



ACADEMIC APPEALS POLICY

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Summary of changes to document

This document is now fully aligned with the new UK Quality Code for Higher Education.

Summary of Changes between previous and current issue	Page Number
Reference to Director of Higher Education changed to Head of Centre See section 2.3.2 Academic Appeal Process	9

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INTRODUCTION

An academic appeal is defined by the UK Quality Code for Higher Education as *'a request for a review of a decision of an academic body around a mark, outcome or decision. Students may appeal an outcome on the basis of evidence of procedure, but not on the basis of disagreement with academic judgement.'*

At DGHE, a grade challenge is a request for the re-evaluation of academic work in a course. Whenever a grade is changed as a result of a grade challenge, an explanation of the re-evaluation and outcome must be documented.

The procedures outlined in this policy apply exclusively to the resolution of grade challenges and academic appeals.

This policy follows the guidance provided by the UK Quality Code for Higher Education in its expectations for quality:

'Courses are well-designed, provide a high-quality academic experience for all students and enable a student's achievement to be reliably assessed.'

'From admission through to completion, all students are provided with the support that they need to succeed in and benefit from higher education.'

The procedure outlined in this policy also follows the Office of the Independent Adjudicator principles of accessibility, clarity, proportionality, timeliness, fairness, independence, confidentiality and improvement of student experience.

SECTION 1 GRADE CHALLENGE

A student can submit a grade challenge to the College if the following conditions have been met:

- a) the results have been internally verified, and approved by the Programme Assessment Board;
- b) the assessment/module in question has not been internally verified or second marked, even though the module was sampled by an internal verifier;
- c) the student has submitted the grade challenge within fifteen (15) days after the publication of results;
- d) the grade challenged is not pertinent to a re-sit or re-submission of coursework;
- e) the student has submitted a grade challenge petition with a written rationale. Suitable circumstances that will be considered as follows;
 - I. the summative feedback is unclear or vague;
 - II. there is no specific correlation between the summative feedback of the work, and how the grade was assigned;
 - III. the student feel that he/she has been placed in a position of significant disadvantage due to prejudice or bias, or incorrect judgment by the original assessor;
- f) the module has not been presented to an External Examiner at the time of the petition.

It is expected that the student attempts to seek clarification of the assessment decision, in first instance, with the lecturer or assessor during a drop-in clinic or assessment workshop.

Grade challenges are individual petitions that need to be submitted, in writing, to the Academic Administration Office, within the above-mentioned time frame. The Academic Administration Office will investigate the petition and, if it is considered to have merit, the office will assign the case to the respective Head of School, and/or Programme Manager that will conduct an internal verification of the coursework in question.

The outcome of the grade challenge will be formally notified to the student in writing. In the response to the grade challenge the Head of School or Programme Manager will clearly state the outcome of the challenge, the rationale for the decision, and provide information regarding the right to an academic appeal. Please refer to Appendix 1 and 4.

SECTION 2

ACADEMIC APPEAL

An academic appeal is where a student requests that a ratified decision in terms of the grade or mark awarded for a summative assessment is reconsidered on specific grounds which are listed below.

2.1 Appeal of Decisions

A student can appeal a decision if it follows under any of the following categories:

- a) a rejected grade challenge for no-fulfilment of the requirements in Section 1;
- b) decision of termination of study due to failure to comply with attendance, submission or programme requirements;
- c) decision to exclude the student from an assessment or resubmission opportunity, that is not due to an alleged academic misconduct;
- d) decision that prevents the student to progress or complete their studies;
- e) decision of termination of studies due to serious academic dishonesty or professional misconduct;

Any student that wishes to appeal any of the decisions above will need to submit the appeal to the Academic Administration Office, using the pro-forma in Appendix 1, within fifteen (15) days of the notification of the decision.

