

Academic Appeals Policy and Procedure

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Policy control

Approved by	Academic Board	
Contact/s	Angharad Simpson, Assistant University Secretary (Adjudication)	
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1. Purpose

1 Information for students

- 1.1. The University's assessment process is subject to quality assurance procedures which are approved by the Academic Board and which conform to the guidance issued by the Quality Assurance Agency in its Quality Code. In certain circumstances, all students of the University, including those who are registered on a course leading to an award of the University that is delivered through a collaborative partner (for taught students see 3.24-3.26), have the right of appeal against the decision of an Examination Board.
- 1.2. In consideration of Academic Appeals no mark or grade will be awarded without evidence that a student has met the associated learning outcomes. It is therefore likely that any successful appeal will result in your having another opportunity. It will not lead to changes of grade or award. All Appeal outcomes must be within the University Regulations and Policy.
- 1.3. If you think you have grounds that entitle you to exercise this right, you are required to inform the University's Student Adjudication Team in writing using the Academic Appeal Form (Stage 1). For your information and guidance, the University policy regarding academic appeals and the procedures to be followed when submitting an appeal is set out in section 3 of this document for students on taught degrees and in section 4 for Post Graduate Research (PGR) students.
- 1.4. The University of Bedfordshire Students' Union (Beds SU) and the University's Student Support Services are able to provide impartial guidance and advice to students who wish to submit an appeal, including advice on whether their submission constitutes a valid appeal.
- 1.5. The University endeavours to resolve all appeals as early as possible and is committed to dealing openly and fairly with you, if you decide to make an appeal. The University will not penalise you for appealing.
- 1.6. All appeals are considered impartially by someone who is not directly involved in the matter upon which the appeal is based. This impartiality is protected throughout the process. At each stage of an appeal a new member of staff is appointed. No member of staff is permitted to be part of the process at more than one stage.
- 1.7. The outcome of a successful academic appeal may provide you with a further opportunity to demonstrate your knowledge and skills. Further opportunities will normally be offered at the next formally scheduled offering of a particular unit or assessment. A successful appeal on its own will not improve the grade or an outcome you have already been awarded.
- 1.8. The outcome of an appeal cannot constitute a disadvantage. For students on a taught course, there will be no reduction in your grade or classification of award as a result of appeal, including the outcome of any resubmission or additional opportunity of assessment. For PGR students, there cannot be a disadvantage with regard to academic progression or any previous recommendation of an Examination Board, including the outcome of any resubmission or additional opportunity of assessment.

- 1.9. It is important that you understand how an appeal differs from a complaint or a request for the recognition of mitigating circumstances.
 - a) The University operates a complaints policy and a system for considering mitigating circumstances. If you wish to raise a complaint or if you request the consideration of mitigating circumstances, be aware that these need to be made prior to a decision at an Examination Board. Matters must be brought to the University's attention before a specified deadline immediately preceding the relevant Examination Board.
 - b) Academic appeals are only valid in respect of Examination Board decisions already made. Therefore the appeals procedure must be followed after an Examination Board has taken a decision and students have received their confirmed results. Note that it is only through the appeals process that issues relating to an Examination Board decision can be resolved.
- 1.10. Your attention is drawn especially to the sections in section 3 for taught students, and section 4 for PGR students of this policy entitled: Circumstances in which academic appeals can be made, that set out the grounds of an appeal and the timescale which should be adhered to in connection with the submission of an appeal.
- 1.11. You may only appeal if you are a registered student. Your acceptance of an award certificate at graduation implies acceptance of the award and the closure of any action/appeal within the University's procedure. This equally applies if you do not return a certificate or an award letter that has been sent to you in the post within 10 working days.
- 1.12. The University will only consider an appeal from you if you are directly affected by the Examination Board's decision or, in addition if you are a PGR student, the decision of the Academic Progress Panel (APP). Appeals by third parties, or appeals which are made anonymously, will not be considered. If you are one of a group of students on a taught course affected by the same set of circumstances, you may wish to make a collective appeal through a single spokesperson with the agreement of all members of the group.
- 1.13. You may only appeal if you are a registered student and in good financial and academic standing, or (if an appeal is lodged after a final award/withdrawal decision) in relation to a period in which you were in good financial and academic standing. Although you may appeal while sanctioned for financial or academic reasons, no appeal outcome will be implemented until your position in the University has been recovered.
- 1.14. You will not normally be permitted to appeal on the basis of bereavement or for a suspension of studies. In neither of these cases is an appeal appropriate, because appeals are retrospective and these matters are difficult to resolve fairly in retrospect. You are advised to use the University's support services in these cases.
- 1.15. If your appeal is not based on the grounds specified in this Policy or accompanied by appropriate supporting evidence, or is submitted out of time, the University will inform you that no action will be taken. You will be informed of your right to request a Completion of Procedures Letter (<http://oiahe.org.uk>) if you wish to pursue the matter further with the Office of the Independent Adjudicator for Higher Education.
- 1.16. If you submit information that is false, as part of your appeal, the University will refer the matter for consideration as a disciplinary offence under the Student Code of Conduct and Disciplinary Policy.

- 1.17. As a taught student you will not normally be permitted to attend classes where you have not yet successfully appealed against a decision that may have prevented your attendance. However, Faculty Managers may exceptionally permit attendance, where non-attendance would have a detrimental impact on your academic progress should your appeal be upheld. Please note that this will not constitute formal progress until such a time that a successful outcome of the appeal has been achieved.
- 1.18. It is your responsibility, when submitting an appeal, to state clearly which one or more of the bases for appeal specified in the academic appeals policy you are giving as the basis of your appeal, and to explain why you are raising any matters of personal circumstance after the Examination Board decision and not within the University's mitigating circumstances process. You must also provide evidence of any claims you make, and specify clearly the units and assessments to which your appeal refers.
- 1.19. If you submit a complaint, within the University's Student Complaints Policy, and there is clear potential for a positive academic outcome to that complaint to require reconsideration of an examination board decision, the University will identify your complaint as an academic appeal and deal with it according to its Academic Appeals Policy.
- 1.20. Members of University staff, parents or lawyers/solicitors may not submit an academic appeal on your behalf.

Contacts

All contact details are available on the University website.

