GUIDE

THE

APPEALS

PROCEDURE
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Introduction

The University of Lancaster Student Appeals Procedure can be found in MARP (Manual of Academic Regulations and Procedures). See Appendix 1.

The guide is about the procedure and aims to be a useful reference document for students and staff and to make the procedure easier to understand.

Whilst this guide provides the basics, to avoid doubt the procedures above are the definitive statement. We ask you to make sure that you have read and understood the procedure before making an appeal.

The university is committed to providing the best possible experience for you in a high quality learning environment, and values the integrity of accurate academic assessment. However we recognise that on occasion it can be appropriate for you to ask us to reconsider our decisions for procedural reasons or because there are other factors that we have not considered.

The procedure exists so that there is an effective way for you to be able to make an appeal, and to ensure that all appeals are treated fairly, efficiently, and with consistency.

In this guide you will find helpful information and tips to help you if you are considering making an appeal, as well as where to find other sources of help and advice.
What is an appeal?

The University defines an appeal as ‘a request for a review of a decision of an academic body charged with making decisions on student progress, assessments and awards’.

Who can make an appeal?

The Academic Appeals procedures applies to all current and recently graduated students registered on a Lancaster university programme, with the exception of those students registered on collaborative programmes where an alternative appeals procedure has been formally approved as being procedurally equivalent.

The right of appeal is available to students who:

(a) have failed to qualify to proceed from one stage of a degree programme to the next;

(b) have failed to qualify for the award of the degree for which they were registered;

(c) wish to challenge on procedural grounds, the class of degree to be awarded;

(d) received a lower class of degree than would otherwise have been the case had plagiarism penalties not been applied.

If you and your fellow students want to make a collective or group appeal, you may do so; you will however need to nominate one student as a spokesperson for the group.

If you have left the university you can also use the procedure, but you must do so 30 days before the end of registration.

What can I appeal against?

The procedure allows you to request a reconsideration of a decision related to your progress, assessments, and awards; in other words make an appeal. You may make an appeal by providing evidence to support a consideration against at least one of the following grounds:

Grounds for an appeal:

- material administrative error or irregularity in the conduct of assessment
which adversely affected the student’s performance and results (for example, there has been an administrative error and as a result a mark you received has been incorrectly recorded);

- significant extenuating circumstances which adversely affected the student’s performance and results (for example, this could be something that has seriously affected your studies, such as illness);
- unfair treatment or discrimination, out with the exercise of academic judgement; (this could be evidence of bias or prejudice of an assessor).

All which, for good reasons, could not be brought to the attention of boards of examiners at the relevant time and which could have influenced their recommendations had the information been available.

If you are unsure about whether or not you have grounds for an appeal then you should seek advice and help from one of the various sources available to you. Please see the advice and help section of this guide for more information.

**Academic judgement**

One of the most common misconceptions surrounding an academic appeal is the belief that simply not being happy with a mark is enough reason to make an appeal. This is known as an academic judgement.

Academic judgement is the judgement that is made about a matter (i.e. a mark, award, or result) where only the opinion of an academic expert is sufficient. Because we have a process in place to ensure our academic judgement is correct, it remains something that you are unable to appeal against.

The Academic Appeals Procedure may be used to consider whether or not Lancaster’s academic regulations and related procedures have been followed but not to challenge a mark awarded because you feel that you may have deserved a better one.

**Before I make an appeal**

We ask that if you are considering making an academic appeal, that you thoroughly read the University of Lancaster’s Student Appeals Procedure to make sure you fully understand the stages of the procedure, its principles, scope and limitations.

You must be aware of the time limits that apply to the procedure, and particularly to the time limits that apply directly to you.
We also recommend that you make use of the various sources of help that are available to you across the university before making an academic appeal. Please look at the advice and help section and the useful and important links section for more information on where to find these.

**How do I make an appeal?**

This section will summarise each stage of the procedure, making reference to the time limits, and communication responsibilities of both you and the university.

The Student Appeals Procedure uses two stages to enable you to make an appeal. The university aims to complete all aspects of the procedure within **90 calendar days** of the stage 1 appeal application being submitted. If your case is particularly complex, we may agree with you a longer timeframe.

