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Peterborough Regional College

P982 Higher Education Student Academic Appeals Policy

1. INTRODUCTION

1.1 The purpose of this procedure is to describe the process by which a student or applicant can enquire, question or appeal against an academic decision.

2. PURPOSE

2.1 The purpose of the policy is to ensure that Peterborough Regional College (PRC) adheres to the requirements and expectations outlined by best practice guidance from Supporting Professionalism in Admissions (SPA), the UK Quality Code for Higher Education (QAA), Office of the Independent Adjudicator (OIA) and Competition and Markets Authority (CMA) guidelines. It also recognises the demands of higher education and the importance of student experience and ongoing enhancement.

2.2 The purpose of this policy is to;

- Provide a clear understanding of how to make an appeal
- Protect the interests of all learners and the integrity of the qualification
- Ensure procedural parity between all appellants making an appeal
- Enable the managing of appeals effectively by staff

3. SCOPE

3.1 This policy applies exclusively to all Higher Education provision offered by PRC for Pearson Edexcel HNC and HND applicants, students (HE) and to the College staff administering them. This applies to both UK/EU and International students.

3.2 Academic appeals are not complaints. Complaints should be managed through the Higher Education Complaints Procedure. It should be noted that students cannot 'twin track' i.e. undertake an academic appeal and also submit a formal complaint.

3.3 In considering any appeal the College will recognise the rules and regulations of appropriate external awarding bodies.

4. DEFINITIONS

3.4 For the purposes of this policy an academic appeal, as defined by the Office of the Independent Adjudicator (OIA), is a "request for a review of a decision of an academic body charged with making decisions on student progress, assessment and awards."

3.5 Circumstances to submit an appeal may include the following:

- an appeal against a mark awarded for a unit assessment
- overall outcome of a programme of study
- Failure at any stage of a programme of study
- Withdrawal from study due to unsatisfactory progress or failure to meet academic or professional requirements i.e. unsatisfactory work and attendance.

4.1 Grounds for submitting an appeal may include the following:

1. Mitigating Circumstances	Circumstances affected students' performance, for which supporting evidence can be provided **and** These were not known to the Awards Board panel or others at the time the decision was made, **and** The applicant was unable for practical reasons inform them before the decision.
2. Procedural irregularities	Irregularities in the conduct of assessment procedures or decisions resulted in a different outcome had it not occurred.
3. Prejudice or bias	There is evidence of prejudice or bias or lack of proper assessment on the part of one or more markers /assessors.

5. RELATED DOCUMENTS

5.1 Policy 920 Higher Nationals Recognition of Prior Learning
Policy 960 Higher Education Academic and Assessment Regulation Policy
Policy 980 Higher Education Fitness to Practise
Policy 981 Higher Education Complaints Process
HE Student Charter
Terms and Conditions of Admissions and Enrolment
Pearson's Edexcel Awarding Body Guidance
https://www2.le.ac.uk/offices/sas2/regulations/appeals-complaints/academic-appeals/what-is-an-academic-appeal
QAA UK Quality Code of Higher Education Chapter B9: Academic appeals and student complaints

6. RESPONSIBILITIES

6.1 Appeals should be completed by the individual concerned themselves. Correspondence or phone calls from others will not be considered unless the College has received written/signed authorisation from the applicant that the third party intends to act on their behalf.

6.2 The student must have followed the Academic and Assessment regulations.

6.3 The student must have consulted with the unit tutor or Course Co-ordinator in the first instance to attempt to resolve the issue informally before submitting a written appeal.

6.4 The Curriculum Lead (HE) is responsible for ensuring that the internal assessment procedure is adhered to.

6.5 **Responsibilities and time frames for response and action**

- Stage 0 – HE Manger
- Stage 1 - Principal (or nominee)- Forms an Appeal Committee to investigate the appeal (allowance of 15 working days to make a decision and appellant notified within six working days of the decision being made)

6.6 It should be noted that the Stage 1 of the Appeal must be heard within **90 calendar days** and a Completion of Procedures Letter must be issued after stage 1. This will be issued by the PRC Quality Team. Students can also request a Completion of Procedures Letter. Please see the appendix for guidelines on format and information to be enclosed.