- BEDSSU Student Advice Service, email: be.supported@beds.ac.uk
- Student Adjudication Team, University of Bedfordshire, University Square, Luton, Beds, LU1 3JU. Email: adjudication@beds.ac.uk
- Student Engagement and Mitigation Team (SEAM) email: student.engagement@beds.ac.uk and mitigation@beds.ac.uk

2. Scope

2. Introduction to the Academic Appeal Policy and Process

- 2.1. An academic appeal is a request for review of an Examination Board decision or an Academic Progress Panel (APP) related to assessment results, academic progression and/or award. Where a complaint is specified as having an impact on assessment results, academic progression and/or award, it must be treated as an academic appeal. No mark or grade will be awarded without evidence that a student has met the associated learning outcomes. Academic appeals may not, therefore, result in changes of grade (other than as required to permit a further opportunity) or breaches of University academic regulations. Any appeal outcome that a Faculty deems to require action outside policy must be presented to the TQSC Exceptions Panel.
- 2.2. Academic appeals are only valid in respect of Examination Board decisions. Therefore the appeals procedure must be followed after an Examination Board has taken a decision and a student has received their confirmed results. It is only through the appeals process that issues relating to an Examination Board decision can be resolved. The Student Complaints Procedure is to be used prior to a decision at an Examination Board, ensuring that matters that have potentially impacted on student performance are brought to the attention of the relevant Examination Board or APP. Matters that are considered as academic appeals may not subsequently be considered as complaints.
- 2.3. The University operates a process by which Faculties are able to raise issues that impact on standards or quality in respect of individual students or particular groups. This is separate from the process for individual student appeals (see Appendix 5).
- 2.4. As far as possible, within the effective operation of this process, impartiality and confidentiality of both individuals and proceedings will be maintained.
- 2.5. Academic appeals are not valid where they relate to academic judgement (including Academic Concerns and decisions of the Academic Conduct Panel (ACP)). Academic judgment is about the quality of academic performance or content.
- 2.6. For Academic appeal information for students on taught courses please see section 3 and for postgraduate research students please see section 4. Appeals in relation to the taught component of postgraduate research programmes should be considered within section 3.
- 2.7. The Academic Board will annually review the operation of the appeals procedure in order to evaluate its effectiveness. Exceptions granted under the Academic Appeals Policy are recorded by the Academic Registrar within the TQSC standing panel to ensure consistency of decision-making across processes. The Adjudication Team will formally highlight to the Chair of TQSC where there are a number of cases emerging with the same operational problem, so that the matter can be reviewed as such rather than as a series of individual appeals. This will be measured over a period of 3 months to ascertain whether cases of a similar nature are reoccurring. The Chair of TQSC's investigation is to be reported back to Adjudication with any action required notified to TQSC.

- 2.8. Complaints about the procedural operation of this process must be raised through the Student Complaints Process. Such complaints may not request further review of the academic decision previously appealed, but must be confined to the expression of a specific concern related to the operation of the appeal process.

3. Policy

3. For students on a taught course (including any taught component of research programmes)

Circumstances in which academic appeals may be made

- 3.1. Full-time and part-time students of the University who are registered or whose period of registration has ended following an Examination Board decision may submit appeals to the University against decisions of Examination Boards. Appeals may relate either to (a) an award made at the end of the final stage of a course or (b) a decision that would result in an interruption of studies or disadvantage at an intermediate stage of a course. The latter may include an interruption of the normal progress of a student, a requirement either to withdraw from a course, to undertake referrals, to repeat an element of a course, or to register for/receive an award other than the target award at the point of appeal, and the award of a grade that can be demonstrated not to reflect a student's performance in circumstances of full opportunity.
- 3.2. Valid bases for appeal in respect of an academic outcome are:

Exceptional mitigating circumstances

- a) These arise where a student establishes to the satisfaction of the University (by submitting medical certificates or other documentary evidence acceptable to the University) that his/her assessment performance was adversely affected by illness or some other reason which he/she was unable, or for valid reasons unwilling, to divulge before the Examination Board reached its decision

Note: Academic Appeals may not normally be submitted on the basis of bereavement. The University's Mitigating Circumstances process must be used in such cases.

Medical and other circumstances that should have been reported to the University at the time of their occurrence will not normally be accepted as grounds for appeal. Students are expected to contact Student Support at the time of the occurrence and follow the University's Mitigating Circumstances process where appropriate.

Where a student has been absent from their studies without the University's knowledge, they may not normally subsequently appeal in relation to that period.

Operational problems impacting on academic outcome

- b) This arises where the University is satisfied on the basis of evidence produced by the student or derived from any other source that the assessments were not conducted in accordance with the relevant Regulations, or that a material administrative error or some other material irregularity occurred in relation to teaching or assessment (including project and placement units), such that assessment performance was materially and adversely affected.
- 3.3. The University only considers appeals that are based within the Regulations. It will not consider any appeal that is based solely on a request for the student to be given another opportunity to change a grade, or any attempt to alter the outcomes of academic judgement reached through due academic process, including decisions of the Academic Conduct Panel.
- 3.4. Appeals may not be made in respect of matters relating to academic performance before Examination Boards have reached their decisions in regard to such matters.
- 3.5. Where the claim of operational problems includes allegations of victimisation or unfair discrimination, the University will, in the first instance, investigate these claims through the University Student Complaints Procedure, to inform the appeal process.
- 3.6. Students who are sanctioned for financial or academic reasons may submit and receive a response to their appeal, but no outcome will be actioned before their good standing is recovered.
- 3.7. Requests to suspend studies will not normally be granted in retrospect through this appeals process (i.e. where the request is made after the pre-examination-board deadline set by the University's Mitigation Team). Requests relating to multiple assessments over a period of time will normally be considered as requests for additional opportunity without penalty.
- 3.8. The Student Adjudication Team will respond to any issues lodged as academic appeals but which fall outside the scope of academic appeal, confirming that the appeal is not valid and indicating alternative approaches where relevant (see also Introduction: Information to Students).
- 3.9. It is expected that the need to appeal will only occur as a last resort; students must ensure that, as far as possible, the Examination Board is informed prior to its meeting using the University's processes (e.g. use of the Mitigation Team) of any circumstances which might have adversely affected their performance.
- 3.10. Acceptance of an award certificate or a failure to respond within 10 working days of receipt constitutes acceptance of the award and the closure of any appeal within the University's procedures.
- 3.11. The Chair of the Appeal Review Board will nominate a team of senior academic staff, including at least one member of Academic Board, to review appeals lodged by students on taught courses, ensuring that all such appeals are considered by an appeal reviewer not within the Faculty to which an appeal pertains. The Chair of the Appeal Review Board will brief new Appeal Reviewers on the process and cases. All reviewers are expected to undertake equality and diversity training before or as soon as possible after appointment.
- 3.12. The Student Adjudication Team will report to Academic Board after the end of each academic year on the activity and outcomes of academic appeals.

