

Academic Appeals Policy and Procedure

1 Purpose

- 1.1 This document outlines the procedure for appealing against a decision of an Assessment Panel or Progression and Awards Panel. It clarifies what students can appeal against, how to submit an appeal, and how the College will respond to appeal requests. This document should be read in conjunction with the Quality Assurance and Assessment Regulations.
- 1.2 Before submitting an appeal, we recommend that students seek advice from the Student Services Team who can support them to understand the process and the regulations (email: studentsupport@collegalpractice.com)
- 1.3 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.
- 1.4 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.
- 1.5 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.
- 1.6 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.
- 1.7 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.

2 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 (Office of the Independent Adjudicator, 2022):

a challenge to or request for reconsideration of a decision by an academic body that makes decisions on student progress, assessment and awards. This may include a request to change marks or progress decisions, or final award classifications .

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. Disagreement with a mark in itself is not an accepted ground for appeal therefore appeals submitted on such a basis will normally be rejected.

3 Grounds for appeal

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 there were procedural errors in the assessment process – that is, there was a problem with the way an assessment happened or the way it was marked and moderated.

3.2.2 That performance was affected by Exceptional Circumstances which the student was unable, or for valid reasons unwilling, to disclose during the assessment process.

3.2.3 That the outcome of an Exceptional Circumstances application is unreasonable given the facts of the case.

3.2.4 That there is bias or a reasonable perception of bias in the assessment process – that is, that the student's work has not been impartially assessed on its own merits.

3.3 Academic appeal forms must clearly state the grounds for the appeal, the evidence to support the claim, and the desired outcome of the appeal.

4 The Appeal Process

4.1 Before submitting an appeal, students should raise any issues with the outcome of a Panel 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 the student is dissatisfied with this outcome, they may wish to submit an academic appeal.

4.2 A student who wishes to submit an academic appeal must do so within 10 working days of being formally notified of the decision of the Assessment Panel or Progression and Awards Panel in question. Appeals submitted outside of this timeline, without good reason, may be rejected by the College.

4.3 An academic appeal must be submitted using the Academic Appeal form and sent by email to the College's Student Liaison Officer – the Student Services Manager (email: studentsupport@collegalpractice.com) along with supporting evidence. Academic appeals submitted without evidence are less likely to be successful. The appeal form will be acknowledged within five working days and sent to the Registrar for consideration.

4.4 Upon receipt of an appeal, the Registrar may undertake any investigation they consider to be appropriate in the circumstances. This may include, but is not limited to, one or more of the following:

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- 4.4.1 Asking the student to provide additional information in support of their appeal.
 - 4.4.2 Asking the relevant tutor(s) and / or Programme Leader to gather and provide additional information.
 - 4.4.3 Reviewing the minutes of the relevant Assessment Panel.
 - 4.4.4 Convening an ad hoc Academic Appeals Panel, as per section 5.
 - 4.5 Once consideration of the appeal has been concluded, the Registrar may make one of the following decisions:
 - 4.5.1 To reject the appeal, in which case the original decision of the relevant Assessment Panel or Progression and Awards Panel will remain in effect.
 - 4.5.2 To uphold the appeal, in which case the original decision will be overturned and the Registrar will refer the matter back to the relevant Panel along with a recommendation of a substituted new decision.
 - 4.6 The decision of the Registrar and ratification by the relevant 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.
 - 4.7 This stage of the academic appeal process is concluded when the formal written outcome letter is sent to the student.
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5 Academic Appeal Panel

- 5.1 The Registrar may refer an appeal to an Academic Appeal Panel for consideration where the case is particularly complex.
 - 5.2 The role of the Academic Appeal Panel is to support the decision-making of the Registrar and therefore it sits in an advisory capacity. It shall include, as a minimum:
 - 5.2.1 The Registrar, who will chair the Panel;
 - 5.2.2 Two representatives of the Academic Team not directly involved with the case;
 - 5.3 The Panel will consider the case and determine whether an outcome can be agreed on the basis of the evidence
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available. If so, the outcome will be communicated in line with the timeframes specified in 4.6.

- 5.4 Exceptionally, when the Academic Appeal Panel considers it appropriate, the student will be invited to attend a meeting with the Panel.
- 5.5 Students will be given at least 7 working days' notice of the date of the Panel meeting and will be expected to attend.
- 5.6 The Student shall be entitled to be accompanied by a friend or supporter to the meeting. The role of the companion is to provide moral support and as such we would not normally expect them to make representations on behalf of the student. In line with the OIA Good Practice Framework, the companion should not be a legal representative.
- 5.7 The outcome of the Academic Appeal Panel shall normally be communicated in line with the timeframes specified in 4.6.

6 Review Stage

- 6.1 If a student is dissatisfied with the outcome of an academic appeal, they may submit a request for a review of the decision of the Registrar on one or more of the following grounds:
 - 6.1.1 That a procedural irregularity or administrative error has occurred in respect of the Registrar'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;
 - 6.1.2 That the decision of the Registrar is unreasonable given the facts of the case;
 - 6.1.3 That the student has new material evidence that, for a good reason, they were unable to provide at an earlier stage in the process.
- 6.2 A student, who wishes to trigger the Review Process, must do so within 10 working days of the date of the formal written outcome letter by emailing the Student Services Manager (studentsupport@collegalpractice.com). The request for a review must identify the ground(s) for review (see paragraph 5.1 above) and provide a clear explanation of

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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.

- 6.3 An application under the Review Process will normally be dismissed and not considered if it is not submitted within 10 working 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.
- 6.4 On receipt of a valid request for review under this Stage, the Student Services Manager will acknowledge receipt of the review within five working days and forward the relevant documentation to the College's Chief Operations Director (or nominee) who will consider the review.
- 6.5 The review and notification of the outcome of the review to the student(s) will normally be completed within 10 working days of submission of the review request.
- 6.6 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:
 - 6.6.1 Upholding the earlier decision and maintaining any decision made.
 - 6.6.2 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.
- 6.7 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.

7 External Review – Office of the

- 7.1 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

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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.

- 7.2 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.
- 7.3 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/>.

8 Reporting

- 8.1 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 the Board of the College will receive an annual report concerning the operation of this policy and any recommendations for future enhancements.

9 References

Office of the Independent Adjudicator, 2022. *Good Practice Framework: Handling Complaints and Academic Appeals*. [Online]
Available at: <https://www.oiahe.org.uk/media/2757/good-practice-framework-handling-complaints-and-academic-appeals.pdf>
[Accessed 05 June 2023].