

Academic Appeals Policy & Procedure

Introduction

- 1.1 The College of Legal Practice holds regular Module Panels and Progression and Awards Panels. The purpose of these Panels is to oversee the assessment of students on the programmes of study and to make decisions of awards that students should be granted. Both Panels act with delegated authority of the Programme Committee.
 - 1.2 This procedure sets out the responsibilities of both students and the College where a student wishes to submit an appeal. Students are reminded that advice on this policy can be sought from the Student Services Manager (Email: studentsupport@collegalpractice.com) who will also be able to support and guide students through this process.
 - 1.3 The academic appeals process is confidential, but information will be shared with certain relevant members of staff within the College in order to fully investigate any claims or issues raised by a student.
 - 1.4 Students are normally expected to submit their own appeal and represent themselves throughout the process set out in this regulation. The College will not normally accept submissions from third parties or representatives, including other students or legal representatives.
 - 1.5 No student will be prejudiced as a result of submitting an appeal. Where there is evidence that an appeal is frivolous or vexatious in nature the College reserves the right to refuse to consider the appeal.
 - 1.6 The College reserves the right to vary this procedure in the interests of fairness, where it is necessary to do so on the grounds of health and safety or where it needs to make reasonable adjustments under relevant equality legislation.
 - 1.7 The UK Quality Code for Higher Education has listed as a core practice that all institutions should have fair and transparent procedures for handling appeals, which are accessible to all students. In addition, institutions should be in a position to learn from the outcomes of concerns, complaints and appeals to improve the overall student experience. In pursuit of this objective, the Programme Committee and
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the Board of the College will receive an annual report concerning the operation of this policy and any recommendations for future enhancements.

Definition and Scope

- 2.1 The College of Legal Practice has adopted the definition of an academic appeal as provided by the Office of the Independent Adjudicator:

A request for a review of a decision of an academic body charged with making decisions on student progress, assessment and awards.

As such, examples of appeals which would fall within the parameters of this policy include the outcome of an Assessment Panel or a decision relating to progression or continuation on the course.

- 2.2 Students are reminded there is no ground for appeal on a matter of ‘academic judgment’. The Office of the Independent Adjudicator states that academic judgment is not any judgment made by an academic, but a judgment that is made about a matter where only the opinion of an academic expert will suffice. Examples of matters of academic judgment include judgments about assessment, overall degree or final award classification, professional suitability, research methodology and the learning outcomes of a particular course and how to teach these. Appeals submitted on such a basis will normally be rejected.
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Grounds of Appeal and Process of Appealing

- 3.1 Students should always first raise any issues relating to a mark or classification with their tutor or programme leader, who will be able to provide further clarification and information about the College’s assessment process. If, following this conversation, a student is dissatisfied with the outcome, a student is entitled to submit an academic appeal against a decision of an Assessment Panel.

- 3.2 An academic appeal under this procedure can only be submitted on one or more of the following grounds:

- 3.2.1 That a procedural irregularity or administrative error has occurred in the process of an assessment which if it had not occurred would mean that the decision in question would have been different;
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- 3.2.2 That the student's academic performance was materially affected by significant, relevant and uncontrollable circumstances that were unknown to the decision maker(s), and which were of such a nature that the student could not with reasonable diligence have disclosed them before the decision was made;
- 3.2.3 That there is evidence of prejudice or bias on the part of the decision-maker(s), which if it had not occurred would mean that decision in question would have been different.
- 3.3 A student who wishes to submit an academic appeal must do so within 10 working days of being formally notified of the decision in question. The College may reject an academic appeal, which is submitted outside this timeframe.
- 3.4 An academic appeal must be sent by email to the College's Student Liaison Officer – the Student Services Manager (email: studentsupport@collegalpractice.com). This email must identify the ground(s) under 3.2 for bringing the academic appeal and evidence should be provided. On receipt of the academic appeal, the Student Services Manager will forward the appeal to the Chief Operations Director who will advise whether the appeal will be considered. Acknowledgement of receipt of the appeal will be sent to the student within five working days.
- 3.5 Where evidence to support one or more of the stated grounds has not been disclosed, the Chief Operations Director may reject the academic appeal and no further consideration will be undertaken. A student may submit a request for a review of this decision as outlined in section 4.
- 3.6 Upon receipt of an appeal, the Chief Operations Director may undertake any investigation he considers to be appropriate in the circumstances. This may include, but is not limited to, one or more of the following:
- 3.6.1 Asking the student to provide additional information in support of their appeal.
- 3.6.2 Asking the relevant tutor(s) and / or Programme Leader to gather and provide additional information.
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- 3.6.3 Reviewing the minutes of the relevant Assessment Panel.
- 3.7 Once consideration of the appeal has been concluded, the Chief Operations Director may make one of the following decisions:
- 3.7.1 To reject the appeal, in which case the original decision of the relevant Assessment Panel will remain in effect.
- 3.7.2 To uphold the appeal, in which case the original decision will be overturned and the Chief Operations Director will refer the matter back to the relevant Panel along with a recommendation of a substituted new decision.
- 3.8 The decision of the Chief Operations Director and ratification by the relevant Assessment Panel will be communicated to the student in writing by the Student Services Manager. This stage of the process should normally take 30 working days.
- 3.9 This stage of the academic appeal process is concluded when the formal written outcome letter is sent to the student.
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Review Stage