- 3.13. Where issues of common occurrence and/or impact arise in the course of an academic year, this will be included in the annual report.
- 3.14. The Appeal Reviewer is empowered to take four courses of action following its consideration of an appeal by a student on a taught course:
- i. to reject an appeal, in which case the decision is final;
 - ii. to uphold the appeal, and require an Examination Board to review or revise its decision or process where one or both of the two possible grounds for appeal is found to have had material impact on the performance or progression of a student;
 - iii. to require an Examination Board to reconsider or revise its decision where an appeal, as presented, is not upheld, but other material factors emerge in the course of investigation or appeal;
 - iv. to determine that for reasons other than the non-provision of information and evidence by the appellant, an appeal cannot be resolved at stage one and should proceed to stage two.
- 3.15. Neither a Reviewer nor an Academic Appeal Panel has authority to set aside the decision of the Examination Board or recommend award.
- 3.16. No decision will be revised within this Academic Appeals Policy to the detriment of a student.
- 3.17. A revised decision of an Examination Board resulting from this process shall be final and may not be the subject of further appeal unless it can be evidenced that:
- the basis of any further appeal is new information that was not available at the time of the earlier appeal;
 - the new appeal arises from circumstances obtaining only as a consequence of the earlier appeal
 - the appeal relates to the implementation of the earlier appeal outcome.
- 3.18. Where there is evidence that an appellant or their representative may have provided misinformation to influence the outcome of an academic appeal, disciplinary action may be taken after the conclusion of the appeal process.

Procedure

Submitting an appeal

- 3.19. A student who wishes to exercise their right to appeal against a decision of an Examination Board must do so by completing the Academic Appeal Form (Stage1) and sending it to the Student Adjudication Team (adjudication@beds.ac.uk).
- 3.20. The student must specify precisely the grounds on which the appeal is based (see section 3.2 above) and provide all supporting documentary evidence that they wish to be considered. The Stage 1 appeal reviewer or Stage 2 appeal review panel will normally receive and consider the following in support of an appeal:

- A completed academic appeal form
 - Supporting evidence referenced in the appeal form
 - Material provided by those directly involved in the stage two panel meeting (at stage two of the process)
- 3.21. Appeals must be received by the University at adjudication@beds.ac.uk within 15 working days from the date on which the student received formal notification of a decision of an Examination Board online via the student results portal on SITS Evision.
- 3.22. Students will normally be deemed to have received such formal notification of their assessments, or academic progression decision 48 hours after confirmation by the Examination Board.
- 3.23. The University has the right, under exceptional circumstances, to waive these time- scales, where there is clear evidence provided by an appellant of circumstances that might reasonably hinder an on-time submission. These include the consideration of matters of health and disability where these can be reasonably concluded to have impeded on-time submission within the standard 15 working day timeframe for appeal submissions.
- 3.24. Academic appeals submitted by students at associate collaborative partner institutions will be processed according to this policy, unless a variation, limited to stage one consideration, is exceptionally agreed by the University through its standard approval processes for collaborative provision.
- 3.25. Students studying at the University's accredited collaborative partner institutions should follow the academic appeals policy of their home institution, which the University will have approved as being consonant with its procedures. Applications by students to review these decisions may be considered by the University under the appeals review procedures.
- 3.26. Appeal outcomes relating to students other than those considered at an accredited collaborative partner will be lodged on SITS by Faculty Office staff. Reporting on appeal outcomes will form part of accredited partner annual reporting.

Stage One

- 3.27. The Student Adjudication Team will receive an academic appeal in writing that specifies the basis of the appeal and provides relevant supplementary evidence, and will confirm receipt to the appellant. If the appeal is submitted out of time or does not meet the criteria for appeal specified in paragraph 3.2 above, the Student Adjudication Team will inform the student that no action will be taken. The student will be informed of their right to request a Completion of Procedures Letter (<http://oiahe.org.uk>) if they wish to pursue the matter further with the Office of the Independent Adjudicator for Higher Education. If the appeal is submitted within time and meets the criteria for appeal specified in paragraph 3.2, the Student Adjudication Team will forward the appeal documentation to the nominated appeal reviewer.
- 3.28. The role of the Reviewer and, on their behalf where necessary a departmental administrator as investigator, will be to identify and examine all evidence that may support the appeal, and to answer questions raised by the reviewer. This should include relevant evidence gathered internally from within the University, but will not include testimonials from students or staff unless explicitly requested by the reviewer

- 3.29. The Reviewer will aim to respond, through Adjudication and then the Head of Academic Services via appeals@beds.ac.uk to the student submitting the appeal, within 10 working days of receipt of the appeal and supplementary evidence (in full), in order to do one of the following:
- a) to uphold the appeal, and to inform the student of the findings of the investigation and confirm that the relevant Examination Board will be required to review or revise its decision (through Chair's action) in respect of the student.
 - b) to not uphold the appeal, and to provide the student with a clear and complete reason for not doing so.
 - c) to confirm to the student a deadline for response (where the appeal circumstances require a protracted investigation) in respect of a) or b) above.
 - d) in exceptional circumstances to confirm that a case cannot be addressed adequately at stage one and will therefore proceed to stage two.
- 3.30. Once an appeal has been upheld, no further appeal on the same matter will be permitted, subject to the exceptions detailed in 3.17 above.
- 3.31. Academic appeal decisions relate only to academic credit and will not override Professional, Statutory or Regulatory Body (PSRB) regulations and requirements. Appeal outcome letters will state this proviso in relation to any decision to uphold. Where such regulations and requirements prevent the implementation of an academic appeal outcome, the Faculty Manager must a) obtain external examiner confirmation of this constraint, b) record this formally in the record for the next relevant Examination Board and c) inform the Student Adjudication Team, so that the revised outcome can be filed along with the initial decision.
- 3.32. Where it is confirmed that the University does not find the appeal to be substantiated and the stage one appeal is not upheld, a student will, on the proviso that he/she can supply additional and significant evidence or information directly related to the initial appeal, have the right to proceed to stage two of the appeals procedure.

