

Higher Education Appeals Policy and Procedure

DOCUMENT CONTROL:

Document No:	2.7	Document Type:	Policy		
Formal Review Cycle:	Annual				
Latest Formal Review (month/year):	2022-08	Next Formal Review (month/year):	2023-08	Review Due	2023-08
Policy Owner:	Vice Principal, Curriculum & Quality				
Policy Sponsor:	Vice Principal, Curriculum & Quality				

APPROVAL REQUIRED:

SMT Y/N	Y	SMT Date approved:	30.09.22		
Governor Y/N	N	Committee:	N/A	Governor Date approved:	N/A

PUBLICATION:

Website Y/N	Y	Intranet Y/N	Y	Student VLE Y/N	N	Date published:	30.09.22
Audience:	HE students, HE teaching staff						
Area/s of Staff Intranet:	SPP						

Higher Education Appeals Policy and Procedure

1. Introduction

This policy applies to all students studying Higher Education courses at Craven College.

As defined by the Office of the Independent Adjudicator (OIA), *an appeal is a request for a review of a decision of an academic body charged with making decisions on student progress, assessment and awards.*

An academic appeal relates to the outcome of an assessment or examination, or a student's progression.

2. Key Principles

The Higher Education Appeals Policy and Procedure seeks to deal with student appeals in a timely fashion. There is no right of appeal against academic judgements, however all students have a right of appeal against the decision of the Board of Examiners (BoE).

Criteria for appeal include but are not limited to:

1. an administrative error
2. procedural irregularity
3. circumstances that the BoE was unaware of at the time the decision was taken

3. Responsibility

1. Overall responsibility for this policy lies with the Vice Principal, Curriculum & Quality
2. The Quality & Compliance Lead and members of the HE Scheme Management Board are responsible for ensuring compliance
3. Partner Universities and Awarding Bodies (where applicable) have additional responsibility

4. Legislation

The Higher Education Appeals Policy and Procedure has been written to meet the expected standards of the OIA Good Practice Framework.

Higher Education Appeals Procedure

1. Introduction

Craven College is committed to the effective handling of academic appeals received from students studying Higher Education courses. The following procedures detail how the objectives of the Higher Education Appeals Policy and Procedure will be met and identifies:

1. Key Processes
2. Roles and Responsibilities
3. Objectives
4. Communication
5. Implementation
6. Monitoring
7. Reporting
8. Assessment of Impact
9. Continuous Improvement
10. Associated Documentation

2. Key Processes

1. Information and individual advice about the criteria for an appeal
2. Guidance on submitting an appeal
3. Review of an appeal application in line with OIA guidance
4. Considering an appeal in line with OIA guidance
5. Appeal Outcomes: Recording the outcome and notifying the student and the awarding organisation (where applicable)

3. Roles and Responsibilities

1. The Quality & Compliance Lead has responsibility for the administration of the appeals procedure through the six stages
2. The Vice Principal, Curriculum & Quality and the Director of Quality have responsibility for applying this policy fairly and accurately for the review of all appeals
3. Members of the HE Scheme Management Board, as possible members of an appeals panel have responsibility for applying this policy fairly and accurately

4. Objectives

1. To give clear guidance to students considering submitting an appeal
2. To deal with student appeals in a timely fashion
3. To give clear guidance following the outcome of an appeal

5. Communication

The following principles are fundamental to the communication of the Higher Education Appeals Policy and Procedure:

1. The Higher Education Appeals Policy and Procedure will be published on a standardised template
2. The Higher Education Appeals Policy and Procedure will be reviewed by the Vice Principal, Curriculum & Quality and the Quality & Compliance Lead, before being escalated through the approval process

3. This policy will apply to all students studying higher education courses at Craven College. It will be the responsibility of the Quality & Compliance Lead to communicate the content of the policy with the students
4. This policy will be published on the College's intranet and website

6. Implementation

Students are strongly encouraged to consider the detail of this policy carefully. Students should also refer to the Good Practice Framework for Handling Complaints and Academic Appeals published by the Office of the Independent Adjudicator <http://www.oiahe.org.uk/providers-and-good-practice/good-practice-framework.aspx>

The Higher Education Appeals procedure seeks to deal with student appeals in a timely fashion. With this in mind the student may also wish to discuss the nature of their appeal with the Quality & Compliance Lead to help them decide the best way forward. Should they wish to continue the following advice and guidance will help the process.

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

- Where a student questions the exercise of academic judgement, that is, the decision made by academic staff on the quality of the work itself
- Where a student disagrees with the conclusions reached by the panel which considered their additional consideration, unless further evidence can be provided
- Lack of awareness or knowledge of the relevant regulatory framework
- Lack of awareness or knowledge of the requirements for the submission of additional consideration

Criteria for appeal may include:

- 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
- 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
- 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

The College aims to deal with any appeals promptly and fairly. The College will follow Stages 1 – 4 of the procedures outlined below, however where a student is not satisfied with the decision they may move to stage 5 and appeal to the Validating University or awarding organisation.

