



UCFB|GIS*

Academic Appeals Policy

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*UCFB|GIS is the trading name of University Campus of Football Business Limited

1. Introduction

- 1.1 This policy provides information on how UCFB|GIS responds to academic appeals against decisions made by officers in the delivery of higher education and reflects the requirements of the University of East London (UEL) and Buckinghamshire New University (BNU) in respect of the awards validating by those universities.
- 1.2 Students will not be disadvantaged because of the making of an academic appeal in good faith under this policy and procedure.

2. Definitions

- 2.1 UCFB|GIS has adopted the following definition of an academic appeal from The Good Practice Framework for Handling Complaints and Appeals (December 2022), produced by the Office of the Independent Adjudicator for Higher Education:

“A challenge to, or request for reconsideration of a decision by an academic body that makes decisions on student progress, assessment and awards.”

- 2.2 This may include a request to change progression decisions, or final award classifications. An academic appeal relates to the outcome of an assessment or examination, or a student's progression.

3. Scope

- 3.1 The Academic Appeals Policy allows a student to bring an appeal against a decision made by an Assessment, Reassessment, Progression or Award Board.
- 3.2 This policy applies to all registered undergraduate and taught postgraduate students studying at UCFB|GIS for awards of University of East London (UEL).
- 3.3 The policy and reflects the [UEL Academic and General Regulations](#).
- 3.4 For students studying for an award at Buckinghamshire New University (BNU), the [appeals procedure](#) of that institution will be followed.
- 3.5 This policy also applies to students who have recently left the institution, although students (both current and former) are only able to raise issues of academic appeal **within 10 working days** of receipt of the relevant Board Outcome.
- 3.6 This policy does not cover the following categories of appeal for which separate procedures exist:
 - Extenuating circumstances claims (see the Extensions and Extenuating Circumstances Policy)
 - Complaints (see the Complaints Policy)
 - Appeals against the decisions of Academic Misconduct outcomes

(see the Academic Integrity and Academic Misconduct Policy)

- Appeals against decisions taken under disciplinary proceedings (see the Sexual Violence and Misconduct Policy and UEL Non-Academic Misconduct Policy)

3.7 Depending on when an appeal form is received by the UEL Complaints & Appeals team at UEL, it may not be possible for the student to continue their studies in the current academic year if too many teaching weeks have been missed. If the re-enrolment deadline has expired, the right to return will be determined by the Chief Operating Officer at UEL. In some cases, students may be required to defer their studies to the next academic year.

4. Equality Issues and Reasonable Adjustments

4.1 This Policy is neutral in terms of equality-related issues.

4.2 This Policy is intended to be clear, transparent accessible and fair to all parties. UFCB|GIS will ensure any students who have protected characteristics under the Equality Act 2010 are not treated less favourably when accessing the applicable academic appeals procedure for that student.

4.3 Students may raise issues which may also be covered by different UFCB|GIS policies. UFCB|GIS have discretion to decide how to progress matters in the best interests of all parties, including deciding which matter and procedure should take precedence or whether interlinked matters can be considered under one or more of its policies.

4.4 In the case of a student with additional needs, reasonable adjustments can be made to avoid them being treated less favourably. This may include holding meetings remotely. Any student who wishes to a seek reasonable adjustments should discuss their needs with UFCB|GIS who will seek to refer the student to appropriate support or put in place appropriate adjustments.

5. Grounds for Appeal

5.1 There are limited grounds on which an academic appeal can be considered, which may include any of the following:

- There is clear evidence of a significant administrative error on the part of the institution or in the conduct of the assessment/examination and that this accounted for your performance.
- The assessment had not been conducted in accordance with the approved regulations for the course of study.
- If some other material irregularity had occurred in the procedures of the relevant Board.
- There is evidence that the student's extenuating circumstances were so severe as to have prevented the student from making an informed

decision at the time as to whether to attempt an assessment or to apply for extenuation. If appealing under this ground, please ensure that you have provided the following:

- New information that has not previously been considered by the Board
 - Reason and evidence to explain why you feel your performance may have been adversely affected by factors evidence in the information submitted
 - Reason and evidence to explain why you were unable to submit this information before the Board reached its original decision.
- 5.2 All formal appeals submitted in relation to the above must be supported by validated and objective evidence. Evidence must be factual and specific in supporting the grounds of the appeal.
- 5.3 Disagreement with academic judgement is not usually considered to be legitimate grounds for an academic appeal, that is, the decision made by academic staff on the quality of the work itself, or the criteria applied to mark the work (rather than the administrative marking process).
- Where a student disagrees with the conclusions reached by the individual or panel which considered their extenuating circumstances.
- 5.4 An academic appeal can be made in relation to fairness of procedures or facts of a case; however, there must be something which has materially affected the student's performance.
- 5.5 A student cannot use the appeals procedure for making known any extenuating circumstances after decisions have been made unless it can be shown that the circumstances themselves prevented the student from using the Extenuating Circumstances procedure.

