

## DOCUMENT DETAILS

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Summary	The purpose of this document is outline the procedure for HE students to appeal against decisions made by the HE exams board of Nottingham College.			

## DOCUMENT CONSULTATION & APPROVAL

Consultation person / body	Date passed
NA	

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## IMPACT ASSESSMENT

A significant negative impact has been identified in the following area and a full impact assessment / risk assessment is available.

Equality & diversity	No
GDPR	No
Health & safety	No
Safeguarding	No

Friendly version of policy available	No
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## POLICY CHANGES

Key updates	Impact	Section reference
Job title updates.		

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## Higher Education Academic Appeals Procedure

### 1. Scope and coverage

- 1.1 This Academic Appeals Procedure ("this Procedure") allows for a Higher Education student to bring an appeal against decisions made by the Higher Education Examination Board (the Examination Board) of Nottingham College ("the College"), **where the decision of the Board relates to the student's academic performance and progress and** enables investigation of those concerns by the College.
- 1.2 This Procedure applies to all Higher Education students of the College although there may be some variations dependent upon the course awarding body/validating University.
- 1.3 This Procedure may only be used by students to request a review of ratification by the Examination Board. **This Procedure should not be used where students wish to report dissatisfaction about teaching-related or service-related provision. For non-academic issues or concerns, students should be directed to the College's formal HE Complaints Procedure.** See 'Consumer Protection' section and HE Complaints Policy and Procedure on the main College website:  
<https://www.nottinghamcollege.ac.uk/about-us/corporate/policies-and-reports/complaints-policies-procedures>
- 1.4 The College will ensure that in the implementation of this Procedure due regard is given to the need to ensure that students with protected characteristics, as defined under the Equality Act 2010, are treated fairly and without discrimination.
- 1.5 Students will not be disadvantaged as a result of making an appeal under this Procedure provided it is made in good faith.
- 1.6 Disagreement with the academic judgement of an Examination Board's decision cannot constitute a reason to appeal. Academic judgement is not deemed to be the judgement made by an academic but is a judgement that is made about a matter where only the opinion of an academic expert will suffice. For example, a judgement about assessment or degree classification or a judgement about a decision where a student is required to repeat or take further assessment will usually be academic judgement, and a student cannot appeal simply because they believe they ought to have received a higher grade or mark. An 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.

### 2. General guidelines

All reasonable efforts have been made in the design of this Procedure to ensure they are fair and are operated in a fair manner including:

- ☐ Giving reasons for actions taken and decisions made by the College;
- ☐ Removal of any potential bias by ensuring independent consideration at each stage of the process;
- ☐ The operation of reasonable timescales for both submissions to and responses from the College;
- ☐ An opportunity for both the student and the College to be equally heard and have equal access to documentation where matters proceed to an Academic Appeals Panel.

### 3. Confidentiality

Information provided by students under this Procedure will be treated confidentially and only shared with those persons necessary to progress their Appeal or help support a satisfactory outcome.

#### **4. Transfer to other procedures of the College**

Where, on receipt and subsequent investigation of an Appeal, it appears to the College that the matter can, in the interests of the student, be better dealt with via the College's Complaints Procedure for Students, it will be transferred to that Procedure and the student will be informed of the transfer. Where only a part of the matters raised within an appeal is transferred to the College's Complaints Procedure for Students, the appeal will be put on hold pending the outcome of the complaint investigation.

#### **5. Representation**

Representation of a student under this Procedure cannot be made by a third party unless written consent is received from the student allowing an individual to act on their behalf. This includes appeals submitted by a parent, guardian, or spouse of the student. Where consent is provided to and accepted by the College, all communications relating to this Procedure will be made through the nominated individual only.

If an appeal is made under this Procedure by a student who is under the age of 18 (a 'minor') at the time the submission is received, the College will notify the parents or guardians of the student in writing and keep them informed of the progress of the appeal. The College will permit the parents or guardians of the student to act on the student's behalf during the process, provided the student has confirmed agreement in writing to the College beforehand.

#### **6. Timescales**

The College will use all reasonable endeavours to comply with the time limits prescribed within this Procedure, although there may be circumstances in which it cannot reasonably meet such time limits. In such circumstances, the College will keep the student updated as to any variation to the time limits. Similarly, the College considers that students will be able to meet the time limits in communicating with the College, including by electronic means, unless affected by exceptional circumstances beyond the reasonable control of the student.

#### **7. Responsibility and Authority**

All appeals should follow the procedure stages detailed within the policy. The appeal will not be escalated and will be responded to within the directed timescales except in exceptional circumstances. The appeals form should be completed and submitted to the appropriate recipient relevant to the stage of the appeal with any relevant evidence to be considered. The decisions should also be recorded using the appropriate form at all stages of the appeals process.

#### **8. Permitted Grounds for an Academic Appeal**

Following notification of a student's results after an Examination Board meeting, a student may request a reconsideration of the decision of the Examination Board on the following grounds only:

- a) The student believes that there has been an error or irregularity in the assessment process or one or more of the constituent parts which have made up a student's outcome are incorrect;

b) There is additional material information which could not have previously been made available through the Special Consideration process to the Examination Board.

**9. Evidence for Academic Appeals**

Submission of the relevant [appeal form](#) under this Procedure is not evidence. The student needs to be able to substantiate their own case with independent documentary evidence (that is, something which is not their assertion alone). The evidence should normally be the original (for example, a doctor's note) and not a copy.

Where the relevant appeal form is submitted within the required timescales, it is expected that the supporting evidence will be submitted at the same time. In the event that the student cannot do this, there needs to be an indication of what the evidence will be, the reason it cannot be submitted at the time and provide an indication of when it will be submitted.

Acceptance of submissions without evidence, or indication of evidence (as appropriate) is at the discretion of the Academic Appeals Panel and the Academic Appeals Panel will make a decision on such submissions and notify the student accordingly.

**10. Key Stages of the Academic Appeals Procedure**

There are **three** key stages to the academic appeals procedure, which should be followed:

**Stage 1 – Informal Resolution by Course Leader**

Every attempt should be made to informally resolve any dispute directly with the Course Leader.

Once a student has received their results they may wish to contact their Course Leader to discuss in person towards an informal resolution. They must complete the Informal Resolution form (Stage 1) available in the HE Student Handbook and contact their Course Leader within **ten working days** of notification of results. The Course leader will respond to the student within **five working days** of the outcome agreed. The Course Leader should keep a fully completed and signed record of the discussion and outcome and forward to the University Centre.

In cases where a simple error has been made at an Examination Board, it may be most expedient to resolve this immediately through the Examinations Office via Examination Board Chair's Action without the need to invoke this Procedure.

**Stage 2 – Formal Resolution by Head of Centre**

A student may submit an appeal to the appropriate Head of Centre where they have failed to obtain a satisfactory outcome to their appeal under Stage 1 (informal resolution) of this Procedure.

The submission must be made within the permitted grounds set out above by completion of the Stage 2 Formal Resolution appeal form within **ten working days** of the Stage 1 decision being made.

On request by the Head of Centre, a copy of the disputed assignment/project/ assessment or written details in the case of a practical assessment/ competence, any other relevant information and copies of the notes made at any meetings will be provided by the Course Leader to the Head of Faculty for a decision to be made based on evidence supplied. The Head of Centre or their representative will reply

after investigation within **fifteen working days** from the receipt of the Stage 2 appeal form.

The following are matters that cannot constitute grounds for an academic appeal at the formal stages and will not be eligible for consideration:

- ☐ Disagreement with the academic judgement of the Examination Board as detailed in the introduction to this Procedure;
- ☐ Claims that academic performance was adversely affected where there is no contemporaneous, independent, medical, or other evidence to support the application;
- ☐ Frivolous, vexatious, or mischievous appeals.

### **Stage 3 – Formal Resolution by Academic Appeals Panel**

Within **ten working days** of receipt of the decision of the Head of Centre under Stage 2 of this Procedure a student may submit an appeal to be considered by an Academic Appeals Panel. The Academic Appeals Panel will consist of three members deemed appropriate by the Head of Higher Education or their representative. All members of the panel will have had no involvement with the appeal previously.

The Chair of the Academic Appeals Panel will inform the student of its decision within **fifteen working days** of receipt of the completed Stage 3 form for Formal Resolution by Academic Appeals Panel.

## **11. The Academic Appeals process**

The student will receive an acknowledgement from the Head of Centre (Stage 2) or Vice Principle of Higher Education or their representative (Stage 3) **confirming receipt of the appeal form within three working days**.

The Head of Centre (Stage 2) or the Academic Appeals Panel (Stage 3) will consider the appeal. The Dean of Higher Education or their representative will determine the membership of the Academic Appeals Panel.

The Head of Centre /Academic Appeals Panel will determine whether the submission:

- a) is made on the permitted grounds; and
- b) appears to be substantiated by the evidence provided.

The Head of Centre/Academic Appeals Panel may consult with the Course Leader, the Chair of the Examination Board, and any other relevant persons where it is appropriate to do so.

The decision, including reasons for that decision, will be communicated to the student (with a copy being provided to the Course Leader) **within fifteen working days** of receipt of the appeal and supporting evidence.

The decision may include, but is not limited to, one of the following:

- a) The submission is deemed not to have been made on one or more of the permitted grounds;
- b) The submission is not deemed to be substantiated by the evidence presented; or
- c) The submission is deemed to be substantiated.

Where an error in the recording of a mark has been identified, the Head of Centre/Academic Appeals Panel will report the matter to the student and to the Chair of the Examination Board. The Chair of the Examination Board will arrange for the error to be corrected and for the student to receive a correct report of their achievement, within **ten working days** of the decision of the Appeal being sent to the student.

If the Appeal is substantiated and it has affected the final degree classification of a student, the Chair of the Examination Board will either take Chair's action in consultation with the External Examiner to change the classification, or, where appropriate, convene an Exceptional Meeting of the Examination Board to reconsider the case. The Chair of the Examination Board will inform the student of the action that the College intends to take within **ten working days** of Chair's action being taken or, where appropriate, receiving the decision from the Exceptional Meeting of the Examination Board.

The appropriate Administrator/Examinations Office/awarding institution, where applicable, will be informed of the outcomes and record these on the student's file.

## **12. Validated Centre Collaborative Provision**

The College is a collaborative partner of various Higher Education Institutions (HEIs); (see Course Leader for individual HEIs) and awarded Validation Centre status. HEI's have their own procedures for dealing with Academic Appeals.

Students have the right to write a formal appeal to the HEI as the award provider after all local procedures with the direct Institution Nottingham College have been exhausted and you have grounds to believe that Nottingham College's internal procedures and regulations for dealing with appeals were not interpreted or implemented correctly or fairly. This appeal should be completed within three months of the outcome of the direct Institution Nottingham College internal procedures.

## **13. The Office of the Independent Adjudicator (OIA)**

At the conclusion of the HEI as the award provider connected with this Procedure, the HEI will issue a letter to the student in the manner prescribed by the OIA informing the student that the HEI's procedures in the matter are completed and the appeal decision is final. If you are still dissatisfied with the outcome, they may be able to apply for a review of the matter to the Office of the Independent Adjudicator for Higher Education (OIA).

Further details are available at: [www.oiahe.org.uk/](http://www.oiahe.org.uk/). See page 15 for flowchart illustrating the Academic Appeals Procedure – Nottingham College/validating Higher Education Institution to Office of Independent Adjudicator.