The student initially raises their concern regarding the decision of the Committee, Board of Examiners or Panel with the Course Tutor, who will inform the Quality & Compliance Lead as soon as possible after the decision (either provisional or confirmed) is received, normally within 5 working days¹.

Stage 1

The student submits the Higher Education Appeals Form (see appendix 1) to the Quality & Compliance Lead within 15 working days of notification of the decision of the Committee,

¹ Working days are Monday to Friday term-time

Board of Examiners or Panel, attaching the **full appeal case** and any supporting evidence. The validating university or awarding organisation (if applicable) will be informed of the Appeal.

Stage 2

The Vice Principal Curriculum and Quality and Director of Quality (or nominee, drawn from the HE Scheme Management Board) will conduct an initial review of the appeal and decide whether it will be heard by an Appeal Panel. The review will find:

- i. The appeal will not be heard.
The appellant is informed of the decision and the reasons for the decision. The validating university or awarding organisation (if applicable) will be informed. If the appellant is dissatisfied, he or she may write to the validating university or awarding organisation within 10 working days of the decision not to hear the Appeal, setting out why he or she believes the appeal should be heard. The decision of the validating university or awarding organisation will be final.
- ii. The decision is to hear the Appeal.

Stage 3

The Appeal Panel will be convened, hear the case and reach a decision. The Appeal Panel will be chaired by the Higher Education Business & Development Leader or nominee and attendees will be drawn from the HE Scheme Management Board. The appellant will be invited to attend the hearing of the appeal. A record of the hearing will be forwarded to the validating university or awarding organisation (if applicable) within 7 working days.

Stage 4

The decision of the Appeal Panel will be conveyed to the appellant in writing. If the appeal has been wholly or partially upheld, the appellant will be informed in writing. In addition, the student may request a 'Completion of Procedures' letter if they do not want to progress the appeal any further.

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:

- I. 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 point III below that they cannot be empowered to award any credit or qualification)
- II. Any decision detailed above may be accompanied by guidance from the Appeal Panel to the relevant Board/Committee/Panel
- III. 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

- IV. 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

Stage 5

If the appellant is dissatisfied with the decision made by the College, he or she may submit a request in writing to the validating university or awarding organisation² that the decision of the Appeal Panel be reviewed. Such a request should be submitted within 10 working days of the notification of the outcome of the decision of the Appeal Panel. The validating university or awarding organisation will review the case and decide upon it. The decision of the validating university or awarding organisation will be final.

The process will automatically move to stage 6.

Stage 6

A 'Completion of Procedures' letter will be issued.

An appellant who remains dissatisfied may take his or her case to the Office of the Independent Adjudicator of Higher Education (OIA). The OIA runs an independent scheme to review student complaints. Craven College is a member of this scheme. Students can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right here: <https://www.oiahe.org.uk/students>

Students normally need to have completed the Craven College Complaint procedure before they complain to the OIA. As outlined above, Craven College will send the complainant a letter called a "Completion of Procedures Letter" when they have reached the end of the processes and there are no further steps students can take internally.

If the complaint is not upheld, Craven College will issue the student with a Completion of Procedures Letter automatically. If the complaint is upheld or partly upheld the complainant can ask for a Completion of Procedures Letter if they want one. Students can find more information about Completion of Procedures Letters and when they should expect to receive one here: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>

7. Monitoring

1. The number of appeals and their outcome will be monitored annually and reported to the HE Scheme Management Board
2. The number of completion of procedures letters will be monitored annually and reported to the OIA

8. Reporting

1. This policy will be reviewed by the College's HE Team, discussed with the partner university through the partnership meetings and reported to the College's HE Scheme Management Board for approval

9. Assessment of Impact

²

Students enrolled on University of Hull awards, may appeal to the University of Hull Student Cases Committee.
<https://universityofhull.app.box.com/s/h2ztw9nlz083sppv4s19bjdk3krlr0hc>

Students enrolled on Pearson awards may appeal to vocationalqualitystandards@pearson.com

Students enrolled on ABC awards may appeal to complianceandregulation@skillsedugroup.co.uk

1. The impact of this policy is in line with OIA guidance and has been authorised through the validating partner
2. The policy is considered to have no impact on current College policy