2.2 Academic Appeal

A student may appeal on one or more of the following grounds:

- I. A procedural irregularity occurred in the conduct of the assessment process. This includes:
 - a. published results contains an arithmetical or other error of fact;
 - b. the assessment has defects or irregularities in the written instruction of the assignment or advice relating thereto, that has caused reasonable doubt as to whether the assessors would have reached the same decision had they not occurred, and has had an adverse effect on the student's performance;
 - c. an assessment was not conducted in accordance with the programme regulations;
 - d. special arrangements for assessment of a student were formally agreed but not implemented during the assessment period and it has had an adverse effect on the student's performance;
- II. The presentation of new or additional extenuating circumstances which were not made known to the Programme Assessment Board for good reason, and that if they were known it is likely that it would have changed the decision made;
 - a. Mitigating circumstances need to follow the Understanding Mitigating Circumstances and Claims Procedure and be reviewed by the reasonable adjustment panel before consideration to an academic appeal.

- III. The outcome of an academic misconduct procedure has been considered excessive or inappropriate;
- IV. The outcome of Programme Assessment Decision has been considered as excessive, inappropriate or in direct contradiction to the provisions of the current policy, programme regulations, or guidance provided by the OIA;
- V. There are reasonable grounds to believe that a decision was manifestly unreasonable or influenced by prejudice or bias on the part of the decision-maker.

Any student that wishes to appeal any of the decisions above will need to submit the appeal to the Academic Administration Office, using the pro-forma in Appendix 1, within fifteen (15) days of the notification of the decision. The grounds for appeal must be clearly stated on the appropriate form and relevant documentary evidence appended.

Appeals that are submitted outside the grounds stated and those submitted simply because a student disagrees with the mark they have been awarded or with the academic judgement of the assessor will not be accepted and the student will be informed accordingly in writing by the Head of Academic Administration Office. Any appeal that also does not justify adequately the rationale for the appeal or provide the required evidence for consideration will be rejected by the Academic Administration Office.

In case the appeal has been accepted before it is submitted for consideration and formal review, there will be an attempt for early resolution with resort to a mediation process. The Head of the Academic Administration Office, in liaison with the Welfare Department, will seek an informal consultation with the student, and other affected parties to try to reach an amenable resolution of issue. The meeting will be recorded and the proposed resolution will be communicated in writing within three days from the meeting.

2.3 The Appeals Procedure

The Academic Administration Office on acceptance of an appeal shall submit the appeal for consideration. This submission can only occur if the attempt for early resolution has been attempted and stands as unresolved.

The Head of Academic Administration Office has a duty to verify if the academic appeal is submitted under the correct procedure, falls within the grounds described in Section 2, and was submitted within the given deadline.

The student will be notified in writing, five (5) days after the submission of the appeal, by the Head of Academic Administration Office if:

- a) the academic appeal has been accepted for consideration;
- b) the academic appeal has been rejected because it doesn't meet the grounds, or has not been submitted in the correct format, or in the given deadline;

If the academic appeal has been accepted, the Head of Academic Administration will nominate an academic member of staff that has had no previous involvement in the matter.

2.3.1 Appeal of Decisions Process

If the academic appeal falls under the appeal of decisions procedure under Section 2.1, the member of staff that has been nominated to conduct the investigation will:

- a) request a meeting with the student;
- b) request a meeting with key members of staff;
- c) all meetings will be recorded by a member of the Academic Administration Office;
- d) request further evidence from either the student, school or department;
- e) confer with the Head of Academic Development, if necessary;
- f) reach a conclusion and submit a decision to the Programme Assessment Board;

If the academic appeal grounds is based on an academic decision that has been reviewed under the proceedings of Section 1, the reviewer cannot be the same individual that has investigated the previous claim.

2.3.2 Academic Appeal Process

If the academic appeal falls under the academic appeal procedure under Section 2.2, the member of staff that has been nominated to conduct the investigation will:

- a) request a meeting with the student;
- b) request a meeting with key members of staff;
- c) request further evidence from either the student, school or department;
- d) convene a panel to discuss the case: the panel must have one independent member of the Higher Education Administrative Team (HEAT), one independent member of the Academic Board, and the Head of Centre.
- e) all meetings will be minuted by a member of the Academic Administration Office;
- f) reach a conclusion and submit a decision to the Programme Assessment Board;

The student will be given sufficient notice of any request for a meeting. The student will be supported by the Welfare Officer during the proceedings, and upon request to the panel, the student may attend the panel meeting accompanied by the Welfare Officer or class representative.