Stage Two

- 3.33. Where a student is not satisfied that the outcome of the investigation of stage one of the Academic Appeals Procedure is founded on full or accurate consideration of the circumstances of appeal, he/she may request that an Appeal Review Panel reviews the case, through the stage two procedure, only on the basis of new and significant information or evidence.
- 3.34. A student who wishes an Appeal Review Panel to review his/her appeal, must inform the Student Adjudication Team within ten working days of receipt of the outcome (students will be deemed to have received notification on the date the outcome is communicated to them by email to a known email address declared on the student record or the email address from which they submitted the appeal). Requests for a stage two review must be made using the Appeal Review Form (Stage 2).

- 3.35. In requesting a review of an appeal decision, a student may not introduce new grounds for appeal or any supplementary evidence beyond that directly related to the initial basis of appeal.
- 3.36. Where the basis of appeal remains the same, but additional new, directly relevant evidence or information is presented, the Student Adjudication Team will confirm receipt and will establish an Academic Review Panel. The Chair of the Stage 2 review is responsible for investigating the background to any new information provided within stage two, prior to the review panel meeting. They may request additional evidence prior to the panel meeting, but not afterwards. Where individuals from the department are identified in relation to the appeal, they are invited to be part of the process. The Student Adjudication Team will inform the appellant of the date, time and location of the Appeal Review Panel meeting at which their case will be heard, giving the student five working days' notice where possible, or where the student accepts a lesser period.
- 3.37. Where there is a substantive alteration or addition to the initial basis of appeal, or where the original appeal is restated without new evidence or information directly related to that initial appeal, the Student Adjudication Team will respond, within ten working days of receipt of the renewed appeal, to confirm the outcome of the previous investigation and a Completion of Procedures letter will be issued within 28 days.
- 3.38. Students have the right to appear in person at the meeting of the Appeal Review Panel held on one of the University's campuses at which their appeal is considered, and to be accompanied at such meetings by a Beds SU representative or another currently registered student if they so wish. Students who decide to avail themselves of either one of these opportunities are required to notify the University of the name and affiliation of the person who will accompany them in advance of the meeting.
- 3.39. The role of any accompanying individual will be to assist in the clarification of any matters raised by the Panel. They may not otherwise represent the appellant throughout the proceedings.
- 3.40. The Appeal Review Panel may request a student to attend the meeting at which his or her appeal is heard and in the event he/she will be notified by the Student Adjudication Team of the time and place of the meeting.
- 3.41. Where a student is unable to attend the meeting of the Appeal Review Panel, but wishes to participate, he or she may do so through videoconferencing facilities where these are available or by representation by another individual (for example, a Beds SU representative), subject to the approval of the panel Chair.
- 3.42. The Appeal Review Panel may require appropriately qualified, senior academic representation from the Department or Faculty associated with the Examination Board decision that is appealed. This will include a staff member who is qualified to represent the position of any PSRB involved in the provision to which the appeal relates.
- 3.43. Where student and Faculty/Department representation is required, the Appeal Review Panel will meet the representatives together.
- 3.44. The Appeal Review Panel will be chaired by a member of Academic Board nominated by the University Secretary and other than the Reviewer of any stage one appeal relating to the

same matter. The Chair will be joined by two additional senior members of staff, of which at least one should be a senior member of staff (grade 9 or above).

- 3.45. No member of the Faculty responsible for the decision against which an appeal is being made shall be a member of the Appeal Review Panel.

Outcomes

- 3.46. A review conducted by the Appeal Review Panel at stage two will lead to one of the following outcomes:
- a) to uphold the stage two appeal, and inform the student of the conclusion of the review and confirm that the relevant Examination Board will be required to review or revise its decision or process in respect of the student;
 - b) to not uphold the stage two appeal, and inform the student that the review has upheld the previous appeal outcome and that no revision of Examination Board decision will be initiated, and a Completion of Procedures letter will be provided within 28 days;
 - c) to inform the student that the review upheld the procedure and outcome of the previous investigation (stage one) but other factors have since been identified as leading to a requirement for revision of the Examination Board.

No revision will be undertaken within this process to the detriment of the appellant.

- 3.47. The Student Adjudication Team will inform the student of the outcome within 15 working days of the Appeal Review Panel, and a Completion of Procedures letter will be issued where required within 28 days.
- 3.48. The outcome of the review will be final within the University's processes (subject to the terms of 3.17 above), and will include confirmation of any related PSRB restriction considered by the Appeal Review Panel.
- 3.49. Where there is evidence that an appellant or their representative may have provided misinformation to influence the outcome of an academic appeal, disciplinary action may be taken after the conclusion of the appeal process.

4. For postgraduate research students

Circumstances in which academic appeals may be made

- 4.1. Full-time and part-time PGR students of the University who are registered or whose period of registration has ended following a Research Degree Committee decision may submit appeals to the University. Appeals may relate to a decision that would result in an interruption of academic progress arising from a requirement to withdraw, to resubmit a programme approval or transfer report, or to register for/receive an award other than the target award at the point of appeal.

- 4.2. Submission of a thesis/dissertation in partial completion of the requirements for a research degree award constitutes confirmation that a candidate is satisfied that the supervisory and other processes underpinning that submission have been appropriate and complete. Therefore no academic appeal may be lodged in respect of these matters after submission. The University has processes for complaint and grievance arising during the study period, and students are expected to use these if issues arise in the operation of supervision. In the case that an appeal relies substantively on such issues, the University will take into consideration the availability of processes that would have addressed matters earlier.
- 4.3. Valid bases for appeal in respect of an academic outcome as defined in 4.1 above are:

Exceptional mitigating circumstances

- a) These arise where a student establishes to the satisfaction of the University (by submitting medical certificates or other documentary evidence acceptable to the University) that his/her assessment performance was adversely affected by illness or some other reason which he/she was unable, or for valid reasons unwilling, to divulge before completion of the RS1 Programme Approval or RS4 Transfer stages or a viva event.

Note: Academic appeals may not normally be submitted on the basis of bereavement. The University's Mitigating Circumstances process must be used in such cases.

Medical and other circumstances that should have been reported to the University at the time of their occurrence will not normally be considered. Students are expected to contact Student Support at the time of the occurrence and follow the University's Mitigating Circumstances process where appropriate.

Where a student has been absent from their studies without the University's knowledge, they may not normally subsequently appeal in relation to that period.

Appeals relating to circumstances obtaining prior to the submission of a dissertation or thesis in partial completion of the requirements for postgraduate degree award may not be lodged after submission of the dissertation or thesis, since submission is taken to constitute confirmation of satisfactory completion by a candidate.

Operational problems impacting on academic outcome

- b) This arises where the University is satisfied on the basis of evidence produced by the student or derived from any other source that supervision or assessment were not conducted in accordance with the relevant regulations or that a material administrative error or some other material irregularity occurred in relation to teaching or assessment, such that assessment performance was materially and adversely affected.

Note: Academic appeals may not be submitted in relation to the operation of supervisory or other processes after submission of a dissertation/thesis, since submission of these items

constitutes confirmation of satisfactory completion by the candidate. Academic appeals are permitted on the basis of events or processes occurring after the submission of a thesis or dissertation

- 4.4. Where the claim of operational problems includes allegations of victimisation or unfair discrimination, the University will, in the first instance, investigate these claims through the University Student Complaints Procedure, to inform the appeal process.
- 4.5. Students who are sanctioned for financial or academic reasons may submit and receive a response to their appeal, but no outcome will be actioned before their good standing is recovered.
- 4.6. The University only considers appeals that are based within the Regulations. It will not consider any appeal on the grounds of a disagreement with academic judgement, including requirements for resubmission of a thesis. An appeal can therefore not be based solely on a request for the student to be given another opportunity to change an outcome, or any attempt to alter the outcomes of academic judgement reached through due academic process, including decisions made in respect of academic practice or research misconduct.
- 4.7. The Student Adjudication Team will respond to any issues lodged as academic appeals but which fall outside the scope of academic appeal, confirming that the appeal is not valid and indicating alternative approaches where relevant (see also Introduction: Information to Students).
- 4.8. It is expected that the need to appeal will only occur as a last resort; students must ensure that, as far as possible, the Research Degrees Committee is informed, through the Research Graduate School, prior to its meeting using the University's processes (e.g. use of the mitigation team) of any circumstances which might have adversely affected their performance.
- 4.9. Acceptance of an award letter, or a failure to respond within 10 working days of receipt constitutes acceptance of the award and the closure of any appeal within the University's procedures.
- 4.10. The Deputy Vice Chancellor (Academic) will nominate a reviewer to consider appeals in relation to postgraduate research students (PGR) at stage one.
- 4.11. The University Secretary will report to Academic Board after the end of each academic year on the activity and outcomes of PGR academic appeals.
- 4.12. Where issues of common occurrence and/or impact arise in the course of an academic year, this will be included in the annual report to Academic Board.
- 4.13. The stage one Reviewer is empowered to take one of the following courses of action following its consideration of an appeal against an APP decision:
 - (i) to reject an appeal;
 - (ii) to uphold the appeal, and require the Research Degrees Committee to take action in line with University regulations, on the basis that the appeal is upheld in principle;
 - (iii) to determine that an appeal cannot be resolved at stage one and must progress to stage two.

A revised decision of the Research Degrees Committee resulting from this appeal process shall be final.

Procedure

Submitting an appeal

- 4.14. A student who wishes to exercise their right to appeal to the University, following a confirmed Research Degrees Committee decision must do so by completing the Academic Appeal Form (Stage 1) and sending it to the Student Adjudication Team (adjudication@beds.ac.uk).
- 4.15. The student must specify precisely the grounds on which the appeal is based (see section 4.3.) and any supporting documentary evidence that the student wishes to be considered by the University.
- 4.16. Appeals must be received by the Student Adjudication Team within 15 working days from the date on which the student received formal notification of a decision of an Examination Board or APP ratified by the Research Degrees Committee.
- 4.17. Students will normally be deemed to have received formal notification of their assessments, or academic progression decision 48 hours after confirmation by the Research Degrees Committee.
- 4.18. The University has the right, under exceptional circumstances, to waive these time-scales.
- 4.19. A PGR student studying with collaborative partners will have their appeal considered under this policy.

Stage One

- 4.20. The Student Adjudication Team will receive an academic appeal in writing that specifies the basis of the appeal and provides relevant supplementary evidence, and will confirm receipt to the appellant. If the appeal is submitted out of time or does not meet the criteria for appeal specified in paragraph 4.2 above, the Student Adjudication Team will inform the student that no action will be taken. The student will be informed of their right to request a Completion of Procedures Letter (<http://oiahe.org.uk>) if they wish to pursue the matter further with the Office of the Independent Adjudicator for Higher Education. If the appeal is submitted within time and meets the criteria for appeal specified in paragraph 4.3, the Student Adjudication Team will forward the appeal documentation to the Deputy Vice Chancellor (Academic) who will nominate a Reviewer in accordance with paragraph 4.10, as a stage one Reviewer.
- 4.21. The role of the Reviewer and, on their behalf (if requested) an independent member of the Academic Services Department as investigator, will be to identify and examine all evidence that may support the appeal, and to answer questions raised by the reviewer.
- 4.22. The Reviewer will aim to respond, through Adjudication and then the Head of Academic Services via appeals@beds.ac.uk to the student submitting the appeal, within 10 working

days of receipt of the appeal and supplementary evidence (in full), in order to do one of the following:

- a) to uphold the appeal, and inform the student of the findings of the investigation and confirm that the Research Degrees Committee will be asked to consider appropriate action;
- b) to inform a student that the appeal will be heard as a stage two appeal;
- c) to not uphold the appeal, and inform the student of the findings of the investigation and confirm the basis on which the University does not find the appeal to be substantiated;
- d) to confirm to the student a deadline for response (where the appeal circumstances require a protracted investigation) in respect of a) above.

- 4.23. Once an appeal has been successful no further appeal in respect of the same matter(s) will be permitted.
- 4.24. Where it is confirmed that the University does not find the appeal to be substantiated and the stage one appeal is not upheld, a student will, on the proviso that they can supply additional significant evidence or information directly related to the initial appeal, have the right to apply to the University for reconsideration of his/her appeal and proceed to stage two of the appeals procedure.

