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## Senate Regulation 10: Regulations governing academic appeals

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- 10.1 These Regulations apply to all students who wish to appeal against the decision of a Board of Examiners or another academic body responsible for decisions on student assessment, progression and award. The consideration of the appeal will follow the procedure and timescales set out below. Students will be kept informed if there is a departure from the standard timescales.
- 10.2 The outcome which a student wishes for must be one which is permitted within the proper application of Senate Regulations. Students are strongly encouraged to seek advice from their school or from the Advice Service of the Students' Union to ensure that they understand why an academic decision has been made and what possible outcomes a successful appeal can lead to. Students who wish to challenge an assessment related decision should be aware that Boards of Examiners do not have the authority to change marks for individual students and a successful appeal will not lead to a change of mark.
- 10.3 A student may only appeal on the following grounds:
- (a) that there are or were circumstances materially affecting the student's performance, for which supporting evidence exists, which were not known to the Board of Examiners or other academic body at the time its decision was taken and which it was not reasonably practicable for the student to make known beforehand;
  - (b) that there were procedural irregularities in the conduct of examination or assessment procedures of such a nature as to create a reasonable possibility that the result may have been different if they had not occurred;
  - (c) that there is evidence of prejudice or bias or lack of proper assessment on the part of one or more of the examiners.
- 10.4 An appeal which questions the academic or professional judgement of those responsible for assessing a student's academic performance or professional competence will not be permitted.
- 10.5 An appeal which seeks an outcome which is not permitted within Regulations will not proceed to a panel.
- 10.6 Where a student's appeal is based on mitigating circumstances as in 10.3(a) above third party documentary evidence will normally be required to support a claim. Where the mitigating circumstances relate to ill health, medical certificates from a qualified medical practitioner or other independent documentary evidence will normally be required to support the claim. The evidence supplied must be in English; where the original is in another language a certified copy in English must be submitted. Medical certificates or other documentary evidence should normally be submitted at the time of the illness or other circumstances. Retrospective evidence will be considered at the discretion of an Appeals Panel and students must provide an explanation as to why it was not possible to submit the evidence at the time. Panels will only accept evidence where it is considered there was good reason for it not to have been submitted at the appropriate time.
- 10.7 A student must submit an appeal on his or her own behalf. An appeal form with supporting evidence must be submitted to Education Services by published deadlines, or to the Head of Operations, School of Medicine and School of Allied Health Professions for students registered on the MBChB.
- 10.8 If a student wishes to appeal against a degree classification notice of the intention to appeal must be submitted to Education Services before the degree congregation at which the degree will be conferred.
- 10.9 It is a student's responsibility to submit an appeal by the given deadline. Appeals submitted after the deadline will be deemed to be out of time and will not be considered unless there is clear documentary evidence which the University accepts as demonstrating that a student was prevented from submitting the appeal by the deadline.
- 10.10 On receipt an appeal will be reviewed by Education Services to determine whether eligible grounds and supporting evidence have been presented. Where this is not the case the appeal may either be

rejected or a request for further information or evidence made. In reaching its decision, Education Services may also request a report from the relevant school.

- 10.11 Where the appeal is dismissed because no eligible grounds have been demonstrated within the appeal submission, then the Review Secretary will write to inform the student of the decision, giving an explanation for that decision. The student will be informed of the right to request a review of the decision within 14 days of the date the decision is issued.
- 10.12 A student may request a review of the decision to dismiss the appeal for ineligibility on the following grounds:
- (a) there is evidence of a procedural irregularity in the initial consideration of the appeal and/or
  - (b) there is evidence of eligibility of the appeal provided within the submission which it would appear has not been fully considered.
- 10.13 Any request for review must be submitted within 14 days from the date the decision is issued. Requests received after this time will not be considered.
- 10.14 The request for review will be considered by a senior member of Education Services who may decide that no valid ground for further review has been established and dismiss the case. This will conclude the University's procedures. Alternatively they may decide that grounds for further review have been established and will refer the case for consideration by an Appeals Panel. The school, if consulted about matters raised in the review, may also request the opportunity to refer the case back to the Board of Examiners.
- 10.15 If it appears that the appeal has been made on one of the grounds specified in paragraph 10.3 above and sufficient evidence has been provided, Education Services will obtain a report on the appeal from the relevant Head of School or their nominee. This report, along with the student's appeal form and supporting evidence will be considered by the next available Appeals Panel. A copy of the school report will be provided to the student with an opportunity to comment on the report.
- 10.16 If on receipt of a copy of an appeal, a school considers that there is new evidence of either mitigating circumstances that were not known at the time for good reason or a procedural irregularity in light of which a Board of Examiners would have been likely to have reached a different decision it may request the opportunity to refer the student's case back to the Board of Examiners.
- 10.17 An Appeals Panel will comprise three members of the academic staff of the University drawn from the annual list nominated by Colleges and approved by the Learning and Teaching Committee. No member of the Panel will be drawn from the student's own school(s) or have had previous involvement with the student.
- 10.18 A member of Education Services will serve as Secretary to each Appeals Panel. The student and school will be notified of the date on which an appeal will be considered.
- 10.19 All appeals are considered on the basis of documentation only, submitted by students and their schools.
- 10.20 Students and schools may not attend Appeals Panel meetings but will be notified in writing of the panel's decision within seven days of the date of its meeting.
- 10.21 After considering the evidence an Appeals Panel may decide in the case of undergraduate or taught postgraduate students:
- (a) To dismiss the appeal;
  - (b) To uphold the appeal and require the Board of Examiners or appropriate academic body to reconsider its decision taking into account such information or findings that the Appeals Panel deems appropriate.
  - (c) To adjourn to seek additional information or clarification from the student or school involved.