## **14. Appeal Forms**

Stage 1 – Informal Resolution by Course Leader – see page 8

Stage 2 – Formal Resolution by Head of Faculty – see page 10

Stage 3 – Formal Resolution by Academic Appeals Panel – see page 11

**NOTTINGHAM COLLEGE****Stage 1 – Academic Appeal – Informal Resolution by Course Leader****Section 1 – for completion by student**

<b>Student Name</b>	
<b>Student ID</b>	
<b>Course</b>	
<b>Unit/module code and title</b>	
<b>Assignment title</b>	
<b>Date due</b>	
<b>Date submitted</b>	
<b>Grade awarded</b>	
<b>Grade expected</b>	

**Please state your specific reasons for your appeal:**

**This form must be completed and handed to the Course Leader within ten working days of the disputed grade notified to the student.**

If that time limit has passed, what special reasons do you put forward for **exceptional** late consideration?

## Section 2 – for completion by Course Leader

Has the disputed grade been internally verified? **Yes/No**

If yes, by whom? .....

Please state your specific reasons for not upholding the appeal:

## Section 3 – for completion by Student and Course Leader

Have you reached agreement on any of the points listed above? **Yes/No**

If yes, which ones?

Signed (Student): ..... Date:  
.....

Signed (Course Leader): ..... Date:  
.....

**Copy of completed Stage 1 Informal Resolution form to be sent to the University Centre [HETeam@nottinghamcollege.ac.uk](mailto:HETeam@nottinghamcollege.ac.uk)**

**NOTTINGHAM COLLEGE**
**Stage 2 – Academic Appeal – Formal Resolution by Head of Centre**
**Section 1 – for completion by student**

<b>Student Name:</b>	
<b>Course:</b>	
<b>Faculty:</b>	
<b>Date of Stage 1 Informal Resolution:</b> <b>Note: completed Stage 1 form to be attached</b>	
<b>Grounds for Stage 2 Appeal:</b>	
<b>Signed (student)</b>	
<b>Date</b>	

**Section 2 – for completion by Head of Centre**

<b>Resolution/decision:</b>	
<b>Signed (Head of Centre):</b>	<b>Date:</b>
<b>Signed (Student):</b>	<b>Date:</b>

**NOTTINGHAM COLLEGE**
**Stage 3 – Academic Appeal – Formal Resolution by Academic Appeals Panel**
**Request for reconsideration of an Examination Board Decision**

This form is to be completed and returned to your Head of Centre within ten working days of receiving a decision under Stage 2 of this Procedure.

1. Please provide the following details:

<b>Family Name:</b>			
<b>First Name(s)</b>			
<b>Student No.</b>		<b>Academic Year of Study:</b>	
<b>Course of Study:</b>			
<b>Date of Stage 1 Informal Resolution:</b> <i>attach completed stage 1 form</i>			
<b>Date of Stage 2 Formal Resolution by Head of Centre:</b> <i>attach completed stage 2 form</i>			

2. Please note that your request for reconsideration will only be considered on the basis of the following reasons. Please specify which of these you believe to be relevant:

<b>A. One or more marks on your transcript (or other record of results) as provided to you following the Higher Education Examination Board have been incorrectly recorded.</b>	Yes/No
<b>B. There is now additional and relevant information that could not have been made available prior to the Higher Education Examination Board.</b>	Yes/No

3. In the space below, please summarise the key points of your request for reconsideration.

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4. In the space below, please describe the reasons for your request. You may also indicate briefly what outcome you are seeking if your request is upheld. Please remember that it is not general College policy to adjust marks or degree classifications in such circumstances.

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5. Please attach any further information or evidence which you would like the Academic Appeals Panel to be made aware of.

6. Confidentiality of Information:

I hereby agree to this information being made available in confidence to the Academic Appeals Panel, my course leader, and any other staff of the College as necessary for consideration of my request.

Signature: (Student)		Date:	
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Summary of action taken by the Academic Appeals Panel:

Signature: (Chair of Academic Appeals Panel)		Date:	
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## ACADEMIC APPEALS PROCEDURE Nottingham College/validating Higher Education Institution (HEI) to Office of Independent Adjudicator (OIA)