Stage Two

- 4.25. Where a student is not satisfied that the outcome of the investigation of an appeal is founded on full or accurate consideration of the circumstances of appeal, they may request that an Appeal Review Panel reviews the case. This will only be permitted on the basis of new and significant information or evidence.
- 4.26. A student who wishes an Appeal Review Panel to review their appeal must inform the Student Adjudication Team within ten working days of the outcome (students will be deemed to have received notification on the date the outcome is communicated to them by email to a known email address declared on the student record or the email address from which they submitted the appeal). Requests for a stage two review must be made using the Appeal Review Form (Stage 2).
- 4.27. In requesting a review of a stage one decision, a student may not introduce new grounds for appeal or any supplementary evidence beyond that directly related to the initial basis of appeal.
- 4.28. Where there is a substantive alteration or addition to the initial basis of appeal, or where the original appeal is restated without new evidence or information directly related to that initial appeal, the Student Adjudication Team will respond, within ten working days to confirm the outcome of the previous investigation and a Completion of Procedures letter will be issued within 28 days.
- 4.29. Where the basis of appeal remains the same, but additional new, directly relevant evidence or information is presented, the Student Adjudication Team will confirm receipt and will arrange a meeting of an Appeal Review Panel. The Student Adjudication Team will inform the appellant of the Appeal Review Panel meeting at which their case will be heard.

- 4.30. The meeting of the Appeal Review Panel will be chaired by an active researcher, nominated by the University Secretary. The Chair will be joined by two additional senior members of staff, of which at least one is a researcher who is an active supervisor.
- 4.31. No member of Academic Board shall act who is a member of the Faculty or Research Institute responsible for the decision against which an appeal is being made. The Deputy Vice Chancellor (Academic) may nominate the panel but not be a member. The Director of Research Development (including any individuals formally deputizing for them) will not be permitted as a panel member. The Chair of the Stage 2 review is responsible for investigating the background to any new information provided within stage two, prior to the review panel meeting. They may request additional evidence prior to the panel meeting, but not afterwards. Where individuals from the department are identified in relation to the appeal, they are invited to be part of the process. The Student Adjudication Team will inform the appellant of the date, time and location of the Appeal Review Panel meeting at which their case will be heard, giving the student five working days' notice where possible, or where the student accepts a lesser period.
- 4.32. A student has the right to appear in person at the Appeal Review Panel at which their appeal is considered, and to be accompanied at such meetings by a Beds SU representative, or their research supervisor or a currently registered student if they so wish. Students who decide to avail themselves of one of these opportunities are required to notify the University of the name and affiliation of the person who will accompany them.
- 4.33. The role of any accompanying individual will be to assist in the clarification of any matters raised by the Panel. They may not otherwise represent the appellant throughout the proceedings.
- 4.34. The Appeal Review Panel may request a student to attend the meeting at which his or her appeal is heard and in the event he/she will be notified by the Student Adjudication Team of the time and place of the meeting.
- 4.35. Where a student is unable to attend the meeting of the Appeal Review Panel, but wishes to participate, he or she may do so through videoconferencing facilities where these are available or by representation by another individual (for example, a representative of Beds SU), subject to the approval of the Chair.
- 4.36. Where an external examiner is involved directly in the basis of an appeal, and in all cases where an appeal relates to the operation of a viva, external examiners will be invited to attend (or submit written evidence, if they prefer) the meeting of the Appeal Review Panel. The Chair will provide questions to be answered by the external examiner. Where the external examiner is not present as a panel member, their confirmation of the outcome will be required.
- 4.37. Where student and Faculty/ Research Institute representation is required, the Appeal Review Panel will meet the representatives together.

Outcomes

- 4.38. The review conducted by the Appeal Review Panel will lead to one of the following outcomes:

- a) to not uphold the stage two appeal, and inform the student that the review has upheld the previous appeal outcome/decision/examination board outcome and a Completion of Procedures letter will be provided within 28 days;
 - b) to uphold the appeal and inform the student that the Research Degrees Committee will be requested to consider appropriate action;
 - c) to inform the student that the review upheld the procedure and outcome of the previous appeal outcome/decision/examination board outcome but other factors have since been identified as leading to a requirement for reconsideration by the Research Degrees Committee.
- 4.39. No revision will be undertaken within this process to the detriment of the appellant.
- 4.40. The Student Adjudication Team will inform the student of the outcome within 15 working days of the Appeal Review Panel, and a Completion of Procedures letter will be issued where required within 28 days.
- 4.41. The outcome of the Appeal Review Panel will be final within the University's processes.
- 4.42. Where there is evidence that an appellant or his/her representative may have provided misinformation to influence the outcome of an academic appeal, disciplinary action may be taken after the conclusion of the appeal process.

5. The Office of the Independent Adjudicator for Higher Education (OIA)

- 5.1. The decision of an Appeal Review Panel is the final stage within the University's procedures for considering academic appeals. When this final stage has been completed, you will be provided with a Completion of Procedures letter. Where your appeal is deemed to be out of time or to have no grounds, or is concluded at stage one, or is upheld at any stage of the process, you will be advised of your right to request a Completion of Procedures letter. This letter formally acknowledges that the University's internal processes have been completed and you will need it if you wish to refer your complaint to the Office of the Independent Adjudicator (OIA).
- 5.2. If you are dissatisfied with the outcome of your appeal you may be able to make a complaint to the Office of the Independent Adjudicator for Higher Education (OIA) provided that your complaint is eligible under its rules.
- 5.3. Should you decide to make a complaint to the OIA, your complaint must be submitted on an OIA Complaint Form. This can be downloaded from the OIA website here: <http://www.oiahe.org.uk>. Alternatively, you can telephone or write to the OIA for a form. You should send a copy of your Completion of Procedures letter to the OIA with your completed Complaint Form.
- 5.4. Your completed Complaint Form must be received by the OIA within twelve months of the date of your Completion of Procedures letter (i.e. if the Completion of Procedures

letter is dated 1 January 2018 then your complaint must be received by the OIA on or before 1 January 2019).

- 5.5. Guidance on submitting a complaint to the OIA can also be found on its website <http://oiahe.org.uk/making-a-complaint-to-the-oia/how-to-make-a-complaint.aspx>. You may also wish to seek advice from the Students' Union about taking your complaint to the OIA.
- 5.6. Please note that the OIA will normally only review issues that have been dealt with through the University's internal procedures.