6. Raising an Academic Appeal

- 6.1 Only where there has been a clerical error relating to the administration of marks are UCFB|GIS able to consider the appeal at a local level. In such cases email Resolutions@ucfb.ac.uk.
- 6.2 In all other cases, the appeals process is fully undertaken by the University of East London (UEL). Students wishing to make an academic appeal against the decision or recommendation of an Assessment, Reassessment, Progression or Award Board must do so by completing an [online academic appeals form](#) **within 10 working days** of receipt of the relevant Board Outcome. Once completed, the form will be reviewed by the UEL Complaints & Appeals team.
- 6.3 Once an appeal form is received, the UEL Complaints & Appeals team will undertake an initial evaluation to check that the academic appeal is

submitted under the correct procedures, falls within the grounds upon which an appeal may be made, and is submitted within the deadline and is in the required format. This should be completed by the UEL Complaints & Appeals team **within 10 working days** of receipt of the academic appeal.

6.4 This process may result in:

- the student being referred to a different procedure.
- the academic appeal proceeding to formal consideration.
- the academic appeal being rejected because it is not made under the permissible grounds or is out of time.

6.5 Where some parts of the student's academic appeal fall outside the permissible grounds, this will be explained to the student. There will be some cases where an appeal relates to external assessment by a Professional, Statutory or Regulatory Body (PSRB). In these cases, the PSRB is likely to have its own appeals procedures which must be used.

6.6 If the academic appeal is accepted for formal consideration, the Chair of the relevant Board, alongside the UEL Complaints & Appeals team, shall decide either:

- null and void previous attempt/s
- to dismiss the appeal

6.7 Once a final outcome of the academic appeal has been decided, the student will receive communication from the UEL Complaints & Appeals team.

7. Request for Review

7.1 Where a student remains dissatisfied with the outcome, the student can make a request for the appeal to be considered at a Panel Review. There are limited grounds on which a request for review can be considered, which may include, but is not limited to:

- consideration of whether the outcome was reasonable in the circumstances.
- new material evidence which the student was unable, for valid reasons, to provide earlier in the process.

7.2 Whilst each of the grounds above will require supporting evidence, the review stage will not consider the issues afresh or involve a further investigation.

7.3 To request a review, the student must notify the UEL Complaints & Appeals team in writing via appeals@uel.ac.uk **within five working days** of the receipt of the decision from the Chair of the relevant Board.

7.4 To be deemed valid, such notice of appeal must:

- a) State the actual decision appealed against

b) Contain a brief summary of the grounds of appeal, including as appropriate:

- any respects in which it is alleged that the assessment failed to accord with the regulations pertaining to the course (identifying the regulation(s) which has/have allegedly been breached), or the nature of the material administrative error or other material irregularity relevant to assessment which has occurred;
- evidence, other than the personal testimony of the student, in corroboration of the factual basis of the appeal, or indicate how such corroboration will be provided;
- clarity of the nature of the revised outcome sought.

7.5 On receipt of a valid notice of appeal, the UEL University Secretary (or nominee) will check to establish if the grounds for an appeal are met as follows:

- Were the relevant procedures followed during the formal stage?
- Was the outcome reasonable in the circumstances?
- Has the student received clear reasons why the academic appeal was rejected at the formal stage?
- If new material evidence has been provided, has the student given valid reasons for not supplying this earlier?

7.6 If the grounds for appeal are not met, the outcome of the review will be communicated to the student in writing by issuing a Completion of Procedures letter as soon as possible and **within 28 days** of the receipt of the request for review.

7.7 If the grounds for appeal are met, the Complaints and Appeals Officer (acting on behalf of the University Secretary) shall notify the student and make arrangements for a meeting of an Academic Appeals Panel (described below) to hear the appeal, normally **within 30 working days** of the decision to allow the appeal.

8. Academic Appeals Panel

8.1 The student shall have the right to appear before the Academic Appeals Panel and to be accompanied and assisted by one accompanying supporter who is a member of UCFB|GIS. The student will be required to notify the Academic Appeals Panel of the accompanying supporter **within 7 working days** of the panel, via appeals@uel.ac.uk.

