

## ACADEMIC APPEAL PROCEDURES (University of Essex)

### *Procedure for dealing with an appeal by an undergraduate or taught-course postgraduate student who is enrolled on a programme leading to an award of the University of Essex against substantive decisions of an Examination Board.*

- a. A student who wishes to appeal against the decision of a Board of Examiners must do so in writing on the Form of Appeal, stating fully and precisely the grounds for appeal. A student appealing against the progress decision of a First or Second Year Board of Examiners must submit a formal appeal within two weeks of the publication of results. In all other cases the appeal must be submitted within four weeks of publication of the results.
- b. **Academic Appeal Forms** (SF004) are available from the CASTLe (Centre for Academic Standards, Teaching and Learning) Office, Room L69 and on all Course Scheme pages on Moodle at <http://moodle.writtle.ac.uk/>.
- c. The main legitimate grounds for appeal are the following:
  - i. Extenuating circumstances of which the Board of Examiners was unaware and of which the student could not reasonably have been expected to inform the Board of Examiners in advance, of such a nature as to cause reasonable doubt as to whether the result might have been different had they not occurred.
  - ii. Procedural irregularities in the conduct of the Board of Examiners (including alleged administrative error) of such a nature as to cause reasonable doubt as to whether the result might have been different had they not occurred.
- d. Other grounds will be considered on their merits.
- e. The following are not considered legitimate grounds on which to appeal, and any appeals based exclusively on one or more of these grounds will be rejected automatically:
  - i. Disagreement with a mark or grade and/or appeals against the academic judgement of internal or external examiners. Coursework and examinations cannot be remarked, except in cases of procedural irregularities.
  - ii. Any provisional mark or informal assessment of the student's work by a member of staff that is not the final mark approved by the Board of Examiners.
  - iii. The retrospective reporting of extenuating circumstances which a student might reasonably have been expected to disclose to the Board of Examiners before their meeting.
  - iv. Appeals against the judgement of the Board of Examiners in assessing the significance of extenuating circumstances, and whether and to what extent they affected academic performance.
  - v. Marginal failure to attain a higher class of degree.
  - vi. Appeals where the grounds of complaint concern the inadequacy of teaching or other arrangements during the period of study; such complaints must be raised, in writing, before the examination board meets.
- f. The form must be returned by post to the HE Quality Officer who will acknowledge receipt of the appeal within five working days. Any other member of staff who receives a formal appeal from a student concerning his/her final result shall forward it to the HE Quality Officer.

- g. The HE Quality Officer may reject the appeal if the student does not cite legitimate grounds for appeal. In that case the HE Quality Officer will so inform the student in writing, sending a copy of the notification and the Appeal Form to the Academic Registrar of the University of Essex.
- h. If there appear to be legitimate grounds for appeal then the HE Quality Officer will forward the Appeal Form, together with all relevant documentation, to the Student Progress Team at the University of Essex for consideration by the University's Academic Registrar. The Academic Registrar will refer to the Appeals Officer any appeal that meets the criteria stated above (c and d).
- i. Any such appeal will be considered by the Appeals Officer, who may consult such persons as he/she thinks fit, including the student who has lodged the appeal, in arriving at a decision as to whether or not the appeal is well-founded.
- j. The Appeals Officer will conduct the investigation as quickly as possible but, particularly during the summer vacation, there may be unavoidable delays. The University of Essex Academic Registrar will write to the student within six weeks of receipt about the progress of the appeal and will let the student know when he or she can expect to receive a decision.

#### **The Appeals Officer dismisses the appeal**

- k. If the Appeals Officer decides that there are not sufficient *prima facie* grounds for putting the case to the Board of Examiners, the University of Essex Academic Registrar will inform the student in writing, stating the reasons for the decision. The communication of this decision shall, in such cases, constitute the formal dismissal of the appeal.
- l. If a student is dissatisfied with the outcome of the appeal, s/he may request a review on the following grounds:
  - i. procedural irregularity in the appeals process
  - ii. consideration of whether the outcome was reasonable given all the circumstances
  - iii. that new material evidence is now available which the student was unable, for valid reasons, to provide earlier in the process.
- m. The review stage will not normally consider the issues afresh or involve further investigation.
- n. In order to request a review of an appeal, students must complete a Request for Review Form (available from the Student Progress Team at the University of Essex) and submit it back to the Student Progress Team within four weeks.
- o. The University will then pass the request to the Pro-Vice-Chancellor (Education) or his/her nominee for consideration. If the Pro-Vice-Chancellor upholds the request for a review then the case will be referred to an alternate Appeals Officer for consideration, and paragraphs i-v will apply.