6.7 Appeals submitted outside the timescales prescribed in the procedure will only be considered in the most exceptional circumstance and where there is good reason, supported by evidence, for the late submission.

7. RISK ANALYSIS

7.1 This policy is required to ensure that correct procedures are in place and documented by all involved in the handling of complaints, both formal and informal, for higher education students.

Analyse risks of non-adherence to this policy
Poor student satisfaction and impact on annual return from OIA. Poor external stakeholder perception and potential financial cost and compensation. Failure to demonstrate effective enhancement. Failure to achieve a positive outcome from a Higher Education Review and the likelihood of additional scrutiny.

Staff training needed
Initial and refresher training to be made available to staff.

Compliance reduces the risks described above.

8. EQUAL OPPORTUNITIES IMPACT ASSESSMENT

This policy has undergone an Impact Assessment screening and highlighted no equality issues.

9. DATA PROTECTION

9.1 PRC and UCP complies with the provisions of the United Kingdom's Data Protection Act, 1998. As such, applicants' and student data is treated as confidential by all staff involved in this process and is not divulged unnecessarily or inappropriately. However, the aforementioned Act requires UCP and PRC to release certain information to UK authorities upon request in order to assist those authorities with the prevention and detection of fraud or other crimes. We will release the requested information on receipt of an appropriate request from UK authorities such as (but limited to) the police, Home Office (for immigration and related matters), local authorities, and the Department for Work and Pensions. We may use anonymised data collected as part of an individual's application and enrolment for the purpose of fulfilling statistical and reporting requirements.

10. PROCEDURE

Stage 0 (Initial Informal Appeal)

10.1 Students are encouraged to follow the line of communication diagram shown below and be aware of who staff are. Initial concerns must be discussed with the Unit Tutor, Course Leader or Curriculum Lead (HE). These staff have an understanding of the student's circumstances and programme of study and are often best placed to resolve issues quickly.

10.2 A meeting should be arranged with the student's tutor/s where verbal feedback can be provided against the assessment criteria. This feedback should illustrate the standard a student has met against the grading criteria.

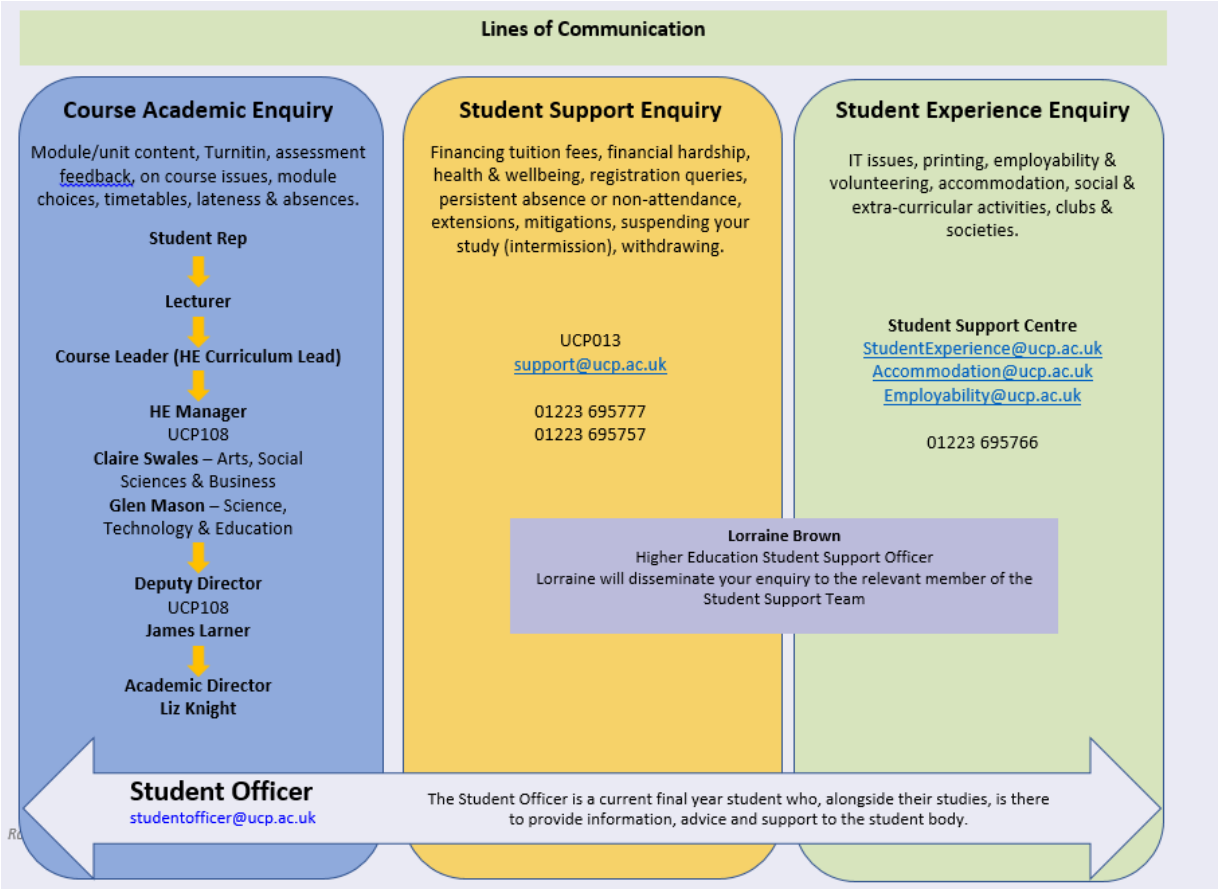
10.3 If course staff are unable to help, or in the event that a concern needs to be raised higher, the student will be referred to their HE Manager. (for HNC/ HND courses this is Glen Mason Glen.Mason@peterborough.ac.uk) Appointment hours are posted outside the HE Manager's room UCP108.

10.4 The HE Manager ensures that a HE Informal Appeal Record (see Appendix 1) is completed with the student and enquires into the Appeal. Appeals need to be submitted as a signed statement by the member of staff receiving the appeal, and the students raising the issue confirming that the information given is a true and accurate reflection of the applicants concerns. A copy of the form is provided to the Academic Officer for monitoring purposes.

10.5 The HE Manager will ensure that a response is sent to the Appeal **within 10 working days of receipt.** In some circumstances the enquiry may extend to giving all parties an opportunity to be heard and if it is substantiated in whole or part, take action to correct the situation. From time to time an appeal may require extensive investigation which cannot be completed within 10 days. In such cases, a letter/email is to be sent by the HE Manager to the applicant keeping them informed of progress.

10.6 If there are grounds for a remark the tutor should inform the Lead Internal Verifier who will arrange this to be carried out by another member of the assessment team.

10.7 If the matter is not resolved to their satisfaction then they should move to Stage 1 (below). Any member of staff dealing with a dispute from a student should recommend the student proceed to Stage 1 if a satisfactory resolution cannot be agreed or if the staff member in any way feels it would be unprofessional to continue informally.



Stage 1- Formal Appeal against an internally assessed grade decision (AP1 form submitted by the student)

10.8 An AP1 Appeal Form should be completed by the student. This must be done within **7 days** of a student receiving assessment results. Students may be offered support in order to make their appeal. This support can be provided by the Student Officer, member of the Student Support Team, or a member of staff.

10.9 Students should submit documentary evidence in support of their Academic Appeal. This

should normally be submitted with their Academic Appeal submission. However, where this is not possible due to circumstances outside of the student's control, (i.e. waiting for evidence from an external agency/organisation), the Academic Appeal should be submitted together with a clear statement that evidence has been requested by the student.

10.10 The student will receive an acknowledgement of the appeal (see Appendix 4) within **5 working days** and an investigation will be conducted. The acknowledgement (see Appendix 5) will explain the steps to be taken, how long the process is expected to take and any further information required.

10.11 On receipt of an Appeal by the Principal (or a nominee) will consider whether the appeal is made on one or more of the grounds specified in section 4. If the appeal is considered 'not eligible' the student will receive this outcome with reasons given. The Principal (or nominee) will contact Pearson BTEC of the outcome. All relevant documentation and data will be sent to Pearson BTEC. The student will be informed that further correspondence regarding the appeal should be directed to Pearson BTEC: http://qualifications.pearson.com/en/support/support-topics/results-certification/post-results-services.html#tab-Appeals

10.12 If the appeal is considered by the Principal (or a nominee) to be made on the grounds outlined in section 4 an Academic Appeals Committee will be formed which consists of:

- An appropriate independent person nominated by the Principal to chair the Committee meetings and this person should have a clear understanding of equality and diversity legislation and policies.
- The Sector Manager of the team to which the course belongs.
- The course tutor of the appellant, at the time of the appeal.
- Where considered appropriate by the Appeals Committee the appellant will be invited to attend a meeting with the Appeals Committee. The appellant should be invited to the Committee meeting where they can contribute additional information in support of their appeal. If invited to attend the Committee meeting the appellant may be accompanied by a friend /representative. If invited to attend the appellant must be notified in writing of the time and place of the meeting. The Appeals Committee will proceed with the meeting whether or not the appellant is in attendance.

10.13 The Academic Appeals Committee must be held with within **fifteen working days** of acknowledgement of the completed AP1 form.

10.14 The decision of the Academic Appeal Committee is final and will be notified to the appellant in writing within **six working days** of being made.

10.15 The appeal will be judged upheld or not upheld based on the findings. On completion of action, the Principal (or a nominee) sends a Completion of Procedures Letter (see Appendix 5) to the student and a copy to the Director of Quality (for recording and monitoring purposes). The student will have the right to appeal the decision.

Stage 2- Appeal of Decision

10.16 Failure of the appellant to have their appeal upheld by the Appeal Committee does not remove their right to take the case to the Awarding Body with which they are registered, for final adjudication.

10.17 The Quality Director (or nominee) will contact Pearson BTEC of the outcome. All relevant documentation and data will be sent to Pearson BTEC. The student will be informed that

further correspondence regarding the appeal should be directed to Pearson BTEC. http://qualifications.pearson.com/en/support/support-topics/results-certification/post-results-services.html

10.18 Where all stages of complaint have been completed and the appellant still remains dissatisfied with the outcome, then they have the right to seek an Independent Review by referring the matter to the Office of Independent Adjudication (OIA) provided that the complaint is eligible under its rules. Eligibility of whether the complaint meets the rules of the OIA can be checked by visiting http://www.oiahe.org.uk Office of the Independent Adjudicator for Higher Education, Second Floor, Abbey Gate, 57-75 Kings Road, Reading, RG1 3AB

10.19 The student has 12 months from receipt of the Completion of Procedures letter to raise a complaint with the OIA. It is a requirement that this information is included within the Completion of Procedures letter (see Appendix 6).

10.20 Where a complainant remains dissatisfied in respect of higher education provision, then an appeal should be made to the relevant university or awarding body. Links to the relevant complaints policies are given below:

HND/HNC via Pearson: http://qualifications.pearson.com/en/support/contact-us/feedback-and-complaints.html

Recording, Monitoring and Analysis of Complaints

10.21 The Quality department will oversee the tracking and monitoring of appeals processed through the procedure.

10.22 In order to continually review and enhance the student experience, appeals received are reviewed and monitored. To achieve this, details of all formal appeals are sent to the Director of Quality who collate the information and prepare reports presented regularly at the Curriculum and Quality Committee held four times an academic year. In addition these details are also summarised and presented at the Higher Education Academic Board which meets on a semester basis to ensure any common themes can be addressed or changes to policy can be implemented.

10.23 Informal appeals are recorded by HE Managers on the Informal Complaints and Appeals log found on the PRC J drive. Anonymised and summarised details are presented at the Higher Education Academic Board which meets on a semester basis to ensure any common themes can be addressed or changes to policy can be implemented.

10.24 The Quality Department will hold a record of all formal appeals for 3 years for audit purposes.

Appendix 1: HE Informal Complaint or Appeal Record

Section 1- Personal Details

Student ID: **Full Name:**

Course:

Section 2- Details

This is an Informal Appeal: ☐ Informal Complaint: ☐

Please give a concise summary of your appeal/complaint:

Have you already discussed your appeal/complaint informally with another member of College staff?
If yes, please provide details:

If you have a specific resolution in mind, please indicate your desired outcome(s) below.

Declaration:
I confirm that the above details and any attached documentation is a true reflection of events to the best of my knowledge and that it does not contain any false or fraudulent information. I agree to the investigating HE Manager on behalf of the College sharing details of this case with other persons as part of any investigation and to retain a record of that investigation, in accordance with the College's Higher Education Complaints Policy.

Student Signature: **Date:** / /

You should normally expect an acknowledgement of the complaint within 5 working days and notification of the outcome of the investigation within 10 working days.

Staff Signature: **Date: :** / /

AP1 FORM

Appendix 2 – Appeal (Stage1 AP1) Form

AP1: PETERBOROUGH REGIONAL COLLEGE STUDENT APPEAL FORM

Before submitting a formal written appeal, you should seek to resolve the matter informally by discussing your concerns with Admissions staff, your module tutor, course co-ordinator or other appropriate person, in order to understand the reason for the result or decision which is causing you concern. If the matter remains unresolved, you may then invoke the formal appeals procedure via this form. The Appeals and Complaints Procedure can be found at http://www.ucp.ac.uk/policies/

- Use this form if you believe you have grounds for appealing against a decision made by the HE Awards Board or other academic body responsible for decisions on student progression, assessment or award.
- Information about the deadline for receipt of an appeal can be found on the College website.
- Appeals submitted after the deadline will be deemed to be out of time and will not be considered unless you submit clear documentary evidence to demonstrate that you were prevented from submitting the appeal by the deadline;
- Advice about the appeals procedure and making your case can be obtained from the Student Officer (+44 (0)1223 695750). Note that the Student Support Officer cannot complete this form on your behalf.

Note: An appeal that questions the academic or professional judgement of those responsible for assessing a students' academic performance or professional competence is not permitted.

Section 1- Student Details

Student ID (If known): Click here to enter text.

Full Name: Click here to enter text.

Course: Choose an item.

Address: Click here to enter text.
Postcode: Click here to enter text.
Provide an address where your appeal outcome letter should be sent)

Email Address: Click here to enter text.

Telephone Number: Click here to enter text.

Date of submission of this form: _ _ / _ _ / _ _

Section 2- Grounds of Appeal

What academic decision are you appealing against?

☐ Lower mark than expected

☐ Lower Award than expected

☐ Progression Decision (Retake, discontinuation etc.)

☐ Other, please specify:
Click here to enter text.

Indicate below the grounds under which you are requesting this review (cross all the boxes that may apply). Please note that you are <u>not</u> permitted to appeal under any other grounds than those below.

☐ A There appears to be evidence that 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 it had not occurred. (If you select this box, complete all boxes in section 3A).

B There were circumstances materially affecting your 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 you to make known beforehand. New evidence of significant mitigating circumstances is provided with this form (if you select this box, complete all boxes in section 3B). The reasons why this information was not available at the time of application must be given.

C There appears to you to be evidence of prejudice or bias or lack of proper assessment on the part of one or more of the examiners (if you select this box, please complete section 3C).

Section 3- Appeal Detail

Use the relevant box(es) below to explain in full the grounds on which your appeal is based:

- Describe in detail the circumstances you wish to raise;
- Identify the specific examinations/assessments affected and explain how they were affected;
- Be specific about the dates of the circumstances upon which your claim is based;
- Include documentary evidence to support your claim, where appropriate. Failure to do so may result in your appeal not being considered.

A- Procedural Irregularity

A Procedural Irregularity is where the examination or assessment process was not conducted according to the College and Awarding Body's approved procedures i.e. error in the assessment brief/exam paper or failure to calculate marks accurately.

Detailed description of your claim: Click here to enter text.

B- New Evidence of Mitigating Circumstances

Only complete this section if you have new evidence. If you have previously submitted evidence but it has not been considered complete section A.

Detailed description of your claim: Click here to enter text.
Evidence to support your appeal: *List the documents you are submitting with this form. Evidence must be from a qualified practitioner and be dated.*

C- Evidence of Bias or Prejudice

Detailed description of your claim and substantiating evidence: Click here to enter text.

Please provide details of your attempt(s) to resolve your appeal informally.

Who did you discuss the complaint with? Click here to enter text.

Date discussed: _ _ / _ _ / _ _

What was the outcome and why are you still dissatisfied?

Click here to enter text.

Section 4 – Equal Opportunities Information

The information you provide helps to make things better. It tells the college to direct services to where it is most needed and shows if certain people aren't making use of those services. It can also make sure that you get the right portion of what you're entitled to. To put things simply, we can't change anything without your help.

Please choose *one* option then best describes your ethnic group:
White - English/Welsh/Scotish/N Irish/British

Please state your religion/belief: Click here to enter text.

Please state your gender: Male

Do you consider yourself to have a disability or learning difficulty? ☐ Yes ☐ No

4. DECLARATION AND SIGNATURE

I confirm that the information provided on this form is true and correct and in submitting this form I consent for the information provided in this form to be used as detailed below and I understand that Peterborough Regional College;

- will not accept complaints from third parties or anonymous sources;
- will deal with any complaint that it believes to be malicious and unfounded under the provisions of its Student Disciplinary Policy;
- will hold some elements of the information I have provided on an electronic database;
- may need to share the information I have provided with other persons or organisations as part of any investigation to resolve my complaint.

I confirm that I have read and understood the Assessment Regulations and Appeals Policy

Signed…… Date……..

We would welcome your feedback in relation to the Complaints procedure. If you would like to make any suggestions/comments once the procedure has been completed, please submit these to: Director of Quality, Peterborough Regional College, Park Crescent, Peterborough, PE1 4DZ

Once completed, please return this form by email to Peterborough Regional College HE Manager (Glen.Mason@peterborough.ac.uk) or please send this form to: Glen Mason HE Manager, UCP- Peterborough Regional College, Park Crescent, Peterborough, PE1 4DZ

You should keep a copy of your submission.

If you have any additional documents which you are unable to send via email, please send these, together with a copy of this form to the Peterborough Regional College HE Manager, as above.

For Quality Office use only: Date complaint received……

Appendix 3 – Academic Appeals Committee

Terms of Reference

1 Remit, Responsibilities and Duty

1.1 To ensure when considering a student's academic appeal that evidence presented and any extenuating circumstances are fairly and appropriately considered.

1.2 To ensure that PRC Assessment Regulations are applied, including Pearson's specifications and Quality Codes.

2 Membership composition and other Attendees

2.1 An appropriate independent person nominated by the Principal to chair the Committee meetings and this person should have a clear understanding of equality and diversity legislation and policies.

2.2 The Academy Manger of the Programme Area to which the course belongs, or the HE Manager of the team to which the course belongs.

2.3 The course/unit tutor of the appellant, at the time of the appeal.

2.4 Where considered appropriate by the Appeals Committee the appellant will be invited to attend a meeting with the Appeals Committee. The appellant should be invited to the committee meeting where they can contribute additional information in support of their appeal. If invited to attend the Committee meeting the appellant may be accompanied by a friend /representative.

3 Procedures of the Academic Appeals Committee

3.1 The proceedings of committee are strictly confidential.

3.2 Students must not be informed of the decisions of the committee prior to their formal acknowledgement.

3.3 Meetings of the Academic Appeals Committee will take place as necessary.

3.4 The appellant will have the right to be heard in person by the Academic Appeals Committee.

3.5 The appellant may be accompanied by a friend or supporter of their choice or the Student Officer.

3.6 The appellant will be given a minimum notice period of 10 working days of the date, time and place of the meeting. The notice of the meeting will be accompanied by copies of all documentation to be used in consideration of the appeal.