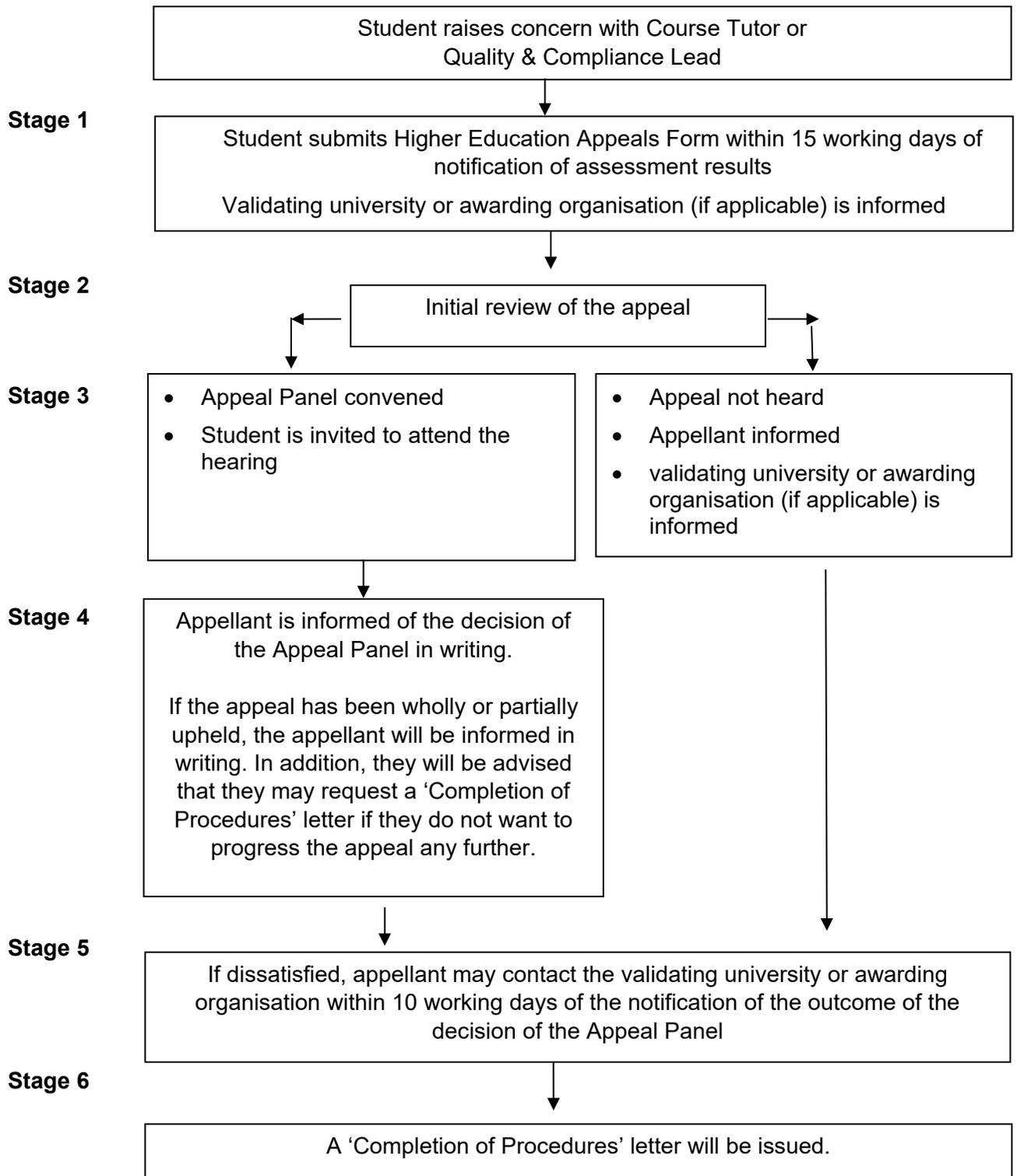
10. Continuous Improvement

1. This policy and procedure will be evaluated and reviewed annually in line with guidance from the OIA
2. Should the policy or procedure be amended, this will be approved by the awarding organisation (where applicable) and reported to the College's HE Scheme Management Board for approval before being forwarded to the College SMT

11. Associated Documentation

1. Higher Education Appeals Form

Procedure



Appendix 1

HIGHER EDUCATION APPEALS FORM

Name of
Student/Candidate

Course Code and Title

Date of Board of

Examiners

Grounds for Appeal *(if extra space is required please continue overleaf)*

Student signature

Date

Date received

Staff signature

Quality & Compliance Lead

Initial Review

Case	Reviewed by: Vice Principal Curriculum and Quality:.....
	Director of Quality:.....
	Date Review completed:.....

Decision

i)	Appeal not to be heard	Rationale for decision:
ii)	Appeal to be heard	
Signature		Date
Signature		Date

Action to be taken

i) Inform student that the appeal will not be heard and the rationale	Date completed.....
ii) Inform student and convene Appeals Panel	Date completed.....
iii) Awarding organisation informed	Date completed.....

Appeal Panel

Panel Chair:

Panel Members:

Date:

Decision and Rationale:

Decision:

Signature:

Date:

Signature:

Date:

Student Informed by:

Date:

Awarding Organisation informed by Quality & Compliance Lead:

Date: