

HE Academic Appeals Policy

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Revision History

Version	Purpose/Change	Date
4.0	Review of policy. Renamed 'HE Academic Appeals Policy' in line with its purpose and OIA good practice framework. Revision of Stage numbers for clarity. Clearer distinction between processes for external review. Updated appendices.	November 2021
4.0	Periodic review – no amendments.	September 2022
4.0	Periodic review – no amendments.	October 2023

Please contact HEoffice@liv-coll.ac.uk or the Reception if you would like this document in an alternative form.

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This policy is written in line with the Expectations and Core practices of the UK Quality Code for Higher Education (Quality Code), which are a key reference point for higher education providers in all parts of the UK.

1. Introduction

- 1.1. This Policy sets out the grounds upon which an academic appeal may be made. Its purpose is to ensure that academic appeals are dealt with fairly, efficiently and in a timely manner and in accordance with the Quality Assurance Agency revised Quality Code for higher Education, and the Office of the Independent Adjudicator (OIA) Good Practice Framework for Handling Complaints and Academic Appeals.
- 1.2. The City of Liverpool College University Centre ("the College") defines an academic appeal as a request for a review of a decision of an academic body charged with making decisions on admissions, assessment and student progression and awards.

2. Policy remit

- 2.1. This policy operates for all Higher Education (HE) qualifications where the regulations of the awarding body prescribe local appeal to the College. This procedure therefore complements and operates within the context of the policies and regulations on academic appeals and complaints of our partner higher education awarding institutions. Relevant University Partners' Academic Appeals procedures and application processes may apply.
- 2.2. This policy applies only to academic appeals. Other matters of dispute involving a student and the College, or department, will be considered as a "complaint" and should be considered under the City of Liverpool College University Centre: Higher Education Compliments, Comments and Complaints Policy and Procedure.

3. Academic Judgement

- 3.1. The mark or grade awarded for an individual piece or of work, or the award of an overall grade or classification for an award, shall be regarded as the academic judgement of the examiner(s)/assessor(s) or the Assessment Board concerns. As such, an appeal questioning the academic judgement of examiner(s)/assessor(s) or the Assessment Board concerned is invalid and shall not be appealable.
- 3.2. A candidate who wishes to question academic judgement shall be entitled to ask the examiner(s)/assessor(s) or the Assessment to confirm that the work has been marked in accordance with the academic regulations and procedures in force at the time governing such matters as second marking, and referral to the external examiner. Provided such confirmation is provided in writing, with an explanation of the procedures followed, the matter shall be deemed closed and the mark or other decision upheld.

4. Grounds for Appeal

4.1. An appeal is only valid if it is based upon one or more of the following:

- a. The assessment/examination procedures have not been conducted in accordance with approved regulations, or there has been some material administrative error or irregularity.
- b. The examiner(s)/assessor(s) or the Assessment Board has given insufficient weight to extenuating circumstances which have adversely affected the student's/candidate's performance.
- c. On special grounds if the examiner(s)/assessor(s) or the Assessment Board has been unaware of extenuating circumstances which might have adversely affected the student's /candidate's performance. Such grounds would normally be endorsed by student support services.
- d. Discrimination is by default unfair.

5. Formal Appeals Procedure – Stage 1 Formal Stage

5.1. **Stage 1 – Formal Stage:** Appeals should be received within 15 working days of a student being notified of the decision against which they wish to appeal. The appeal should state the grounds of the appeal together with the supporting documentation. Appeals submitted outside the specified time limits will not normally be considered.

5.2. Submissions should be emailed to the HE Quality and Registrar Officer via HEOffice@liv-coll.ac.uk or received by post. A template for appeals is provided in Appendix 1 and available via the HE Student Handbook VLE page or on request from Reception, LRCs or the HE Office.

5.3. The Students' Union can provide advice and guidance if students require support with the completing the form or alternative formats.

5.4. Normally, within 15 days of the receipt of the formal appeal, a School Appeals Board will be convened to consider documentation and evidence relating to the appeal. However, in complex cases or in College closure periods this will be arranged as soon as practicalities permit.

5.6. To avoid any conflict of interest, members of any appeals board must not have been party to preceding decisions that may have initiated the appeal

5.7. The composition of the Appeals Board will be:

- Head of School (Chair) or Nominee if the Head of School is the Chair of the Assessment Board
- HE Quality and Registrar Officer or Nominee
- Independent Programme Leader who is not directly associated with the original assessment (additional members may be called upon if it is not possible to use independent Programme Leaders from the School)
- In attendance: Administrator as a minute taker

5.8. The Chair of the Assessment Board, the student and their nominated representative will be invited to be available to add clarification to the documentation.

5.9. Students have a right to be accompanied at the Stage 1 Academic Appeal Panel; any person accompanying a student is present to support the student and should not contribute to the meeting unless at the behest of the student and only when invited to do so by the Chair. There is no right for a student to have legal representation at an Academic Appeals Panel.

5.10. The appropriate documentation will be presented to the Appeals Board. The Appeals Board has the power to request Programme Leaders, Tutors, and/or Assessors to be available to provide further information.

5.11. The Chair may, at any point in the proceedings, adjourn a panel meeting; such an adjournment would normally be for the purpose of seeking clarification on a particular issues so as not to disadvantage a student.

5.12. The School Appeals Board may take the following decision:

- To uphold the appeal based on the evidence presented and to amend the record or the student accordingly;
- Or
- To partially uphold the appeal based on the evidence presented and to amend the record of the student accordingly.
- Or
- To dismiss the appeal

5.13. The decision of the School Appeals Board will be communicated in writing, via a formal report, to the student and the Assessment Board normally within ten working days.

6. Formal Appeals Procedure – Stage 2 Internal Review Stage

Stage 2: The Internal Review

6.1 If the student is not satisfied with the outcome of their appeal hearing, they can request an internal review of the process of the formal academic appeal to ensure that appropriate procedures were followed and that the decision was reasonable. The request must be submitted in writing to the HE Office HEOffice@liv-coll.ac.uk or by post within 15 working days of receiving the written response to the Stage 1 – Formal Appeal.

6.2. A member of the Strategic or Executive Leadership team will review the procedures followed at the formal appeal stage, including:

- Reviewing the procedures followed at Stage 1 Formal Appeal
- Considering whether the outcome was reasonable and in line with this Policy
- Considering new information or material evidence which the student was unable, for valid reasons, to provide earlier in the process.

6.3. The review stage will not usually consider the academic appeal afresh or involve a further investigation. The appeal must have been considered in Stage 1 Formal Appeal prior to being escalated to Stage 2 – Internal Review.

6.4. Students will usually receive a written outcome of the Internal Review within 15 working days. On occasion, the response may extend beyond 15 working days due to the nature of the review or during College closure periods. In these cases, the appellant will be informed of the timescales involved and may receive intermediary information regarding the progress of the review.

7. Independent Review

7.1. The College's internal procedures finish at the end of Stage 2. If the appellant is dissatisfied with the final decision at Stage 2 – Internal Review, and not before, they may ask for an external review.

7.2. Students on an Open University programme will be issued with a **Final Outcome** letter (see Appendix 3) and may contact the partner university. The partner university will review the academic appeal with impartiality and in accordance with their equality and diversity strategy. You are entitled to withdraw an appeal at any time during the procedure. The Open University will issue a Completion of Procedures letter when it is satisfied that the complaints process has been completed.

7.3. Students on Higher National programmes have a final right of appeal to the awarding body Pearson if they have completed Stage 2 – Internal Review and are dissatisfied with the outcome. Further details are given in the Enquiries and appeals about Pearson vocational qualifications policy: <https://qualifications.pearson.com/en/support/support-topics/understanding-our-qualifications/policies-for-centres-learners-and-employees.html>

7.4. As a Higher Education provider we comply with The Office of the Independent Adjudicator for Higher Education (OIA). The Office of the Independent Adjudicator (OIA) is the Government's designated operator for handling unresolved student complaints and appeals in higher education. The OIA provides an independent, transparent complaints handling scheme to review student complaints and academic appeals. More information about the OIA can be found on its website www.oiahe.org.uk

7.5. If the appeal is within OIA rules, the College will issue a **Completion of Procedures** letter (Appendix 2) within 28 days of the completion of Stage 2 and you may contact the OIA for an independent review.

Appendix 1: Academic Appeals Form

**For students studying for Higher Education awards at
The City of Liverpool College University Centre**

Section 1: Your Details

Full Name:		Student Number:	
Programme of Study		Year/Level	
Address for correspondence			
Email Address			

Section 2: Appeal

Academic Appeal against the decision of an Assessment Board	Y
Appeal against the decision of an Academic Misconduct Panel	Y
Appeal regarding some other irregularity	Y

Please provide the date of the release of your results or the date on the Outcome Letter from the Academic Misconduct Panel.		
Are you sending your Appeal within the 15 working day deadline?	Yes	No
If No please explain why you were unable to meet the deadline?		

You should be aware that there are strict time limits for submitting Appeals at each stage of the process.

The College endeavours to respond to this first stage of appeals within 15 working days, and to **complete all stages of the formal appeals procedures within 90 calendar days**. In cases where for good reason the College needs to extend the timeframe, the College will notify you and keep you informed of the progress.

What was the decision of the Assessment Board or the decision of the Academic Misconduct Panel?

Please enclose a copy of the Assessment Board Letter, or Results Notification Letter, failure to do so may result in a delay in considering your appeal or your appeal being rejected.

Please provide a full statement outlining your grounds for appeal. Please provide details of key events with dates. Continue on a separate sheet if necessary. Your appeal **must be** accompanied by (copies) of relevant evidence and all such evidence must be numbered and listed on this form.

DECLARATION AND SIGNATURE:

Please read the statements below and confirm the following:

- You have read the Appeals Regulations and relevant Awarding Body Guidance notes
- You understand that ineligible appeals or late appeals will not be investigated under the appeals procedure.
- You agree with the documents and details in your appeal, including sensitive personal information being shared with relevant staff involved in the appeals process in order to respond to your appeal.
- I confirm that I am the student making the Appeal, I agree to the above and confirm that that I believe the facts stated in this form are true.