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**Overview of procedure**

**Stage 1 – The Formal Stage**

Providing that the appeal has met the required grounds (please see the ‘what is an appeal?’ section for these), a formal academic appeal can be made.

**How do I submit my appeal?**

You must make a formal Stage 1 appeal by completing an appeal form and sending it by email to ug.appeals@lancaster.ac.uk or pg.appeals@lancaster.ac.uk depending on your level of study.

**Time Limit:** You must be aware that you have **30 days** from the formal publication of results to submit your application form. You must therefore allow enough time to gather the forms of evidence and documentation that you may need for your application. Once submitted, no further evidence at Stage 1 will be accepted. Applications received after **30 days** will not be considered unless there are exceptional circumstances for the delay, these should be discussed with the Head of Student Registry.

**What happens next?**
Once the form has been submitted the university has **14 days** to decide whether or not the appeal has grounds and to inform you. If the application is deemed as not having grounds then a Completion of Procedures Letter or COP will be issues. If it is decided that the appeal has grounds then you will be referred to an Academic Appeals Panel. The Appeals Panel will hear the case based on the information and accompanying evidence that you have provided in your Stage 1 application form.

The Appeals Panel has **30 days** to make a decision about whether or not the academic appeal has been accepted or denied. You will receive a written response outlining the reasons why the panel’s decision has been reached, and in the case of an appeal being accepted, offer any actions or solutions as applicable.

If you do not accept the outcome at Stage 1 you may wish to have the decision of the panel reviewed. If this is the case then you may proceed to Stage 2 as described on the next page.

Please note the **30 day/14 day** period will not start until the result/outcome is verified. For example, for degree classification appeals, the formal results are confirmed by senate up to 2 weeks after the provisional results are announced in departments. The time period starts once Senate has confirmed.
Stage 2 – The Review Stage

According to the procedure, if you do not accept the outcome at Stage 1, then you may proceed to Stage 2. **You cannot request a review of Stage 1 simply because you are dissatisfied with the outcome, you can only request a review based on the following grounds:**

- That there exists evidence that could not reasonably have been made available at Stage 1.
- That there exists evidence of a material procedural irregularity in Stage 1.
- That there exists evidence that the judgement at Stage 1 was perverse or bias.

**How do I submit my request for a review?**

You must make a request for a review by completing the review form and sending it by email to ug.appeals@lancaster.ac.uk or pg.appeals@lancaster.ac.uk depending on your level of study.

**Time Limit:** You have **14 days** to submit the review form. This includes the time to collect any further evidence according to the grounds above.

**What happens next?**

After you have submitted your application to request a review, the Head of Student Registry has **7 days** to make an initial decision as to whether or not the review has grounds. If the review does not have grounds then you will be informed via a COP letter. If the review does have grounds then a Review Panel will make the decision within **21 days** to accept or deny the review, either way this will be communicated to you in a written response outlining the reasons why their decisions have been reached. If it is accepted then any actions or solutions will be described as applicable. After this a COP letter will be issued.

**Appearing before a panel**

It may be possible to resolve an appeal without requiring student attendance. You should, however, be aware that according to the procedure you may be asked to attend both the Stage 1 and/or Stage 2 panel meetings. As the procedure describes it is not compulsory for you to attend either of the panel meetings, and failure to attend will not stop the proceedings going forward.

For degree classification challenges, students are not normally required to attend a meeting of the panel.

For more information on exactly what happens at both Stage 1 and 2 panel meetings please refer to the Academic Appeals Procedure. This will give you a detailed description of what you may expect at each stage.

It is important that you remember that a Student’s Union representative can attend the panel meetings to advise and support you if you wish.
A written record of the meeting will be produced and sent to you for your records. However if you wish to record the panel meetings you may do so, providing that all attendees of the meeting sign an agreement giving their permission to be recorded. You will also be responsible for providing any equipment needed to record the session.

**Taking your appeal further**

If all internal appeals procedure stages have been completed and you feel dissatisfied at the outcome of your case, the procedure describes how you can take the case to the Office of the Independent Adjudicator for Higher Education (OIA), for further review. The application to the OIA must be made within 12 months of the issue of the Completion of Procedures letter after conclusion of Stage 2. Information about the OIA and its processes can be found [here](#).

