or nominee) may call witnesses to present evidence.
8. The student or Dean of School (or nominee) shall question their witness(es).
9. Any questions for the witness(es) shall be addressed through the Chair.
10. Witnesses withdraw once their evidence has been heard and there are no more questions.
11. Commentary deemed by the Chair to be irrelevant, frivolous or vexatious will not be heard and will not be recorded.
12. Both the student and Dean of School (or nominee) shall have the right to make final submissions to the Panel. The student will speak first, followed by the Dean of School (or nominee). No new information is permitted at this stage.
13. Both parties will be asked to withdraw whilst the Panel reaches a decision.
14. The standard of proof for the Panel when reaching a decision is on the balance of probabilities.
15. The decision of the Panel will normally be communicated orally to the student and Dean of School (or nominee) when the Panel is re-adjourned after considering evidence. It will also be communicated in writing, normally within 5 working days. The written response shall state whether the appeal has been upheld, partially upheld or rejected. If the appeal is partially upheld or not upheld, the outcome letter will constitute a 'completion of procedures' letter.

Appendix D Document Control Information

Revision History incl. Authorisation: (most recent first)			
Author	Summary of changes	Version	Authorised & Date
Annette Cooke	<i>Updated for 2018/19 and additional guidance provided where the School representative does not attend a meeting of the Appeals Review Panel</i>	V3.7	20 August 2018
Annette Cooke	<i>Clarification added regarding informal resolution at stage 2 plus update to process flowchart</i>	V3.6	Chair's Action taken on behalf of SELTEC 17/10/2017
Annette Cooke	<i>Annual update. Removal of second stage initial review process. Timescales expressed as working days.</i>	V3.5	21/7/2017
Annette Cooke	<i>Transferred onto new policy template form. Links updated.</i>	V3.4	25/06/2016
Richard Clemens	<i>Responsibility for review of stage 2 appeals updated. Amendment of the Appeals Review Panel order of proceedings to allow for the student and School to attend. Removal of gendered pronouns</i>	V3.3	15/06/2016
Annette Cooke	<i>Policy updated to clarify process for submission of an appeal</i>	V3.2	24/11/2015
Annette Cooke	<i>Policy updated to reflect OIA's good practice framework for handling appeals</i>	V3.1	27/05/15
Policy Management and Responsibilities:			
Owner:	This Policy is issued by the Head of Quality and Enhancement, who has the authority to issue and communicate policy on Academic Appeals and has delegated day to day management and communication of the policy to the Quality and Enhancement Manager, Quality and Enhancement Office.		
Others with responsibilities (please specify):	All subjects of the Policy will be responsible for engaging with and adhering to this policy.		
Author to complete formal assessment with the following advisory teams:			
Equality Analysis (E&D, HR) Equality Assessment form	25 June 2016.		
Legal implications (LPG)			
Information Governance (LPG)	Policy template advice		
Student facing procedures (QEO)	Involved throughout development		

UKVI Compliance (Student Admin)	
Consultation:	
Staff Trades Unions via HR Students via USSU Relevant external bodies (specify)	USSU – May 2016
Review:	
Review due:	2018/19
Document location:	University Policy & Procedure Pages
http://www.salford.ac.uk/policies	
The owner and author are responsible for publicising this policy document.	