Signature _____ Date _____

NAME - PRINT _____

Completed forms should be sent to: The City of Liverpool College University Centre, Higher Education Quality and Registrar Officer, The Learning Exchange, Roscoe Street L1 9DW via post or via email to, HEOffice@liv-coll.ac.uk

If you are studying on the HE programme awarded by the Collaborative University partner, the relevant appeals policy and procedures may apply.

IF THE APPEAL IS UPHELD or PARTIALLY UPHELD

If there is evidence that: there has been a material administrative error; or that the assessment, in whatever format, was not conducted in accordance with current regulations; or that some other material irregularity has occurred your appeal will be **Upheld or Partially Upheld**.

You will be notified of the reason for the decision and any action to be taken. For example, the Assessment Board(s) or Academic Misconduct Panel may be required to reconvene to reconsider their decision(s) in light of the findings.

IF THE APPEAL IS NOT UPHELD

If there is no evidence that: there has been a material administrative error; or, that the assessment, in whatever format, was not conducted in accordance with current regulations; or that material irregularity has occurred, your appeal will **Not be Upheld**.

You will be given a full explanation as to why the decision was made not to uphold your appeal.

If your appeal is not upheld and you believe that the decision is incorrect you may submit your appeal for consideration by the relevant university or awarding body Appeals Panel.

Appendix 2: Completion of Procedures Letter

Please note - the format may be adjusted to meet the individual circumstances of a complaint provided. The key points below will be included.

The City of Liverpool College University Centre Higher Education

The Learning Exchange, Roscoe Street, Liverpool, L1 9DW | 0151 252 1515 | COMPLAINTS@LIV-COLL.AC.UK

Dear [Name of appellant],

Completion of Procedures Letter

This letter confirms that the internal procedures of The City of Liverpool College University Centre in relation to your *complaint / appeal etc** regarding [please describe] have been completed. The issues that you raised in your *complaint / appeal etc** 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 The City of Liverpool College University Centre is* [detail] because [reasons]. The procedures / regulations applied were*: [details and date as supplied to the OIA's electronic Regulations Bank].

The City of Liverpool College University 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 December 2015, this date should be 9 December 2016].

[Include here any factors of which the provider 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. <https://www.oiahe.org.uk/students/how-to-complain-to-us/>. The OIA also publishes *An Introduction to the OIA Scheme for Students*, which can be downloaded from <https://www.oiahe.org.uk/students/can-you-complain-to-us/>. 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 <https://www.oiahe.org.uk/students/how-to-complain-to-us/>. You may also wish to seek advice from [refer to students' union or advice service if any] about taking your complaint to the OIA. Please note that the OIA will normally only review issues that have been dealt with through the provider's internal procedures.

[HNC/D Pearson awards: Your qualification is awarded by *[name of awarding body]*, which has some responsibility for considering complaints about the overall quality or standards of your qualification. *[name of awarding body]* is not a member of the OIA Scheme.

In the event that you submit a complaint to the OIA, it will consider your complaint to identify whether it relates to: (1) an act or omission of [name of higher education provider] relating to the service provided which falls within the OIA's remit; or (2) the overall quality or standards of the qualification itself. Complaints relating to the design, delivery of assessment, moderation and awarding of the qualification are likely to fall into (2). However, this will be for the OIA to determine.

If the OIA considers that your complaint relates to the overall quality or standards of the qualification itself, it will refer the complaint to [name of awarding body].

Yours sincerely,
The City of Liverpool College University Centre

Appendix 3: Final Outcome Letter

Please note - the format may be adjusted to meet the individual circumstances of the academic appeal provided. The key points below will be included.

The City of Liverpool College University Centre Higher Education

The Learning Exchange, Roscoe Street, Liverpool, L1 9DW | 0151 252 1515 | COMPLAINTS@LIV-COLL.AC.UK

Dear [Name of appellant],

Final Outcome Letter

This letter confirms that the internal procedures of The City of Liverpool College University Centre in relation to your *complaint / appeal etc** regarding [please describe] have been completed.

The issues that you raised in your *complaint / appeal etc** 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 The City of Liverpool College University Centre is* [detail] because [reasons].
The procedures / regulations applied were*: [details].

If you are dissatisfied with the outcome you may be able to apply for a review of your *complaint / appeal etc** to [partner university name and contact details].

Should you decide to make a complaint to [partner university name], your complaint **must be received by [partner university name] within 3 months** of the date of this letter, that is, it must be received by [partner university name] **on or before [insert date - e.g. if the Final Outcomes Letter is dated 9 December 2021, this date should be 9 December 2022]**.

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

Guidance on submitting a complaint to the [partner university name] can also be found on the [partner university website/link]. You may also wish to seek advice from [refer to students' union or advice service if any] about taking your complaint to [partner university name].

[Include here any specific requirements of links to the request for review by the partner institution.]

Please note that [partner university name] will normally only review issues that have been dealt with through the provider's internal procedures.

Yours sincerely,

The City of Liverpool College University Centre