



## Academic Appeals Policy & Procedure

Policy no:	4.8
Version no. & date:	V0.9
Next review due:	September 2023
Responsible Committee:	SMT
Approved by & date:	AcB September 2020
Linked policies:	Complaints Policy and Procedure Assessment Policy Learning Teaching and Assessment Strategy Student Handbook Data Privacy Notice and Consent Policy
External reference :	Office of the Independent Adjudicator for Higher Education's (OIAHE) Good Practice Framework for Handling Complaints and Academic Appeals UK Quality Code UKSCQA/02 [March 2018] Expectations for Standards Core Practice 1 & 2 Related QAA Advice and Guidance: Theme 11: Concerns, Complaints and Appeals 11.3 <i>The provider has fair and transparent procedures for handling complaints and appeals which are accessible to all students.</i>
Audience:	Students, Tutors, Assessors, Module Leaders, Internal Verifiers and Programme Leaders.

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## 1. Introduction

The College recognises that there may be disputes regarding assessment decisions. This policy sets out the principles and processes that enable students to make appeals against assessment decisions. The policy and procedures offer students reassurance that they can make appeals against assessment decisions if they wish without suffering disadvantage or recrimination as a result of making an appeal in good faith. The College desires to ensure that the assessment process is carried out in accordance with the Quality Assurance Agency's UK Quality Code for Higher Education. The appeals process is designed to identify and rectify any failure of the assessment process whilst ensuring fairness for all parties. The policy also sets out to ensure that appeals are considered in an equitable, open and expedient manner and that they are resolved as early in the procedure as possible. All parties are required to act with impartiality and identify any actual or potential conflict of interest.

## 2. Definition of an Academic Appeal

For the purpose of this procedure, and in line with the Quality Assurance Agency's UK Quality Code for Higher Education (UK Quality Code), an academic appeal is defined as: 'a request for a review of a decision of an academic body charged with making decisions on student progression, assessment and awards.' An academic appeal relates to the mark or grade a student is given for an assessment, or a decision about their progression or award, which is confirmed by the Assessment/Exam Board.

## 3. Purpose of the Policy

The purpose of this policy and procedures is to support students and staff to appropriately deal with any appeal effectively. A student shall have the right to appeal once against a single decision of the Assessment Board. The procedures allow students to appeal against the decision of the Assessment Board if it is believed that an error occurred under the grounds outlined in Section 6 below.

## 4. Aims and Objectives

This policy aims to operate a speedy, fair and evidence based appeals system with the following main objectives.

- To ensure that students are fully informed throughout their studies and especially after assessment decisions that they have the right to appeal against assessment decisions.
- To treat academic appeals seriously and make sure no student is disadvantaged or faces recrimination as a result of making an appeal in good faith.
- To ensure the College considers reasonable adjustments when making assessment decisions.
- To ensure that every option available is utilised in order to safeguard the validity, reliability and consistency of assessment decisions across the College

## 5. Principles

This policy is based on College appeals of assessment principles. They are in line with the UK Quality Code, the Office of the Independent Adjudicator for Higher Education's (OIAHE) Good Practice Framework for Handling Complaints and Academic Appeals, the Pearson awarding body and all other awarding organisations the College works in partnership with for the delivery of learning teaching and assessments. The policy is based on the principles of fairness and transparency and is set out to ensure:

- timely resolution of appeals, with an emphasis on local resolution at the earliest opportunity
- processes, decisions and the reasons behind them are clear and there is opportunity for independent review
- students are supported throughout the assessment process and their views are taken on board
- students understand the reasons for the assessment decisions that have been taken and recognise that these decisions are accurate and fair and inform them of what they need to do in order to improve

The College will make reasonable adjustments at any stage of the proceedings to accommodate the needs of students.