**Definitions**

This section will briefly define some of the terms used throughout the procedure.

**Academic Appeal**: According to the Office of the Independent Adjudicator, an appeal is defined as a ‘request for a review of a decision of an academic body charged with making decisions on student progress, assessments and awards’.

**Academic Judgement**: Academic judgement is a judgement that is made about a matter where only the opinion of an academic is sufficient.

**Boards of Examiners**: Responsible to comment on the content, balance and structure of degrees and their component modules as well as academic achievements by individual students.

**Complaint**: According to the Office of the Independent Adjudicator, a complaint is defined as, ‘an expression of dissatisfaction by one or more students about a university’s action or lack of action, or about the standard of service provided by or on behalf of the university’.

**Completion of Procedures letter (often referred to as COP letter)**: Once a student has exhausted the university’s internal academic appeals or complaints procedures, and there is no further avenue available to the student within the university, the university must promptly send a Completion of Procedures letter to the student. This letter should set out clearly what issues have been considered and the university’s final decision.

**Extenuating and mitigating circumstances**: Each university’s regulations will allow for extenuating or mitigating circumstances to be taken into account in a student’s assessment if those circumstances are made known to the university in a timely manner. It is for each university to determine what extenuating or mitigating circumstances are acceptable. However, they are, by definition, post hoc; that is they are only considered after a submission deadline.
Evidence and supporting documentation: Items presented in support of the appeal. They may include, correspondence, medical evidence, reports by professionals, financial information, coursework or examinations.

Procedural irregularity: A procedural irregularity is where the procedures and regulations of a university have not been compiled with, giving rise to a complaint or academic appeal.

Student: The term ‘student’ includes those registered or enrolled on a course through the university. It includes those on an interruption of study, temporary withdrawal or temporary exclusion or suspension and those who have recently left the university.

Student experience: The student experience refers to all aspects of a student’s interaction with the university, it goes beyond learning opportunities.

Student’s Charter: Articulates this relationship and the standards to which the university and its students aspire.
Roles and responsibilities

This section includes a table outlining the roles and responsibilities belonging to the Student Appeals procedure.

Roles and responsibilities of various members of the university:

<table>
<thead>
<tr>
<th>Role</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Academic Appeal Panel (i.e. UG Part I, UG Part II, PGT, PGR)</strong></td>
<td>Three-person panel responsible for hearing, reviewing and deciding on the merits of the appeal.</td>
</tr>
<tr>
<td><strong>Appeal</strong></td>
<td>The university defines an academic appeal as 'a request for a review of a decision of an academic body charged with making decisions on student progress, assessment and awards'.</td>
</tr>
<tr>
<td><strong>Appeals Co-ordinator</strong></td>
<td>Responsible for administering the Academic Appeals procedure and giving definitive advice about said procedure.</td>
</tr>
<tr>
<td><strong>Academic Quality and Standards Committee</strong></td>
<td>Responsible for ensuring that all taught and research programmes leading to Lancaster University awards, whether delivered in Lancaster or elsewhere, are of comparable academic standard and offer an equivalent educational experience.</td>
</tr>
<tr>
<td><strong>Associate Dean (of the student’s department/faculty)</strong></td>
<td>Member of the Academic Appeals Panel.</td>
</tr>
<tr>
<td><strong>Exam Board Chair</strong></td>
<td>Member of academic staff with responsibility to ensure proper running of university Exam Boards.</td>
</tr>
<tr>
<td><strong>Director of Student Based Services</strong></td>
<td>Personal with overall administrative responsibility for student services at Lancaster including: registry, residences, counselling services and careers.</td>
</tr>
<tr>
<td><strong>Head of Student Registry</strong></td>
<td>Personal with responsibility for overseeing the recording and storing of all student information including marks, course handbooks etc.</td>
</tr>
<tr>
<td><strong>Office for the Independent Adjudicator</strong></td>
<td>Independent body responsible for the student complaints scheme in England and Wales.</td>
</tr>
<tr>
<td><strong>Review Panel</strong></td>
<td>The review panel will consist of the Pro-Vice Chancellor (Education) or the Provost for Student Experience, Colleges and the Library (in the chair) and two other members of academic staff (appointed by the Vice-Chancellor).</td>
</tr>
<tr>
<td>------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Students’ Union</strong></td>
<td>The Students’ Union will provide support and guidance through the complaints process.</td>
</tr>
</tbody>
</table>
Ownership of communication