#### **The Appeals Officer upholds the appeal**

- p. If the Appeals Officer decides there are sufficient *prima facie* grounds for putting the case to the Board of Examiners, he/she will forward it, together with his/her written comments, to the relevant Executive Dean or his/her deputy/Head of Department. The University of Essex Academic Registrar will inform the student, and will subsequently inform the student when the Board of Examiners will meet to reconsider the case. On receipt of the appeal and the Appeals Officer's comments, the Executive Dean or his/her deputy/Head of Department shall cause the Board of Examiners responsible for the assessment against which the student has appealed to reconvene and put before the Board the student's submission, the Appeals Officer's comments and any material relevant to the original assessment. The Executive Dean or his/her deputy/Head of Department will then formally ask the Board to review its decision. The Appeals Officer will have the right to attend and to address the meeting of the Board of Examiners.
- q. If the Appeals Officer decides to uphold an appeal by a Second Year student on the grounds of extenuating circumstances of which the Board of Examiners was unaware and of which the

student could not reasonably have been expected to inform the Board of Examiners in advance, the Appeals Officer will decide whether it is appropriate to ask the Executive Dean or his/her deputy to reconvene the Board of Examiners. If it is the Appeals Officer's view that the likely outcome of such a meeting would be that the Board of Examiners would decide either that the extenuating circumstances should be carried forward to the final year Board, or that the extenuating circumstances would not have a material effect on the results, then the Appeals Officer will not ask the Executive Dean or his/her deputy to reconvene the Board. However s/he will ensure that the Executive Dean or his/her deputy is fully apprised of the extenuating circumstances so that they can be placed before the Board of Examiners in the student's final year.

- r. In causing a Board of Examiners to reconvene, the Executive Dean or his/her deputy/Chair may, at his or her discretion, consult by telephone or in writing any internal or external examiner who is unable to attend the reconvened meeting of the Board.
- s. If, following review of its decision, the Board of Examiners is satisfied that there is no reason to amend its original decision the Executive Dean or his/her deputy/Chair will so inform the University of Essex Academic Registrar in writing, giving the Board's reasons for reaffirming its original decision and its comments, if any, on the grounds for appeal stated by the student.
- t. If, following review of its decision, the Board of Examiners concludes that its original decision was wholly or partly incorrect to the extent that it decides on a new outcome; the Executive Dean or his/her deputy/Chair will so inform the University of Essex Academic Registrar in writing and advise him/her of the amended mark or classification.
- u. The decision of the Board of Examiners following review will be communicated in writing to the student and the HE Quality Officer by the University of Essex Academic Registrar stating the grounds for the decision. The communication of the decision shall in all cases constitute the formal conclusion of action taken in accordance with these procedures.

#### All appeals

- v. [The Office of the Independent Adjudicator for Higher Education \(OIA\)](#) provides an independent scheme for the review of student complaints or appeals. When the University's internal procedures for dealing with complaints and appeals have been exhausted, the University will issue a Completion of Procedures letter. Students wishing to avail themselves of the opportunity of an independent review by the OIA must submit their application to the OIA within twelve months of the issue of the Completion of Procedures letter. Full details of the scheme are available on request and will be enclosed with the Completion of Procedures.

#### Version Control

Version Number	Purpose/Amendment	Date
1	Original document published – University of Essex (UoE) policy adopted by Writtle College Academic Board (AB/08/47)	17 Sept 2008
2	Procedure reviewed and updated in line with UoE policy	Jun 2014
3	Procedure reviewed and updated in line with UoE policy	Nov 2016