## 6. Scope

This policy and procedures are applicable to all students and staff at all College campuses. A student is considered to be anyone who has signed a Student Declaration (a written statement outlining the terms of an agreement) with Oxford Business College, and all students at any of the College's campuses are covered by this Academic Appeals Procedure and Policy (full-time, part-time and those attending short courses or online learning).

This policy is related to student appeals regarding one or more assessment outcomes. To be the subject of an appeal, the assessment must appear on the assessment plan of a module, unit or course, and may be instigated at any level of study that the College offers.

## **7. Grounds for an Academic Appeal**

### **7.1. Early Resolution & Results Surgery**

Students cannot appeal against assessment decisions because they do not agree with the academic judgement of the assessor. However, students may request a results surgery in which the assessor will explain assessment decisions to students in order to manage their expectations and obtain an early resolution.

A student may only make an appeal against assessment decision on the following grounds:

### **7.2. Procedural Irregularity**

At some point during the assessment process there was a procedural irregularity which placed the student at a disadvantage. For example, if the student was only given 2 hours to complete a 3 hour exam. This may also include an administrative error during the conduct of the assessment that has materially affected the approved grade or mark awarded. For example, if the wrong result was accidentally recorded by the assessor. This appeal may only apply where a student is seeking to have an assessment/exam or progression board decision amended.

### **7.3. Adverse Circumstances**

At the time of the assessment, there existed circumstances which adversely affected the student's performance and which the student was unable to communicate to their Tutor, Assessor, Internal Verifier, the College assessment/exam or progression board before the assessment decision had been taken. In making such a case, the student shall provide valid documentary evidence where appropriate. The student also needs to provide valid reasons explaining why the student was not able to make the College assessment/exam or progression board aware of the adverse circumstances when it reached its original decision. Retrospective medical certification will not be accepted as valid.

### **7.4. Prejudice or Bias**

The student is able to provide evidence of prejudice or bias that affected the decision-making of the assessment/exam or progression board.

## **8. What Grade Results to Appeal Against**

A student may appeal against one or more of the following:

- A grade awarded for any piece of work that contributes to their final grade/qualification.
- A grade awarded which may affect a student's transfer/progression
- A final year/course grade

## 9. Appeals and Complaints

If a student is dissatisfied with teaching, supervision, academic advice or other service provision during their programme of study, they may submit a complaint under the Student Complaints Policy. Students must raise such concerns as and when they occur, as these cannot be considered later as grounds for an academic appeal. If a student submits an appeal which the Head of Academics would be more appropriately dealt with as a complaint, then the College may decide to follow the complaints procedure instead of, or as well as, the appeals procedure, depending upon the nature of the issues raised.

An appeal may or may not be connected with perceived grounds for a complaint. A complaint refers to behaviour a student feels they have experienced, or not experienced, which they believe has affected them negatively. In certain cases, these two separate issues may be combined e.g. if a student feels they have been unfairly graded because of a personal issue with the assessor, and the student wishes to simultaneously appeal against the grade and raise a complaint against the behaviour of the assessor. If a student is not sure if a concern is best processed as an appeal or a complaint, then they are advised to discuss this with the Head of Academics or other member of staff before proceeding.

It is recognised that some cases can involve a combination of concerns. The College will assess each concern individually. In these circumstances, the student will be informed which issue will be considered under which procedure and they will be directed to the alternative procedure as appropriate to allow all issues to be considered. Students will be advised of the effects, if any, of following two procedures at once, particularly where one procedure may be suspended until the other is completed.

Where there is significant overlap, the College may decide to consider matters together if the student agrees to this. For example, if an appeal includes matters that could also be dealt with under other procedures, such as the Student Complaints procedure, a joint investigation may be carried out. In such cases, the student will be informed where responsibility for the overall investigation lies and who will issue the final decision.

## 10. Confidentiality

All information obtained within the process of the appeal will be held in accordance with data protection legislation and the College Data Privacy Notice and Consent Policy.

Students must note that information about appellants will be kept confidential, except where the disclosure is necessary to progress the appeal or implement a decision on the appeal, or where it is required by law or in the public interest.

In submitting an appeal, the student understands that their appeal will be shared with the staff member responsible for conducting the investigation into the matters raised, and that the content of their appeal may need to be disclosed to relevant staff in order for the appeal to be investigated and/or resolution sought. If there are elements of a student's appeal which are particularly

sensitive and they have concerns about their confidentiality, they are welcome to raise this with Head of Academics or Managing Director, who will discuss if / how disclosure can be minimised.

Students should avoid disclosing unnecessary personal information such as medical conditions in their appeal unless they feel that it is relevant to the issues raised. Students must also avoid disclosing another person's personal data in their appeal and/or complaint unless they have been given permission by them to do so.

## **11. Who can Appeal?**

The procedure may be used by anyone who is, or was recently, an enrolled student at the College. Section 12 below of this procedure outlines specific timescales within which appeals should be lodged by students.

The College will only accept academic appeals from the student and not from someone else on the student's behalf.

At any stage of the procedure, students have the right to be accompanied, supported or advised by another member of the College community, which is a person who is a currently enrolled student at OBC, or an OBC member of staff.

## **12. How to Appeal**

### **12.1. Formal (Written) Academic Appeal**

If a student feels they have grounds for an appeal they can submit an academic appeal to the Head of Academics using the Appeals Form provided in Appendix 1. The Head of Academics of Programme Leader will consider the grounds for an appeal upon section 7 above. The Student must complete the form by providing a full statement of the grounds for appeal and provide appropriate supporting evidence. This may include copies of relevant email correspondence to and from staff concerning the issue, medical certification of health conditions affecting the student (if it is relevant to the issues raised). Students must avoid disclosing personal data of another person/s in their appeal unless they have been given permission by them to do so. Students should also state what remedy they are seeking to their appeal

The Head of Academics or Programme Leader will appoint a member of the College's academic team as an Investigating Officer (IO), who has no previous involvement in the matter, to investigate the appeal. If the IO believes there are no grounds for an appeal, the appeal will be denied. It is the responsibility of the student to ensure that they raise all relevant issues with the IO and that they provide all the necessary information and supporting documentation at the point of submission.

All matters pertaining to the assessment will be considered and the outcome determined, usually within 5 working days of receipt of the appeal. The Head of Academics or Programme Leader will

communicate the result of the appeal to the student by completing the final section of the 'Appeals Form' (Appendix 1). Students should expect to receive an acknowledgement to their written appeal via email within 5 working days of receipt. If a student has not received an acknowledgement within 5 working days, they should contact the Head of Academics or Programme Leader to check that the appeal has been received.

There may be two possible outcomes following an appeal decision:

- The grounds for appeal will be accepted and the assessment decision amended with a written explanation to the student
- The grounds for appeal will be denied and the reasons for this will be explained verbally and/or in writing to the student.

Notification of the written appeal will be communicated to the student and the Chair of the assessment/exams board.

If the outcome includes a grade change to the benefit of the student, and the student accepts this change, the appeal will be considered resolved and will preclude the student from taking the Appeal to Stage Three: Review of an Appeal Outcome. If the student accepts the new grade given at this stage, they cannot take the appeal further or attempt a different result.

If the student is still not satisfied with the outcome of the appeal, they may go to the Review of an Appeal Outcome below.

#### **12.2. Review of an Appeal Outcome**

If the appeal is not resolved to the satisfaction of the student, a request for review of the appeal must be sent by the student in writing to the assessment/exams board within five working days of the appeal decision.

The assessment/exams board will determine the assessment decision. Such decisions will be final and will be communicated to the student in writing. This will usually be within 5 days from receipt of the request for a review.