8.2 The student and their adviser and the relevant Board, through its representatives, shall have the right to call and to question witnesses.

- 8.3 The Academic Appeals Panel shall be entitled to call witnesses on its own initiative and to call further, relevant documentation.
- 8.4 The appeal shall be heard only on the grounds stated in the notice unless the Academic Appeals Panel decides otherwise. In the latter event, either the student or the relevant Board shall be entitled to request an adjournment appropriate to the requirements of the new grounds to check and share the evidence. If the adjournment will result in the appeal going into another day, the chair can take the decision to make a referred decision and notify the parties of the decision in writing.
- 8.5 Each party shall have the right to receive a copy of any written submission that is made on the part of the other **within 7 working days** of the panel.
- 8.6 The student shall be invited to provide details of any reasonable adjustments which may need to be made for the hearing to accommodate the appeal if they have a declared disability.
- 8.7 Where there is a clear justification for doing so e.g., where travel costs are prohibitive or the students' mode of attendance makes attendance in person difficult, a request to conduct the Panel remotely can be considered. The Chair of the panel will have the final say on whether the panel can be convened online.
- 8.8 If the student does not appear at the date and time scheduled for the hearing, the Academic Appeals panel shall consider whether any reasons advanced for non-attendance are valid, and:
- if members so judge, adjourn proceedings to a later meeting;
 - if no reasons are provided, or if they are judged invalid, proceed in the student's absence.

9. Outcome of the Appeal Panel

- 9.1 The Academic Appeals Panel shall have the power to either:
- a) Null and void previous attempt/s
 - b) To dismiss the appeal
- 9.2 The Academic Appeals Panel shall state the grounds on which it has reached its decision and what matters it requires the relevant Board to consider further. The Academic Appeals Panel may make recommendations, providing these are not academic judgements and that all reasons for the recommendations are given.
- 9.3 The Academic Appeals Panel shall consider whether, in consequence of any decision made in accordance with this policy, any decision of the Progression Board should be reviewed.

- 9.4 The decision of the Academic Appeal Panel is final and there shall be no further appeal against this decision.
- 9.5 If an academic appeal is not upheld, this will be communicated to the student in writing by the issue of a Completion of Procedures letter as soon as possible and within 28 days.
- 9.6 The Completion of Procedures letter will include a clear explanation and outline the reasons for the decision. The decision should also advise the student about:
- Their right to submit a complaint to the Office for the Independent Adjudicator for Higher Education (OIA) for review.
 - The time limit for doing so.
 - Where and how to access advice and support.

10. Office for the Independent Adjudicator for Higher Education (OIA)

- 10.1 In the event that the appellant remains dissatisfied with the final outcome after the internal procedures have been completed, they may lodge a request for external review directly with the Office of the Independent Adjudicator for Higher Education (OIA).
- 10.2 Any request for review to the OIA must be submitted **within 12 months** of the Completion of Procedures letter being received by the student. The OIA will not usually review complaints which have not been considered by the UCFB|GIS.
- 10.3 The Office of the Independent Adjudicator for Higher Education may be contacted via:

Tel: 0118 959 9813

Email: enquiries@oiahe.org

Website: www.oiahe.org.uk/students/

Postal address: Office of the Independent Adjudicator, Second Floor, Abbey Gate, 57-75 Kings Road, Reading, RG1 3AB

11. Reporting and Monitoring

- 11.1 Records of all requests for appeal will be maintained for the purposes of monitoring and improvement. An annual report will be prepared for the Education and Student Experience Committee and Academic Board. This will detail any potential areas for enhancement, including relevant action points. The annual report will also be shared with the relevant validating body.

12. Behaviour during the Appeals Process

- 12.1 UCFB|GIS has zero tolerance towards those whose behaviour is considered to be unacceptable and will take action in this respect. Unacceptable behaviour includes communicating with UCFB|GIS in a malicious, vexatious, or aggressive manner for example:
- Making frivolous claims, or multiple claims regarding the same subject
 - Acting in a threatening manner either verbally, through an e-mail or by letter
 - Making claims that are knowingly false or unfounded.
- 12.2 If the behaviour of a student is unacceptable, UCFB|GIS will usually tell the student why their behaviour is considered as such and will allow an opportunity to amend it. If the behaviour continues, UCFB|GIS will enact the UEL Non-Academic Misconduct policy.

13. Updates

- 13.1 This Policy will be reviewed and updated by UCFB|GIS on a regular basis as directed by the Policy review schedule.