

Higher Education Academic Appeals Policy HE12

Equality Impact Assessment: Askham Bryan College recognises the importance of the Equality Act 2010 and its duties under the Act. This document has been assessed to ensure that it does not adversely affect staff, students or stakeholders on the grounds of any protected characteristics.

1. POLICY STATEMENT

- 1.1. This policy applies to all students studying on higher education programmes at Askham Bryan College which are validated by Askham Bryan College only. For programmes validated by university partners, please refer to the policies of the validating university. It has been informed by the Good Practice Framework for the Handling of Complaints and Academic Appeals, published by the Office of the Independent Adjudicator in 2016.
- 1.2. This policy is designed to allow students to request a review of a decision by the Award and Progression Board, including decisions resulting from academic misconduct panels.
- 1.3. This policy should not be used where students may seek to review a provisional (unratified) mark awarded by their module tutor, prior to the assessment boards. In such cases, students should discuss the mark with their module tutor in the first instance and thereafter refer it to the Head of HE Operations and Quality.
- 1.4. This policy does not deal with the following:
 - Non-academic complaints, including complaints about teaching support, teaching quality and/or supervision;
 - Disciplinary matters relating to student behaviour.

Separate policies and procedures relating to the above are available on the Key Information Pages.

2. DEFINITIONS

This policy and procedure refer to the College policy on Academic Appeals for students on Higher Education programmes, validated by Askham Bryan College, only.

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3. PRINCIPLES

3.1 Grounds on which an appeal can be made are as follows:

3.1.1 Material error or irregularity

If the decision of the assessment board was influenced by a material administrative error, including cases where the assessment was not conducted according to the regulations, or procedures were not followed.

3.1.2 Mitigating circumstances not known to the assessment board

If, for valid reasons, a student could not divulge their mitigating circumstances by the deadline. In such cases, the appeal should include medical certificates or other appropriate documentary evidence. All mitigating circumstances are considered in confidence, therefore a feeling of embarrassment will not be acceptable reason for not divulging the circumstances by the deadline. Where personal medical data is submitted, the appellant consents to the use of that data for processing purposes to ensure validity of the claim. It is important to note that as outlined in the Academic Regulations, if a candidate enters an examination situation, including practical examinations and *viva-voce* examinations, they are deeming themselves fit to undertake that examination at that time. Retrospective claims for mitigating circumstances will not be accepted.

3.2 Students may not appeal against the academic judgement of examiners or tutors, e.g. claiming that a mark awarded was too low.

3.3 Students may not appeal on the grounds that he or she did not understand or were aware of the College's regulations or other related procedures.

3.4 It would normally be expected that students appeal against the outcome of a decision relating only to their own results, however collective appeals may be made if the discovery of a material error or an irregularity (such as a mark awarded to a group for a group assessment, where the error affects more than one student). If students choose to make a collective appeal, a nominated representative/spokesperson (one of the appellants) must be nominated in writing, and all further correspondence will be via this individual.

3.5 It would normally be expected that students make their own representations in accordance with this policy. If this is not possible, the College requires, in writing, the reasons why this is the case. The student is responsible for making this request, and must use their official College email address. Such requests will only usually be facilitated on the basis of significant health grounds, and the College may request some independent verification of the reasons (e.g. a medical note)

3.6 It is expected that students appealing a decision do so in a professional and courteous manner. Any behaviour or actions (verbal or physical) of appellants which is deemed, angry, aggressive, abusive, rude, persistent, unreasonable, vexatious or frivolous will result in a discussion with the student and an opportunity will be provided for them to modify their behavior. If the unacceptable behavior continues, the College may invoke

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other procedures, such as disciplinary measures, and may terminate progression of the appeal.

4. SCOPE AND LIMITATIONS

4.1 This policy applies to:

- All students on undergraduate or postgraduate programmes at Askham Bryan College
- All undergraduate and postgraduate Higher Education provision including certificates and diplomas in Higher Education
- All on-campus and blended/ distance Higher Education provision

5. IMPLEMENTATION ARRANGEMENTS

This policy will be implemented by the Academic Standards Committee and reviewed annually as part of the HE Quality Manual annual review process.

6. MONITORING AND REVIEW

The Director of Higher Education will maintain oversight of the effectiveness of these arrangements. This policy and the implementation arrangements which underpin it will be reviewed annually by the Academic Standards Committee.

7. SUPPORTING/RELATED DOCUMENTS

- HE9b: Academic Appeals Procedure
- Good Practice Framework for the Handling of Complaints and Academic Appeals (Office of the Independent Adjudicator, 2016)
- QAA Quality Code for Higher Education
- Askham Bryan College Quality Manual

8. REGULATIONS

In all aspects of the appeals process the College will comply with the following legislation:

- The Data Protection Act 2018
- General Data Protection Regulations (GDPR)
- Equality Act 2010

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