6. The provision of information to External Examiners

- 6.1. Where the outcome of an appeal requires the revision and reconsideration of an Examination Board decision, external examiners responsible and/or involved in that decision will be informed. In the case of taught provision considered at Examination Boards this will be through the presentation of a record of Chair's actions at Portfolio Boards, and in the case of PGR decisions this will be by correspondence (through the Research Graduate School).

4. Forms/Instructions

As outlined in the appendices.

5. Links/Dependencies

This policy should be read and its use considered with reference to:

- Student Complaints Policy and Procedure
- Student Code of Conduct and Disciplinary Policy

6. Appendices

Appendix 1 – Academic Appeals Form: Stage One

Appendix 2 – Academic Appeals Form: Stage Two

Appendix 3 – Guidance in respect of Appeal Review Panel meetings

Appendix 4 – Guidance for Interested Parties to an Appeal Review Panel

Appendix 5 – Faculty Process for Consideration of Exception by TQSC

Appendix 1

UNIVERSITY OF BEDFORDSHIRE ACADEMIC APPEAL FORM - STAGE 1

Please read the Academic Appeals Policy before completing this form. If you need help completing the form, you should contact the Students' Union Welfare and Advice team on be.supported@beds.ac.uk

All sections of this form must be completed in full and official supporting evidence must be provided. Please sign and date the form. Your appeal will be delayed if you do not complete this form in full.

Your details:

Student number		Name	
Course title		Email address(es)	
Phone number (s)		Address for correspondence	

Please answer these questions to check your appeal is eligible for consideration

1. Have your results been confirmed by the Exam Board? If you answer 'no' to this question, please wait for your results before appealing. <i>(see section 1.2)</i>	YES / NO
2. Are you appealing within 15 working days of receiving formal notification of your results? If your appeal is submitted late, it will not normally be considered. <i>(see sections 3.21 and 3.22 for taught courses and sections 4.16 and 4.17 for postgraduate research courses).</i>	YES / NO
3. If you are not appealing within 15 days of receiving formal notification of your results, is there an exceptional reason for this? If Yes, please provide an explanation and evidence to support your claim in Section 5. <i>(see section 3.23 for taught courses and section 4.18 for postgraduate research courses)</i>	YES / NO
4. Are your grounds for appeal either: - Exceptional mitigating circumstances, or - Operational problems impacting on academic outcome Please note that appeals will not be considered against the academic judgment of the Examiners. <i>(see sections 3.2 and 3.3 for taught courses and sections 4.3 to 4.6 for postgraduate research courses)</i>	YES / NO

If you have answered 'no' to any of the above questions, it is unlikely that the University will consider your appeal. Please contact the Adjudication Team (adjudication@beds.ac.uk) if you need further advice.

If you have answered 'yes' to the above questions, it is likely that your appeal is eligible for consideration. Please complete the rest of this form and send it to the Adjudication Team (adjudication@beds.ac.uk).

5. Details of assessments affected					
UNIT CODE	ASSESSMENT TYPE Eg Exam, in-class test, dissertation, assignment	ASSESSMENT NUMBER Eg 1 or 2	ASSESSMENT DATE	WAS THIS A FIRST ATTEMPT? (yes/no)	WHEN WERE YOU NOTIFIED OF FINAL RESULTS ON EVISION?
<i>e.g. AAA001-1</i>	<i>Presentation</i>	<i>001</i>	<i>2 May 2016</i>	<i>Yes</i>	<i>15 Jan 2016</i>

Unit details can be found on E:Vision. Please note that grades marked with an * are provisional and are still to be confirmed by an Examination Board. Appeals can only be considered after grades are confirmed.

6. You must support your appeal with documentary evidence to substantiate claims. Appeals will not be accepted without evidence. Evidence should match the period that you were affected. Please list the documents you have attached here and make sure you attach them to your appeal.

7a. Please explain the decision you wish to appeal and the grounds that affected your academic outcome.

A - Exceptional mitigating circumstances

B - Operational problems impacting on academic outcome

b. Specify the date(s) your performance was affected:

c. Please explain how you attempted to resolve your issue at the time you were affected. Include any contact with Student Support e.g. Student Engagement and Mitigation Team.

DECLARATION

By submitting this form to Adjudication I confirm that:

- I have read the Academic Appeals Policy and understand that my appeal will only be considered within the terms of the Academic Appeals Policy and the University Regulations.
- The information I have provided on this form is true to the best of my knowledge;
- I understand that if any information I have provided is found to be false I may be subject to disciplinary proceedings;
- For the purposes of investigating my appeal, I give my permission for the Adjudication Team and Academic Appeals Board to review any information about me held in other University departments including but not limited to my academic department, Finance and Student Support;

PLEASE TYPE - NAME	
PLEASE TYPE - DATE	

Appendix 2

UNIVERSITY OF BEDFORDSHIRE ACADEMIC APPEAL FORM – STAGE 2

Please read the Academic Appeals Policy before completing this form. If you need help completing the form, you should contact the Students' Union Welfare and Advice team on be.supported@beds.ac.uk

All sections of this form must be completed in full and official supporting evidence must be provided. Please sign and date the form. Your appeal will be delayed if you do not complete this form in full.

Your details:

Student number		Name	
Course title		Email address(es)	
Phone number (s)		Address for correspondence	

Please answer these questions to check your appeal is eligible for consideration

1. Have you submitted a Stage 1 appeal and received formal notification that it is not upheld? Please note, the University will only consider an appeal at Stage 2 if a Stage 1 appeal has been considered and is not upheld (<i>see section 3.32 for taught courses and section 4.26 for postgraduate research courses</i>).	YES / NO
2. Are you appealing within 10 working days of receiving your Stage 1 outcome? Please note that students will be deemed to have received notification on the date the outcome is communicated to them by email (<i>see section 3.34 for taught courses and page section 4.28 for postgraduate research courses</i>).	YES / NO
3. If you are not appealing within 10 days of receiving your Stage 1 appeal outcome, is there an exceptional reason for this which you would like the University to take into consideration? If your appeal is submitted late, it will not normally be considered. In exceptional cases, the University may waive these timescales and accept a late appeal if you can demonstrate circumstances that prevented an on-time submission. Any such cases must be supported with relevant documentary evidence (e.g. medical certificate) (<i>see section 3.23 for taught courses and section 4.18 for postgraduate research courses</i>).	YES / NO
4. Are you providing new evidence or information that is directly related to your Stage 1 appeal? If your Stage 1 appeal is restated without new evidence or information directly related to your Stage 1 appeal, or new grounds for appeal are introduced, your appeal will be rejected (<i>see sections 3.35-3.37 for taught courses and sections 4.30-4.32 for postgraduate research courses</i>).	YES / NO

If you have answered 'no' to any of the above questions, it is unlikely that the University will consider your appeal. Please contact the Adjudication Team (adjudication@beds.ac.uk) if you need further advice.

