

Higher Education Academic Appeals: Code of Practice

This Code of Practice relates to the processes that must be adhered to when investigating Academic Appeals in relation to Higher Education programmes of study (excluding programmes franchised by the University of Huddersfield). The Code does not supersede any regulations in place at partner Universities or Examining Bodies.

Full account has been taken of the UK Quality Code for Higher Education, particularly the Advice and Guidance on Concerns, Complaints and Appeals which embeds the core practice that:

The provider has fair and transparent procedures for handling complaints and appeals which are accessible to all students.

In addition, the College has taken account of:

- the OIA Good Practice Framework: handling student complaints and academic appeals (revised December 2016)
- The University of Hull Academic Appeals and Queries Regulations v2.02 April 2017, Part V
- Leeds Beckett University Academic Regulations Section 9.0: Academic Appeals July 2017.

This Code of Practice should be read alongside the College's Complaints Procedure and the Higher Education Complaints Procedure. Students are directed to familiarise themselves with the procedures of their awarding body in the first instance.

- 1.0 This Code of Practice (“The Code”) clarifies the expectations and procedural guidelines adopted by Wakefield College (“the College”) relating to academic appeals. An academic appeal is defined by the OIA Framework (Dec 2016 p6) as:
- ‘a request for a review of a decision of an academic body charged with making decisions on assessment, student progression and awards.’*
- 2.0 The Code offers students the opportunity to raise matters of concern and no student shall suffer any disadvantage as a result of making an academic appeal. Any appeal raised will be dealt with in a timely way and any procedures within this Code are designed to be accessible, fair and transparent.
- 3.0 The Code only covers the process of academic appeal and does not apply to complaints which are defined within the OIA Framework as *an expression of dissatisfaction by one or more students about a provider’s action or lack of action, or about the standard of service provided by or on behalf of the provider*. Complaints shall be determined in accordance with the College’s Complaints Procedure and the Higher Education Complaints Procedure.
- 4.0 If an academic appeal is upheld, appropriate remedial action shall be implemented by the College.
- 5.0 The timings provided within this Code do not include bank holidays or periods when the College is closed. It should be noted that any appeal which is submitted during periods of College closure or at a time when key staff are unavailable due to Assessment or Examinations Boards, the time periods provided elsewhere in this Code may be extended. If this becomes necessary, appellants will be provided with a full explanation as to why the investigation has been delayed.
- 6.0 No person can take part in the academic appeals process if they are a member of staff in the Curriculum Area within which the appellant is enrolled or if they were a member of the Board of Examiners where the relevant decision was made (other than as detailed in paragraph 9.0). Any person who feels they have a conflict of interest relating to the making of a decision relating to an academic appeal must declare such an interest and will, as a result, be prohibited from engaging with the process.
- 7.0 It should be noted that a mark awarded for any piece of assessed work (formative or summative) or the award of an overall mark, grade or classification for an award is held to be an academic judgement of the examiner(s) and/or the Board of Examiners and is not therefore, appealable under this Code, or under any other regulations or procedures of the College or, where applicable, its partner organisations. If a student wishes to query any such mark, grade or classification they are entitled to make a request, of the examiner or Board of Examiners, for confirmation that all marking has been conducted in accordance with the regulations and procedures in place at the relevant time. This confirmation would relate to such matters as moderation, second marking and referral to the external

examiner. Once such confirmation is issued, in writing with an explanation of the procedures which have been followed, this matter is then deemed to be closed and the mark or decision is upheld. In the first instance, a student should informally approach their module tutor or programme leader with any query relating to an assessment or programme of study. If, following discussions, the matter remains unresolved, the student may request a meeting with the Head of Curriculum. If the matter still remains unresolved, it should then be moved to a formal appeal (review stage).

8.0 Formal appeals relating to Academic Appeals should be made on Form AA1 (appendix 1) and should be submitted to the HE Administrator, Room WU006, Advanced Skills and Innovation Centre, Wakefield College, Wakefield City Campus, Margaret Street, Wakefield, WF1 2DH (headmin@wakefield.ac.uk). The Appeal should be made within 10 working days of meeting with the Head of Curriculum. Acknowledgement of receipt will be provided by the HE Administrator within 5 working days (subject to the caveat contained in paragraph 6.0). *Students wishing to make formal appeals relating to Leeds Beckett University courses should contact the HE Administrator on the contact details contained within this paragraph for details of next steps. Students wishing to make formal appeals relating to University of Hull courses will do so via this process, but should note that a right of final challenge to the University does exist.*

9.0 The HE Administrator must immediately inform the Director of Higher Education and an appeals panel shall be convened within 14 working days. The Director of Higher Education will chair the panel and there will be two other members who should consist of:

9.1 The programme leader (or if they were the original assessor/marker, another staff member in the curriculum area who has programme knowledge but was not involved in the original marking process)

9.2 A member of staff with at least one year's experience of second marking and/or internal verification at HE level

9.3 The student and the original marker/assessor will also be invited to attend. The appellant may be accompanied by a friend. This friend may not be a lawyer acting in a professional capacity and may not speak on behalf of the appellant unless invited by the Panel to do so. The student is not obliged to attend and non-attendance will not invalidate the appeal proceedings.