**Any further appeals will need to be made to an external body such as the relevant Awarding Organisation or the OIAHE. See Section 14 on Appeals to External Bodies**

### **13. Appeals to External Bodies**

Student will always have the right to appeal directly to the external bodies depending upon which programme they are enrolled on. The College requests that students only raise an appeal to an external body after they have exhausted all the options available to them through the College's internal processes as detailed above. If students are unsatisfied following the Stage Three outcome of the College's internal appeals process, they may appeal externally to the following external agencies:



### 13.1. University and College Partners

Students may appeal to the university or college partner that is relevant to their programme of study. Students may obtain the relevant contact details from our website, or they may request the contact details of the relevant partner from the College's academic or administrative staff.

### 13.2. Pearson Awarding Body

Students attending the College's BTEC HND courses may appeal directly to an External Body Edexcel/ Pearson- academic appeals (in the case of courses where the outcome is a BTEC HNC or HND) by following the link below.

[https://qualifications.pearson.com/content/dam/pdf/Support/policies-for-centres-learners-and-employees/Enquiries\\_and\\_Appeals\\_on\\_Pearson\\_Vocational\\_Qualifications.pdf](https://qualifications.pearson.com/content/dam/pdf/Support/policies-for-centres-learners-and-employees/Enquiries_and_Appeals_on_Pearson_Vocational_Qualifications.pdf)

### 13.3. Office for the Independent Adjudicator for Higher Education (OIAHE)

All students on Higher Education courses regardless of which course they are attending may contact the Office of the Independent Adjudicator (OIA) through the following link.

<http://www.oiahe.org.uk/making-a-complaint-to-the-oia/how-to-make-a-complaint.aspx>

Where Students have exhausted the College's internal appeals procedure, they will be issued with a Completion of Procedures letter by the College. If a student wishes to submit their appeal to the OIA for review, they must do this within 12 months of the receipt of their Completion of Procedures letter; the letter will confirm the deadline by which the student may refer their appeal to the OIA.

### 13.4. Office for Students

All students on Higher Education courses regardless of which course they are attending may contact the Office for Students through the following link.

<https://www.officeforstudents.org.uk/contact/notifications-and-complaints/>

### 13.5. Quality Assurance Agency

All students on Higher Education courses regardless of which course they are attending may contact the Quality Assurance Agency for Higher Education (QAA) with the following link.

[www.qaa.ac.uk/reviewing-higher-education/how-to-make-a-complaint](http://www.qaa.ac.uk/reviewing-higher-education/how-to-make-a-complaint)

#### **14. Recording, Reporting and Organisational Learning**

The College will record academic appeals in sufficient, proportionate detail for analysis and management reporting to allow the causes of appeals to be identified, addressed and, where appropriate, for training opportunities and improvements to be introduced.

On an annual basis, an anonymised report on the number and nature of academic appeals considered and their outcomes will be presented to the Academic Board. This process will ensure appropriate monitoring of all appeals and related outcomes and is intended to facilitate learning from appeals.

The College will keep and dispose of records relating to appeals in accordance with its policy on record retention in the College's Data Protection Policy.

## 15. Appendix 1

### Appeals Form

This form requires reasoning for the appeal . Displeasure with a grade without any rationale may lead to the appeal being unsuccessful. However, all appeals will be investigated once this form has been submitted. Examples of displeasure with an appropriate rationale include, but are not limited to:

- Desire for a higher grade (e.g. wanted a Merit or Distinction)
- Importance of a higher grade (e.g. needed it for University entry)
- Time management issues (e.g. If I had had more time, I would have done better)
- Effort expended (e.g. I worked hard so I should pass)

Name of Student:

Date:

Course:

Unit Number:

Assessment Title:

Assessor:

Internal Verifier:

Details of the Appeal and why you believe the original grade is incorrect:

Student Signature \_\_\_\_\_ Date: \_\_\_\_\_

Outcome of the Appeal:

Staff Signature \_\_\_\_\_ Role \_\_\_\_\_ Date: \_\_\_\_\_