If you have answered 'yes' to the above questions, it is likely that your appeal is eligible for consideration. Please complete the rest of this form and send it to the Adjudication Team (adjudication@beds.ac.uk).

5. Details of assessments affected					
UNIT CODE	ASSESSMENT TYPE Eg Exam, in-class test, dissertation, assignment	ASSESSMENT NUMBER Eg 1 or 2	ASSESSMENT DATE	WAS THIS A FIRST ATTEMPT? (yes/no)	WHEN WERE YOU NOTIFIED OF FINAL RESULTS ON EVISION?
<i>e.g. AAA001-1</i>	<i>Presentation</i>	<i>001</i>	<i>2 May 2016</i>	<i>Yes</i>	<i>15 Jan 2016</i>

Unit details can be found on E:Vision. Please note that grades marked with an * are provisional and are still to be confirmed by an Examination Board. Appeals can only be considered after grades are confirmed.

6. Please explain what new evidence or information you wish to be considered at Stage 2 and why this information was not submitted with your Stage 1 appeal.

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7. You must support your appeal with documentary evidence (eg. medical certificate). Please state here what supporting information you are providing. Appeals will not be accepted without evidence. Please list the documents you have attached here and make sure you attach them to your appeal.

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DECLARATION

By submitting this form to Adjudication I confirm that:

- I have read the Academic Appeals Policy and understand that my appeal will only be considered within the terms of the Academic Appeals Policy and the University Regulations.
- The information I have provided on this form is true to the best of my knowledge;
- I understand that if any information I have provided is found to be false I may be subject to disciplinary proceedings;
- For the purposes of investigating my appeal, I give my permission for the Adjudication Team and Academic Appeals Board to review any information about me held in other University departments including but not limited to my academic department, Finance and Student Support;

PLEASE TYPE - NAME	
PLEASE TYPE - DATE	

Appendix 3

UNIVERSITY OF BEDFORDSHIRE

Guidance in respect of Appeal Review Panel meetings

(to be provided to all attendees/respondents in advance of a meeting)

- a) All parties should be fully advised of the purpose and process of the Appeal Review Panel
- b) Sufficient advance notice of meetings must be provided, as per this policy.
- c) All parties should be fully advised of their right to be accompanied by another individual as identified in the Academic Appeals Policy.
- d) Any actual or potential conflicts of interest among members involved in an Appeal Review Panel must be identified and eliminated, in advance of the meeting or, in the event of that not having occurred, at the meeting.
- e) On completion of the meeting, a report should be compiled which sets out a record of the meeting and is separate from any letter sent to the appellant or other parties.
- f) To ensure that there is no dubiety on records taken, each party must be given the opportunity, as soon as possible following the meeting, to view the record of the meeting, and wherever possible, a signature confirming the accuracy of the record and/or noting any comments/amendments should also be obtained. The meeting record must be agreed by Appeal Review Panel members before it is disseminated further.
- g) Any variation to this policy may only be implemented with the prior written approval of the Chair of the Appeal Review Panel and subsequently reported to Academic Board.

Appendix 4

UNIVERSITY OF BEDFORDSHIRE

Guidance for Interested Parties to an Appeal Review Panel

(to be issued to all attendees in advance of an Appeal Review Panel meeting)

As you are aware an academic appeal has been lodged and you have been contacted as an interested party/witness. It is imperative that the decision of the Appeal Review Panel is evidence based, arrived at in an impartial manner and is clearly and accurately recorded.

We welcome your help and input into this process and would be grateful if when providing oral or written evidence you consider the following:

- 1) Raise any potential conflicts of interest.
- 2) Assure yourself that you are in receipt of, and are familiar with the policies and procedures prior to providing any evidence.
- 3) Assure yourself that the evidence that you provide is an accurate reflection of the case in so far as you are aware.
- 4) You will be given ample opportunity to provide information and to raise pertinent issues/concerns to the panel.
- 5) After the proceedings you will be informed of the outcome, and receive a report of the meeting, which you will be invited to confirm and/or comment on.
- 6) If for any reason you are implicated in the appeal please ensure that you are made aware of the nature of the allegation that has been made.
- 7) If you have any queries please consult the Student Adjudication Team.

Appendix 5

UNIVERSITY OF BEDFORDSHIRE

Faculty Process for Consideration of Exception by TQSC

The University operates a process by which Faculties are able to raise issues that impact on standards or quality in respect of individual students or particular groups. This is separate from the process for individual student appeals. It permits Faculties to identify matters of which students themselves may not be aware, and to propose solutions to circumstances that students may not understand to be available. It also ensures that issues and solutions relevant to particular groups of students are not available inequitably only to those students within a particular group who choose to lodge an appeal.

All such matters require Faculty TQSC approval prior to submission for TQSC consideration.

A standing panel comprising the TQSC Chair, the Academic Registrar, the Director of Research Development and the lead academic appeal reviewer (each with a specified alternative in case of any conflict of interest or absence) will consider issues raised by Faculties. The standing panel will make decisions on exceptions requested. All panel members (or their alternates) must submit a formal response to each issue raised by the Academic Registrar, and be in agreement for approval to be final. Decision of the standing panel will be reported to TQSC via records created and maintained by the Academic Registrar.

Criteria for panel consideration are:

1. There are clearly documented factors other than those that form the basis of academic appeals, i.e. at least one of the following:
 - the case relates to a clearly defined group of students to whom the same particular circumstances apply;
 - the case relates to an individual student and to a specific operational issue for which a University department accepts responsibility
 - the case relates to circumstances of which a student or defined group of students are unlikely to be aware;
 - the case is prompted by operational problems for which the Faculty wishes to acknowledge responsibility.
2. The proposal is supported by a clear statement of the proposed action, including assurance of adherence to specific University policies relevant to that action (e.g. assessment and external examination).
3. The proposal makes clear responsibilities and timeframes associated with the proposed action.