- 4.1 The A student may submit a request for a review of the decision of the Chief Operations Director on one or more of the following grounds:
- 4.1.1 That a procedural irregularity or administrative error has occurred in respect of the Chief Operations Director's consideration of the appeal which is such that in the absence of the procedural irregularity or administrative error the decision in question would have been different;
- 4.1.2 That the decision of the Chief Operations Director is unreasonable given the facts of the case;
- 4.1.3 That the student has new material evidence that, for a good reason, they were unable to provide at an earlier stage in the process.
- 4.2 A student, who wishes to trigger the Review Process, must do so within 14 days of the date of the formal written outcome letter by emailing the
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Student Services Manager (studentservices@collegalpractice.com). The request for a review must identify the ground(s) for review (see paragraph 4.1 above) and provide a clear explanation of why the ground for review applies and the evidence in support. The review stage will not usually consider the issues afresh or involve a further investigation.

- 4.3 An application under the Review Process will normally be dismissed and not considered if it is not submitted within 14 days. An application for a review submitted outside this timeframe will only be considered where the student provides a good reason, supported by evidence, for the delay. The College will determine what constitutes a good reason for the purposes of this paragraph.
- 4.4 On receipt of a valid request for review under this Stage, the Student Services Manager will acknowledge receipt of the review within 5 days and forward the relevant documentation to the College's Chief Executive Officer (or nominee) who will consider the review.
- 4.5 The review and notification of the outcome of the review to the student(s) will normally be completed within 14 days of submission of the review request.
- 4.6 The review process will determine whether the ground(s) for review have been established and whether any action needs to be taken by the College. The action that could be taken includes:
- 4.6.1 Upholding the earlier decision and maintaining any decision made.
 - 4.6.2 Overturning the earlier decision and requiring the relevant Assessment Panel to reconsider the decision in light of any comments that the Chief Executive Officer considers appropriate in the circumstances.
- 4.7 The notification of outcome to the student(s) concludes the Review Process and is the final stage of the academic appeals procedure available within the College. As such, a Completion of Procedures Letter will be issued at this point. The Completion of Procedures Letter will confirm that the College's internal appeals procedure has been exhausted.
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Definition and Scope

- 6.1 The College subscribes to the independent scheme for the review of student complaints and academic appeals. If a student is dissatisfied with the outcome of their academic appeal they may be able to apply for a review of the appeal to the Office of the Independent Adjudicator for Higher Education (OIA) providing the appeal is eligible under its rules. Details about the OIA can be found on their website: <https://www.oiahe.org.uk/> and the Student Services Manager is able to provide advice if required.
- 6.2 In order to apply to the OIA, a student will require a Completion of Procedures Letter to show that internal appeal procedures have been exhausted. This letter will be automatically provided to students at the conclusion of the Review Process.
- 6.3 Further guidance about submitting a complaint to the OIA is available on their website: <https://www.oiahe.org.uk/students/how-to-complain-to-us/>.
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