- 10.22 After considering the evidence an Appeals Panel may decide in the case of a research student:
- (a) To dismiss the appeal;
  - (b) To uphold the appeal and recommend that the student be permitted to re-submit for the degree for which he/she was registered;
  - (c) To uphold the appeal and recommend that the student be permitted to re-submit for a master's degree
  - (d) To adjourn to seek additional information or clarification from the student or school involved.
  - (e) With respect to (b) and (c) above the Panel may choose to recommend the appointment of new examiners.
- 10.23 If the Appeals Panel determines that the appeal should be dismissed, the Panel Secretary will write within 7 days to inform the student of the decision giving an explanation of the reason(s) for that decision. The student will also be informed of the right to request a review of the decision.
- 10.24 A student may request a review of the decision to dismiss the appeal on the following grounds:
- (a) There is evidence of procedural irregularities in the initial consideration of the appeal.
  - (b) There is evidence within the appeal which it would appear has not been fully considered
- 10.25 Any request for review must be submitted within 14 days of the receipt of the decision to dismiss the appeal. Requests received after this time will not be considered.
- 10.26 The request for review will be considered by a senior member of Education Services who may determine that:
- (a) grounds for the review have not been established
  - (b) the appeal should be referred back to a Review Panel, having had no previous involvement with the student.
- 10.27 The School, if consulted about matters raised in the review, may also request the opportunity to refer the case back to the Board of Examiners.
- 10.28 The procedure for the Review Panel will follow that for an Appeals Panel (10.17 – 10.23)
- 10.29 If the Review Panel dismisses the appeal, the Panel Secretary will write within 7 days to inform the student of the decision giving an explanation of the reason(s) for that decision.
- 10.30 At this point the University will close the appeal process and a Completion of Procedures letter will be issued notifying the student of their right to submit a complaint to the Office of the Independent Adjudicator for Higher Education, if it is eligible under its scheme.
- 10.31 The University seeks to conclude the handling of appeals through every stage of the University's internal procedures within 90 calendar days. If the University is unable to conclude the process within 90 calendar days, Education Services will write to the student setting out the reasons for the delay and anticipated date for the issuing of a decision.
- 10.32 The University reserves the right not to continue with the operation of the appeals procedure if the appeal is conducted in a way which is frivolous or vexatious. Examples of frivolous or vexatious appeals include:
- academic appeals which are obsessive, harassing, or repetitive;

- insistence on pursuing non-meritorious academic appeals and/or unrealistic, unreasonable outcomes;
- insistence on pursuing meritorious academic appeals in an unreasonable manner;
- academic appeals which are designed to cause disruption or annoyance;
- demands for redress which lack any serious purpose or value.

The Academic Registrar shall decide whether to terminate consideration of the appeal, giving reasons for this decision. Alternatively the Academic Registrar shall issue a warning that the consideration of the appeal will be terminated if a further instance of vexatious or frivolous behaviour occurs.

If the Academic Registrar decides to terminate consideration of the appeal on these grounds then a student has a right to request a review of that decision by a Senior Officer/Pro-Vice Chancellor of the University. A student wishing to request a review should make their request in writing to Education Services within 14 days of the notification of the Academic Registrar's decision.