



UCP-ASS005 Higher Education Academic Appeal Policy

1. INTRODUCTION

- 1.1 This policy sets out the terms under which Higher Education students of UCP may appeal against a decision of an academic body about their academic programme. UCP adheres to the requirements and expectations outlined by best practice guidance from Supporting Professionalism in Admissions (SPA), 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. PURPOSE

- 2.1 This policy is intended 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 Academic Appeal.
 - Enable the managing of appeals effectively by staff.

3. SCOPE

- 3.1 University Centre Peterborough (UCP) is the higher education arm of the Inspire Education Group (IEG). This policy covers all higher education provision operating through UCP which includes Peterborough College, Stamford College, and franchise partners (ESPA and Addict).
- 3.2 This policy also applies to former students who have submitted their Academic Appeal within 15 working days of formal publication of results by the Exam Board/Assessment Panel.
- 3.3 Academic Appeals are not complaints. Complaints should be managed through the UCP-COM001 Higher Education Student Complaints Policy found on the UCP website www.ucp.ac.uk/policies. It should be noted that students cannot 'twin track' i.e undertake an Academic Appeal and also submit a formal complaint. See section 4 for definitions.
- 3.4 In considering any Academic Appeal UCP will recognise the rules and regulations of appropriate external awarding bodies.

4. DEFINITIONS

- 4.1 For the purposes of this policy an Academic Appeal, as defined by the Office of the Independent Adjudicator (OIA), is a "request for the review of a decision of an academic body charged with making decisions on admission, student progress, assessment and awards."
- 4.2 The academic bodies at UCP are:
- Exam Board /Assessment Panel.
 - Student Review Subcommittee.
 - Academic Integrity Panel.

- Extenuating Circumstance Panel.
- 4.3 Circumstances to submit an appeal may include the following:
- An appeal about entry requirements.
 - An appeal against a mark awarded for an assessment.
 - An appeal against the decisions of the Exceptional Circumstance Panel.
 - 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.
- 4.4 Decisions about entry requirements, reasonable adjustments for teaching and assessment for students with disabilities, progression rules, academic misconduct, assignment marks, module results, thesis submission and the award and classification of qualifications is also covered by this Academic Appeals Policy.
- 4.5 Disagreement with the academic judgement of an institution cannot in itself constitute grounds for an appeal. Reconsideration of decisions and the grounds for submitting an Academic Appeal may only take place for the following reasons:
1. **Extenuating 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 student was unable for practical reasons to inform them before the decision. Reasons why the information was not divulged at the time must be evidenced.
 2. **Procedural irregularities:** Irregularities in the conduct of assessment procedures or decisions resulted in a different outcome had it not occurred. Evidence must be submitted to support the claim.
 3. **Prejudice or bias:** That prejudice or bias on the part of one or more of the examiners took place and can be proven or there are grounds to support a reasonable perception of prejudice or bias.
- 4.6 An Academic Appeal is to be distinguished from a complaint, which is defined by the Office of the Independent Adjudicator (OIA), as "an expression of dissatisfaction by one or more students about a provider's action or lack of action, or about the standard of service provided by or on behalf of the provider." Complaints are the subject of a separate UCP-COM001 Higher Education Student Complaints Policy which is available on the UCP website www.ucp.ac.uk/policies. It should be noted that a complaint regarding a matter falling under the terms of this Higher Education Academic Appeal Policy will not be accepted unless the process of appeal has been exhausted.
- 4.7 Where a number of issues which do not fall within the scope of just one procedure, e.g., a complaint and an Academic Appeal, the student will be informed by the Academic Office of which specific issues will be considered under which procedure and will direct the student to all appropriate procedures. The Academic Office will also explain the possible implications, if any, of following more than one procedure, particularly where one procedure may be suspended pending the completion of the other. For example, a complaint regarding a matter falling under the terms of the Academic Appeals Policy will not normally be accepted unless the process of appeal has been exhausted. In such circumstances, it may be possible, upon written agreement of the student, to consider all matters together.

5. RELATED DOCUMENTS

4.8 UCP www.ucp.ac.uk/policies

- UCP-COM001 Higher Education Student Complaints Policy
- Accrediting / Awarding Body Academic Regulations
 - **Anglia Ruskin University:**
UCP Rules, Regulations and Procedures www.ucp.ac.uk/policies
Section 9 of the Academic Regulations
https://web.anglia.ac.uk/onet/academic/public/academic_regs_s9.pdf
 - **Open University:**
<https://help.open.ac.uk/documents/policies/complaints-and-appeals-procedure>
Appendix 1 of Handbook for Validated Awards
<https://www.open.ac.uk/about/validation-partnerships/about-ou-validation/ou-handbook-validated-awards>
 - **Pearson**
https://qualifications.pearson.com/content/dam/pdf/Support/policies-for-centres-learners-and-employees/Enquiries_and_Appeals_on_Pearson_Vocational_Qualifications.pdf

5 RESPONSIBILITIES

- 5.1 Academic Appeals should be completed by the individual concerned themselves. Correspondence or phone calls from others will not be considered unless UCP has received written/signed authorisation from the applicant that the third party intends to act on their behalf.
- 5.2 The appellant must have followed UCP, Awarding Body Academic and Assessment regulations.
- 5.3 The appellant must have consulted with the unit/module tutor or Course Leader in the first instance to attempt to resolve the issue informally before submitting a written Academic Appeal.
- 5.4 When requesting an Academic Appeal, appellant is entitled to be dealt with impartially. Students can withdraw an Academic Appeal claim without prejudice at any time during the process by contacting AcademicOffice@ucp.ac.uk. Any decision made by the institution or awarding body at the previous stage in the process will then be upheld and become the final outcome.
- 5.5 Responsibilities and time frames for response and action
- Stage 0 – HE Manager or nominee
 - Stage 1 - Academic Director or nominee forms an Appeal Committee to investigate the appeal (allowance of 15 working days to decide and appellant notified within 6 working days of the decision being made)
 - Stage 2 – Awarding Body Review: Process is outlined for each awarding body in 9.23 below.
- 5.6 Appeals submitted outside the timescales prescribed in the procedure will only be considered in the most exceptional circumstances and where there is good reason supported by evidence, for the late submission.

6. RISK ANALYSIS

- 5.7 This policy is required to ensure that correct procedures are in place and documented by all involved in the handling of Academic Appeals for higher education students.

Analyse risks of non-adherence to this policy

- 5.8 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

- 5.9 Initial and refresher training to be made available to staff. Compliance reduces the risks described above.

7. DATA PROTECTION

- 5.10 UCP complies with the provisions of the General Data Protection Regulation Data Protection Act, 2018. As such, applicant 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 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 not 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 academic appeal for the purpose of fulfilling statistical and reporting requirements.
- 5.11 All notes, letters and Academic Appeal logs will be stored securely for the period of a student's registration at UCP plus 3 academic years.

8. PROCEDURE

STAGE 0 - EARLY RESOLUTION

- 5.12 The Early Resolution stage should be commenced within 15 working days of being notified of a decision (i.e. the date of publication of a student's classification, a progression decision published on ProMonitor by the Exam Board or a decision about an application to study).
- 5.13 Students are to follow the line of communication diagram shown below (and be aware of who staff are. Initial concerns must be discussed with the Unit/Module Tutor, Course Leader or Curriculum Lead (HE). These staff understand the student's circumstances and programme of study and are often best placed to resolve issues quickly.
- 5.14 Applicants are informed of their right to appeal a decision about their admission on offer and rejection letters. This includes providing admission staff contact details to discuss initial concerns.
- 5.15 A meeting should be arranged with the Course Leader (or nominee) for the appellant where verbal feedback can be provided about the decision.
- 5.16 If course staff are unable to help, or in the event that a concern needs to be raised higher, the appellant will be referred to their HE Manager (Peterborough Campus), Head of HE (Stamford

Campus). Contact details and appointment hours are published in Student Handbooks and onsite. Applicants are provided with HE Manager contact details by UCP Admissions staff.

- 5.17 The HE Manager or nominee ensures that a HE Informal Appeal Record (see Appendix 2) is completed with the appellant, and notes the nature / circumstances of the appeal. Academic Appeals need to be submitted as a signed statement by the member of staff receiving the appeal, and the appellant raising the issue confirms that the information given is a true and accurate reflection of their concern. A copy of the form is provided to the Academic Office for monitoring purposes.
- 5.18 The HE Manager will ensure that a response is sent to the appellant 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 student keeping them informed of progress.
- 5.19 If the matter is not resolved to the appellants satisfaction then they should move to Stage 1 (below). Any member of staff dealing with a dispute should recommend the applicant/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 STAGE (AP1 Form submitted by the student)

- 5.20 An AP1 Appeal Form (available from www.ucp.ac.uk/policies) should be completed by the applicant/student and emailed to AcademicOffice@ucp.ac.uk . This must be done within **15 working days** of completion of the early resolution stage.
- 5.21 Appellants 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 appellant'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 appellant.
- 5.22 The appellant should explicitly give their consent for information that they provide to UCP in connection with the appeal to be disclosed to relevant third parties. UCP will not disclose such information to any persons unconnected with the consideration of the appeal. Appellants must provide corroborating evidence from a third party in the case of extenuating circumstances in order to establish good reasons why extenuating circumstances were not disclosed at the time the academic decision was made.
- 5.23 The appellant will receive an acknowledgement of the appeal communication within 5 working days and an investigation will be conducted. For students, this is sent to their student email account. For applicants, this is sent to the email address stated on their applicant form. The acknowledgement will explain the steps to be taken, how long the process is expected to take and any further information required.
- 5.24 On receipt of an AP1 Form, the Academic Office will consider whether the Academic 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 student might be referred to a different procedure.

- 5.25 Where some parts of the Academic Appeal fall outside the permissible grounds, the Academic Office will meet with the to their student email account to explain and support them in accessing any other relevant redress.
- 5.26 If the Academic Appeal is being made on permissible grounds the Academic Appeal will be formally considered. The Academic Office will allocate it to a senior member of staff who has had no previous involvement in the matter. The to their student email account will be notified of the name and contact details for this Designated officer. The member of staff investigating the Academic Appeal may talk to the student and key staff and consider documents and other evidence.

Stage 1 Academic Appeals Hearing

- 5.27 If the appeal is considered by the Deputy Director (or a nominee) to be made on the grounds outlined in section 1.4 an Academic Appeals Committee will be formed which consists of:
- An appropriate independent person nominated by the Academic Director to chair the Committee meetings and this person should have a clear understanding of equality and diversity legislation and policies.
 - The HE Manager of the team to which the course belongs.
 - The Course Leader of the appellant, at the time of the appeal.
- 5.28 The appellant may be accompanied by one friend /representative but not a legal representative.
- 5.29 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.
- 5.30 The Academic Appeals Committee must be held within **fifteen working days** of acknowledgement of the completed AP1 form.
- 5.31 The Panel will keep a written record of the meeting, setting out attendance, a brief outline of the proceedings and the reasons for the decision taken
- 5.32 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. The notification will set out the panel decision, giving a clear explanation and outlining the reasons for each decision to help the student decide whether or not to pursue the matter further.
- 5.33 The appeal will be judged upheld or not upheld based on the findings. On completion of stage 1 of the Academic Appeal, the Academic Office sends a letter outlining the findings 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 STAGE 1 DECISION BY THE AWARDNG BODY

- 5.34 An applicant does not have a right of appeal to an Awarding Body.
- 5.35 If a student has exhausted all UCP internal institutional procedures open to them, or considers that an appeal has not been given full and proper consideration, they have the right to submit a formal Stage 2 Academic Appeal to the Awarding Body.
- 5.36 When requesting a review of an Academic Appeal, the student must:
- Ensure that they have exhausted all UCP internal Academic Appeals processes within the specified timescale, and explain how or why the UCP processes failed to satisfy them, beyond a simple disagreement with the outcome.

- Ensure that there are relevant grounds for the Awarding Body to review the Academic Appeal.
- Ensure that they provide the Awarding Body with all the information necessary for dealing with the Academic Appeal, including supporting evidence. The student must respond promptly to requests for further information or clarification.
- Not attempt to use the Awarding Body Academic Appeals procedures to bring frivolous or vexatious matters to the Award Body's attention.

Stage 2 Awarding Body Review Process

5.37 Students need to refer to the following published material for up-to-date information on how to request a review. Help can be given by contacting AcademicOffice@ucp.ac.uk

- Open University – See the Open University Handbook for Validated Awards www.open.ac.uk/about/validation-partnerships/about-ou-validation/ou-handbook-validated-awards
- Anglia Ruskin University - See Section 9 of the Academic Regulations https://web.anglia.ac.uk/anet/academic/public/academic_regs_s9.pdf
- Bishop Grosseteste University- See the Code of Practice for Academic Appeals <https://www.bishopg.ac.uk/about-bgu/policies-and-procedures>
- Pearson - https://qualifications.pearson.com/content/dam/pdf/Support/policies-for-centres-learners-and-employees/Enquiries_and_Appeals_on_Pearson_Vocational_Qualifications.pdf

Recourse Office of Independent Adjudication

5.38 The process within this policy is designed to help resolve problems and difficulties as quickly and easily as possible. It is recommended that this process is followed by all parties to try to resolve issues without court proceedings wherever possible.

5.39 Where all stages of appeal have been completed and the appellant still remains dissatisfied with the outcome, 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

Recording, Monitoring and Analysis of Academic Appeals

5.40 In order to continually review and enhance the student experience, Academic Appeals received are reviewed and monitored. The Academic Office will oversee the tracking and monitoring of appeals processed through the procedure.

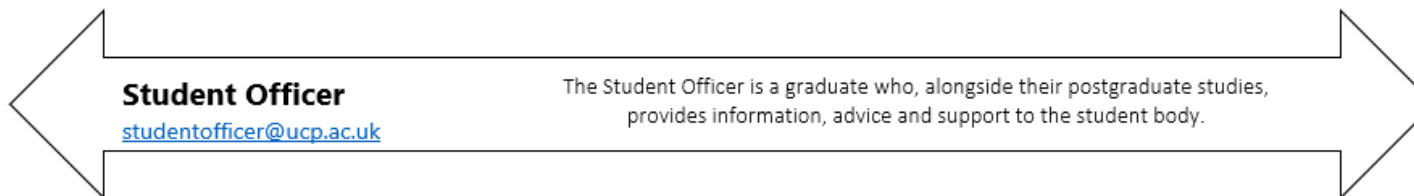
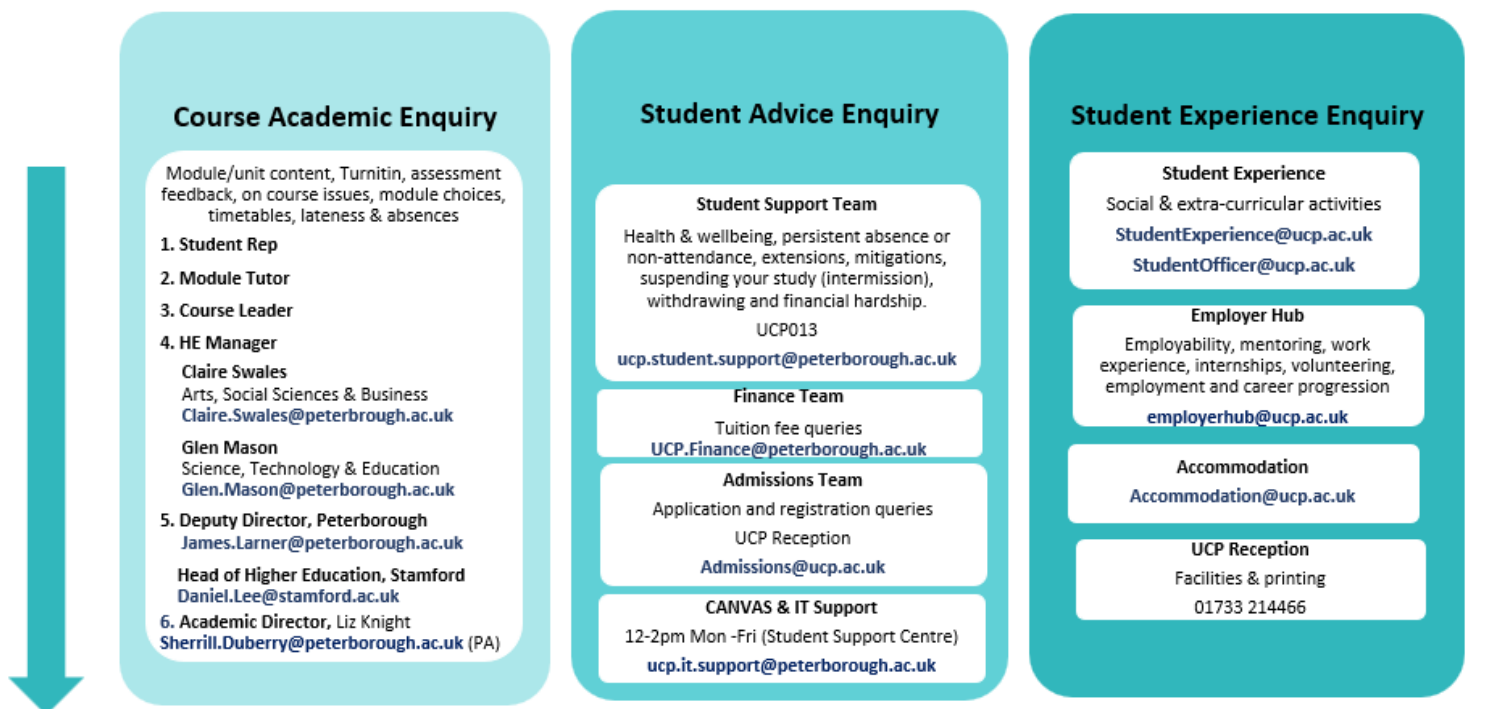
5.41 The following is recorded:

- (i) the nature of each appeal;
- (ii) how the matter was dealt with and the time taken for each stage;
- (iii) the outcome of the appeal;
- (iv) the ethnic origin and gender of applicants.

- 5.42 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.
- 5.43 The HE Academic Board will identify whether any changes are required to the appeals procedure and take steps to ensure that any issues commonly giving rise to successful appeals are addressed.
- 5.44 All notes, letters and Academic Appeal logs will be stored securely for the period of a student's registration at UCP plus 3 academic years.

Appendix 1: UCP Lines of Communication

UCP Lines of Communication



Issued 30 August 2020



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: / /



Appendix 3: Academic Appeal (Stage1 AP1)

AP1 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 coordinator 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 UCP 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 Academic Office (+44 (0)1733 838224 AcademicOffice@ucp.ac.uk). Note that the staff 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 Number: Click here to enter text.

Full Name: Click here to enter text.

Course: Choose an item.

Provide an address where your appeal outcome letter should be sent)

Address: Click here to enter text.

Postcode: Click here to enter text.

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?

- Admissions Decision
- Lower mark than expected
- Progression Decision (Retake, discontinuation etc.)
- Lower Award than expected
- Other, please specify: _____

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

- There appears to you to be evidence of prejudice or bias or lack of proper assessment on the part of one or more members of staff or external examiners.
- There appears to be evidence that procedural irregularities in the admissions process, 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.
- There were circumstances materially affecting your performance, for which supporting evidence exists, which were not known to Admissions, the Exam Board 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. The reasons why this information was not available at the time of application must be given.

Section 3- Appeal Detail

Please provide details of the assessment(s) you wish to appeal:

Module Code(s) relating to your appeal	Module Title(s) relating to your appeal	Element number ie 010, 011, 012	Assessment result	Date of exam/presentation ; assignment due date

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.

Which of the published regulations are you claiming were overlooked, not applied or applied incorrectly to your assessment(s)? (providing the title of the document and relevant paragraph and page numbers to which you are referring)

OR

What material administrative error or other irregularity are you claiming has occurred?

How did the conduct of your assessment(s) fail to comply with the above regulation(s)?
OR
How did the material administrative error or other irregularity you cited above impact on your assessment(s)?

What evidence are you submitting to support your appeal? (Please note that we may check the authenticity of evidence submitted with a third party. By submitting evidence with your appeal, you are consenting to any additional checks.)

- 1.
- 2.
- 3.
- 4.

PLEASE PROVIDE DETAILS OF YOUR ATTEMPT(S) TO RESOLVE YOUR APPEAL INFORMALLY.

Who did you discuss the complaint with?

Date discussed: __/__/__

What was the outcome and why are you still dissatisfied?

[Click here](#)

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:

Please state your religion/belief: [Click here to enter text.](#)

Please state your gender: [Click here to enter text.](#)

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 UCP;

- will not accept Academic Appeals from third parties or anonymous sources;
- will deal with any Academic Appeal 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 UCP-ASS005 Higher Education Academic Appeal Policy.

Signed.....

Date.....

You should keep a copy of your submission.

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: AcademicOffice@ucp.ac.uk The Academic Office, University Centre Peterborough, Park Crescent, Peterborough, PE1 4DZ