3.7 Appeals Committee will proceed with the meeting whether or not the appellant is in attendance.

3.8 All Appeals Committees must have the following Agenda items:

i. The Chair outlines the procedure of the meeting
ii. The appellant is asked to present his or her case in support of the appeal.
iii. Members of the committee may ask the appellant questions.
iv. The Course Co-ordinator is asked to respond to the appeal.
v. Members of the committee may ask the Course Coordinator questions.
vi. The Course/Unit tutor and appellant will be asked to leave the meeting and the committee will consider the evidence.

3.9 The committee may request additional information from the Academy or the appellant, within a given deadline before reaching a decision.

3.10 After evidence has been considered the committee may decide the following;

- The appeal is rejected and the original decision is upheld, in which case the appellant will be given reasons for the decision, OR

- The appeal is upheld and the amended mark/s are referred to the next Awards Board to be ratified, OR
- The appeal is rejected and the appellant is notified in writing within 5 working days.

3.11 The decision of the Academic Appeals Board is final.

4 Office of the Independent Adjudicator

4.1 Appellants who have been issued with a Completion of Procedures letter have the right to seek an Independent Review by referring the matter to the Office of Independent Adjudication (OIA) provided that the complaint is eligible under its rules. Eligibility of whether the complaint meets the rules of the OIA can be checked by visiting http://www.oiahe.org.uk Office of the Independent Adjudicator for Higher Education, Second Floor, Abbey Gate, 57-75 Kings Road, Reading, RG1 3AB

Approved by:	HNC/D Quality Meeting
Author:	Academic Officer
Version Number:	1
Date Issued:	15/12/2016

Appendix 4 – Acknowledgement Letter

Ref:
Date:
Direct Dial No:
E Mail:

Dear [name of complainant],

Re: Your Academic Appeal

Thank you for taking the trouble to contact us explaining the ground you believe you have for an academic appeal.

You may already be aware of our appeals procedure but in case you are not, this is what we shall do. This acknowledgement has been sent to you on receipt of the appeal and as you can see it is a standard letter.

The Academic Appeals Committee must be held with within fifteen working days of acknowledgement of your completed Appeal form. You might be invited to attend a meeting as part of the investigation. The decision of the Academic Appeal Committee is final and will be notified to the appellant in writing within six working days of being made.

We hope that the reply will explain our position and, if deemed appropriate, agree any redress we would like to offer you. Should you remain dissatisfied, you may ask to have your appeal referred to the awarding body for further consideration.

We do hope we can speedily resolve your appeal and assure you of our best attention at all times.

Yours sincerely,

[Authorised signatory]

Appendix 5 – Completion of Procedures Letter Template

Dear [*name of complainant*],

Completion of Procedures Letter

This letter confirms that the internal complaints procedures of Peterborough Regional College in relation to *your complaint/the appeal/disciplinary* procedures of this College regarding [FFF.describeFF] have been completed.

The issue(s) that were considered in relation to your *complaint/appeal/The disciplinary procedures* was / were*: [brief summary of the complaint, appeal or disciplinary matter]

The final decision of the *College* is* [FFFFdetailFFFF] because [reasons]

*The procedures / regulations applied were**: [details]

If you are dissatisfied with the outcome you may be able to apply for a review of *your complaint/academic appeal/disciplinary matter** to the Office of the Independent Adjudicator for Higher Education (OIA) providing that that the complaint that you take to the OIA is eligible under its Rules.

You will need to send to the OIA a Scheme Application Form within **three months** of the date of this letter. A Scheme Application Form can be obtained from [name of person / HEI office and/or the students' union] and also may be downloaded from the OIA website www.oiahe.org.uk (or you can telephone or write to the OIA for a form). You should send a copy of this letter to the OIA with your Scheme Application Form. Please note that the OIA will only review issues that have been dealt with through the University's internal complaints procedures.

The OIA's leaflet, **Introduction to the Student Complaints Scheme**, is enclosed. If you do decide to take your complaint to the OIA [name of point of contact plus name of any alternate] will deal with the complaint on behalf of the University / College.

Yours sincerely,

[Authorised signatory] *delete/amend words in italics as appropriate