10.0 The parties concerned are required to submit supporting evidence for consideration by the panel. The panel will then make one of two decisions:

10.1 Uphold the decision of the Board of Examiners

10.2 Require amendment to the original decision of the Board of Examiners

- 11.0 The panel meeting will be formally recorded by the HE Administrator and a copy will be sent to the Programme Leader, Head of Curriculum and Director of Higher Education.
- 12.0 The student will be formally notified of the outcome of the Panel meeting, in writing, within 5 working days of the decision being made. If the appellant is not satisfied with the decision made, the Chair must advise the relevant External Examiner/External Verifier (“EE”) and the appellant must be advised of the date of the EE’s next visit.
- 13.0 The College has a responsibility to ensure that all students are aware of the Academic Appeals procedure which is applicable to them, and where signposting to partner organisation regulations is required, links should be clearly provided in programme handbooks and on the VLE.
- 14.0 Students do have the right to refer a case to the Office of the Independent Adjudicator (OIA), however the rules set by the OIA only permit this once the student has received a completion of procedures letter which confirms that internal procedures relating to the formal, review stage processes are complete.
- 15.0 On an annual basis, the Director of HE will produce an anonymised analysis of formal academic appeals (both internal and those referred on to partner organisations by virtue of their own regulations and procedures) for consideration by the Executive Team and the Board of Governors. In addition, Annual Reporting to partner universities and accrediting bodies will contain information relating to formal academic appeals made by students registered to those partners.

Appendix 1: Form AA1 – Academic Appeal Application Form (Review Stage)

Prior to completion of this form, you should read the Higher Education Academic Appeals: Code of Practice

You may submit this form as per paragraph 8.0 of the Code (via email, by hand or by post)

If you post the form it suggested that you obtain a Certificate of Posting and that you take photocopies of all documentation submitted

Where you submit photocopies of documentation, the College reserves the right to request sight of the original documents if necessary

If you are submitting a paper copy of this form, please ensure that any documentary evidence is clearly labelled and on separate sheets

All sections of this form should be completed as any omitted information could lead to a delay in processing your application

1. Personal Information

Name (as it appears on your student ID card)	
Date of Birth	
Student Number	
Correspondence Address	
Telephone Number(s) Please indicate the best number to reach you on	

2. Course Information

Programme of Study	
Level of Study (please delete as relevant)	L4 L5 L6

3. Assessment Review Information	
Date of Publication of Ratified results	
Modules/Assessments relevant to this Appeal	Please provide module or course name, the individual assessment type (e.g. Report, Examination) and the date of submission/examination
Consequences of the Assessment Board decision (please delete as relevant)	I have been withdrawn from my Programme of study I have failed modules as specified above I am not being allowed to proceed to the next stage/academic year I am unhappy with my award I disagree with the decision of the Board
4. Your Preferred Outcome	
Please indicate the preferred outcome of this Appeal (e.g. right to proceed to the next stage)	
5. Third Party Involvement	
If you have sought advice from a third party please state their name here	
Do you give consent for this person to be contacted in conjunction with this application	Yes / No
6. Grounds for Appeal	
Please indicate which of these three grounds are relevant to your application (please delete as applicable)	Incapacity Maladministration Breach of Regulations

Please provide as much information as possible relating to your chosen ground for appeal – if necessary please continue on a separate sheet (typed not handwritten) and indicate on the form how many additional sheets are included. Ensure all questions are answered

Incapacity

I wish to make an application on the grounds that my academic achievement/progression was affected by an incapacity that prevented me from following usual procedure and submitting a Mitigating Circumstances application by the required date; or that I was genuinely unable to divulge relevant information prior to the Examination/Assessment Board decision.

- 1. Please give details of the incapacity referred to above?**
- 2. What were the Mitigating Circumstances that you would have applied for?**
- 3. Please explain how these circumstances impacted upon your academic performance**
- 4. Please provide details of the documentation you are including as evidence**

Maladministration

I wish to make an application on the grounds that my academic performance in the module(s) noted in section 3 above was adversely affected due to a material administrative error which was within the control of the College and/or its relevant staff, partners or representatives.

- 1. Please state the nature of the administrative error referred to above**
- 2. What evidence do you have to support this claim?**
- 3. Please provide details of the documentation you are including as evidence**

Breach of Regulations	<p><i>I wish to make an application on the grounds that my academic performance was adversely affected due to a failure of the University Centre and/or its relevant staff, partners or representatives to conduct the assessments noted in Section 3 above in accordance with the current published Regulations (either or themselves or the Validating Partner/Awarding Body)</i></p> <ol style="list-style-type: none"> 1. Which regulations are relevant to this application? (Please provide the document title along with any relevant paragraph or page numbers. You may utilise the College's web page or the link in your Programme Handbook to access all relevant Regulatory documentation). 2. Please provide an explanation as to how your assessment(s) failed to comply with the regulations you have noted and the evidence that you have to substantiate this 3. Please provide details of the documentation you are including as evidence
7. Declaration	
<p>I declare that the information provided within this form and within any accompanying documentation is correct to the best of my knowledge</p> <p>I give consent for all of the information provided within this form and within any accompanying documentation to be disclosed to any relevant parties involved in my case</p> <p>I understand that, as per paragraph 14 of the Code, anonymised data from this application will be utilised in relevant statistical reporting within the University Centre, and where relevant made available to Validating Partners or Awarding Bodies. All information provided within this form and within any accompanying documentation will be utilised within the parameters of the Data Protection Act 1998.</p>	

I can confirm that I have read the College's Higher Education Academic Appeals: Code of Practice and the relevant regulations/policy/procedure/code of practice of the Validating Partner/Awarding Body.

Signed:

Dated:

Prior to submission please ensure that you have:-

- Read the relevant regulations as confirmed in the declaration in section 7 of this form
- Complete all relevant sections of the form
- That you have clearly identified the grounds for your Appeal application
- You have clearly labelled all additional sheets and that they are typewritten
- You have included all relevant documentary evidence noted in your application (any late submitted evidence will only be accepted in exceptional circumstances)
- You have signed the application form (if you are submitting the form by email, a signature is not necessary as your email constitutes a 'signature')
- You have kept a copy of the Application Form plus any other submitted documentation for your own records

Please submit this form in accordance with paragraph 8.0 of the Code