2.4 Closing the Academic Appeal

Once the conclusion has been reached and there is an agreed outcome, the student will be notified, in writing, within fifteen (15) days, by the Academic Administration Office.

The decision should clearly state:

1. the outcome of the appeal;
2. the student's right to escalate the appeal to the review stage;
3. the grounds on which the review stage can be accepted;
4. the timeline for the submission of the escalation of the appeal;
5. the appropriate procedure;
6. how to access support.

When the academic appeal is upheld the College will need to clearly state in its decision how and when it will implement any remedial action, issue a formal apology and inform the student of their rights if the student is still dissatisfied with the outcome.

If the student doesn't take the academic appeal to the review stage within the time limit and the appeal process have been reviewed by the Academic Board, the College will close the appeal process and issue a Completion of Procedures letter (See Appendix 1) advising that the appeal process has been completed, notwithstanding the right to appeal to the OIA.

All appeal decisions are reviewed in the Academic Board to ensure appropriateness and fairness to the process. The Academic Board has the authority to review independently any appeal decision that is considered unfair or disproportionate. If there is such a case, the Academic Board will notify the reviewer or panel of the decision, and in turn, inform the student of the review of the decision.

SECTION 3 REVIEW OF ACADEMIC APPEAL

After exhausting the formal appeals stage, and after review of the appeal process by the Academic Board, if the student considers that a decision continues to disadvantage them they may appeal to the Awarding Body. For the HND provision this entails an appeal to Pearson, while for the Top-up Provision under the franchising agreement with Buckinghamshire New University, it will follow the partner university appeal process.

3.1 NEW COLLEGE SWINDON

The Academic Board is the last stage of the internal appeal process available to the students. Students are advised to appeal, in writing, to the New College Swindon after exhausting all the internal appeal processes in the College.

3.2 PEARSON

Students can appeal to the awarding body regarding vocational qualifications and end point assessment policy.

Students have a right to appeal to the awarding body after they have exhausted the internal processes in DGHE and New College Swindon. The team can be contacted on vocationalqualitystandards@pearson.com regarding vocational qualifications or for End Point Assessment to epadelivery@pearson.com.

The student or the College (on behalf of the student) has the right to enquire or appeal when:

- it disagrees with the outcome from the external quality assurance activities carried out by the awarding body (for example, a Standards Verifier report);
- it disagrees with the outcome(s) from our end point assessment activities;
- it disagrees with a qualification decision made by the awarding body (for example rejection of a late certification or registration request);
- it disagrees with the outcome of the College internal appeals procedure;

The grounds for the appeal and any supporting documentation must be submitted within fourteen days of communicating to Pearson the intention of appealing a decision approved by the Academic Board.

Students cannot appeal to Pearson without first going through the DGHE appeals process. The Pearson Vocational Quality Standards team will consider whether DGHE:

- The centre's procedures are consistent with the awarding body requirements.
- The centre's procedures were applied properly and fairly in arriving at judgments.
- The awarding body external quality assurance activities were consistent with regulatory requirements.
- The College end point assessment activities were consistent with regulatory requirements.
- The enquiries and appeals process focuses on procedure and is not concerned with making judgments about learner work.

The process does not normally involve the re-assessment of learner work but a review may be needed if the outcome of the enquiry or appeal requires it.

The appeal process will follow the procedure outlined in the 'Enquiries and Appeals about Pearson vocational qualifications and end point assessment Policy' available [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)

3.3 BUCKINGHAMSHIRE NEW UNIVERSITY

An academic appeal by a Student against the decision of the Board of Examiners shall be decided under the academic appeals procedure of the University.

Any complaint by a student (including an appeal) in respect of Franchise arrangements shall be decided by the University in accordance with the University Policies and Regulations. The decision of the University shall be final and the Partner shall be required to comply with the University's decision.

The appeal process will follow the outlined in the 'Academic Appeals Policy' available https://bucks.ac.uk/_data/assets/pdf_file/0020/9551/Academic-Appeals-process.pdf

SECTION 4

APPEALS TO THE OFFICE OF THE INDEPENDENT ADJUDICATOR (OIA)

If, after exhausting the Appeals stage through Pearson and the student feels that the outcome is unreasonable in relation to the evidence, then a review may be requested from the Office of the Independent Adjudicator for Higher Education (OIA), within 28 days of the issue of a Completion of Procedures letter by the College. The time limit for bringing a complaint to the OIA is 12 months.

Contact details for the Independent Adjudicator are:

Office of the Independent Adjudicator
Third Floor Kings Reach
38-50 Kings Road
Reading Berkshire RG1 3AA

Information may also be obtained directly from the OIA at: <http://www.oiahe.org.uk>

SECTION 5 REFERENCE POINTS, EXPECTATIONS AND PRACTICE

Theme 3 - Concerns, Complaints and Appeals

Expectations	Core Practices	Common Practices	DGHE References
Expectations for Quality			
<p>Courses are well-designed, provide a high-quality academic experience for all students and enable a student's achievement to be reliably assessed.</p> <p>From admission through to completion, all students are provided with the support that they need to succeed in and benefit from higher education.</p>	<p>The provider has fair and transparent procedures for handling complaints and appeals which are accessible to all students.</p>	<p>The provider reviews its core practices for quality regularly and uses the outcomes to drive improvement and enhancement.</p>	<p>Approval of New Programmes Policy</p> <p>Assessment and Internal Verification Policy</p> <p>Academic Appeals Policy</p> <p>Academic Complaints Policy</p> <p>Academic Board Meeting Minutes</p>

APPENDIX 1 DGHE APPLICATION FOR A GRADE CHALLENGE

This form is to be used by any student that wishes to submit a Grade Challenge petition for review under Section 1 of the current policy.

Before completing this form, students should read the Academic Appeals Policy, taking particular notice of the grounds on which a grade challenge may be made. This form should be typed or completed in black ink and submitted to the Academic Administration Office within the deadlines specified in the current policy. The petition can be submitted directly to the office or sent via email.

The grounds of the petition must be made clearly and concisely. Further details, if any, and any relevant documentary evidence, medical or otherwise, must be attached.

Full Name	
Student Number	
E-mail address	
Course	
Module	
Assessor Name	
Grade Awarded (please indicate if you are challenging the overall grade or a specific task grade)	
Rationale for the Petition (please indicate the reasons for the grade challenge)	
Student Signature	
Date	

Please read the following statement:

I declare that I have read DGHE's Academic Appeals Policy and that the information given on this form, and on any accompanying papers, is a true statement of the facts to the best of my knowledge and belief.

Student Signature

Date

APPENDIX 3

COMPLETION OF PROCEDURES LETTER

Dear [Name of complainant],

This letter confirms that the internal procedures of David Game College, Higher Education Centre in relation to your *complaint / appeal* regarding [please describe] have been completed.

The issues that you raised in your *complaint / appeal* were [details]

The issue(s) that were considered in relation to your *complaint / appeal etc* was / were*: [brief summary of the complaint etc].

The final decision of David Game College, Higher Education Centre is* [detail] because [reasons].

The procedures / regulations applied were*: [details and date as supplied to the OIA's electronic Regulations Bank].

David Game College, Higher Education Centre subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of *your complaint / appeal etc** to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint you take to the OIA is eligible under its Rules.

Should you decide to make a complaint to the OIA, your OIA Complaint Form **must be received by the OIA** within **12 months** of the date of this letter, that is, it must be received by the OIA **on or before** [insert date - e.g. if the Completion of Procedures Letter is dated 9 July 2015, this date should be 9 July 2016].

[Include here any factors of which the College is aware which mean that it is particularly important for the student to bring the complaint promptly.]

You can fill in the OIA's complaint form online or download a copy from the OIA website. <http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>. The OIA also publishes *An Introduction to the OIA Scheme for Students*, which can be downloaded from http://oiahe.org.uk/media/42715/oia_intro_leaflet_16pp.pdf. Alternatively, you can telephone or write to the OIA for a form. **You should send a copy of this letter to the OIA with your OIA Complaint Form.**

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <http://www.oiahe.org.uk/making-a-complaint-to-the-oia.aspx>. You may also wish to seek advice from the Students' Union about taking your complaint to the OIA.

Please note that the OIA will normally only review issues that have been dealt with through the College's internal procedures.

Yours sincerely,