Below is a table showing the responsibilities of both students and the university to produce written communication. Please note that the preferred method of communication is electronic. NB: A COP letter may be issued at different points of the procedure as it depends at what stage in the process the procedure is deemed to be complete.

<table>
<thead>
<tr>
<th>Communication</th>
<th>Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage 1 – Formal application form</td>
<td>Student via online form</td>
</tr>
<tr>
<td>Stage 1 – Initial decision</td>
<td>Head of Student Registry or delegate to student</td>
</tr>
<tr>
<td>Stage 1 – Response</td>
<td>Nominated member of the Appeals Panel to student</td>
</tr>
<tr>
<td>Stage 1 – Acceptance of decision</td>
<td>Student to Head of Student Registry or delegate</td>
</tr>
<tr>
<td>Stage 2 – Request for review application form</td>
<td>Student via online form</td>
</tr>
<tr>
<td>Stage 2 – Initial decision</td>
<td>Head of Student Registry or delegate to student</td>
</tr>
<tr>
<td>Stage 2 – Response</td>
<td>Nominated member of the Review Panel to student</td>
</tr>
<tr>
<td>Stage 2 – Acceptance of decision</td>
<td>Student to Head of Student Registry or delegate</td>
</tr>
<tr>
<td>Completion of Procedures (COP) letter</td>
<td>Complaints Co-ordinator to student</td>
</tr>
</tbody>
</table>
**What advice and help is available?**

This section will outline where advice and help can be found across the university.

There is a range of help that is available to you throughout the whole process of making an appeal. Make sure you use the advice and help that is available to you; some useful sources of help and advice are listed below:

**Students’ Union:** The Students' Union will be a major source of advice for most students as their adviser will be able to:

- Offer an explanation of how the process of making an appeal works, drawing from knowledge of the appeals procedure.
- Offer advice and help on how to prepare evidence and supporting documentation for your application forms.
- Offer support and representation for any panel meetings a student may wish to attend.

We recommend that you get in touch with the Students’ Union via their page on appeals and complaints which can be found in the Important and useful links section of this guide.

**Academic Tutors:** Each of you will have been assigned an academic tutor from your department. This person should be able to help you understand if your appeal meets necessary grounds.

**Student Wellbeing Services:** It is also important to remember that help is offered through Student Wellbeing Services, who may be able to help you in regard to issues that may affect your studies. Their link is also in the Important and useful links section of this guide.

**Colleges and the Advisory System:** Each college has an advisory/welfare system in place that aims to support students independently of their academic departments. The system that exists in your college may be able to help you with your appeal, for more information please find the relevant college’s link in the Important and useful links section of this guide.
Important and useful links

LUSU (appeals): http://lusu.co.uk/services/advice-support/complaints/

Student Wellbeing Services: http://www.lancaster.ac.uk/student-based-services/wellbeing-counselling-and-mental-health/

University rules: https://gap.lancs.ac.uk/policy-info-guide/5-policies-procedures/rules-of-the-university/Pages/default.aspx

Standing Academic Committee: http://www.lancaster.ac.uk/student-based-services/exams-and-assessment/regulations/standing-academic-committee/

Office of Independent Adjudicator: http://oiahe.org.uk/

Student’s Charter website: http://www.lancaster.ac.uk/current-students/student-charter/

Student Registry Website: http://www.lancaster.ac.uk/student-based-services/

Bowland College: http://bowland.lusu.co.uk/staff-members/advisors/

Cartmel College: http://www.lancaster.ac.uk/users/cartmel/advisors.htm

County College: http://www.lancaster.ac.uk/colleges/county/tutorial.html

Furness College: http://furnesscollege.co.uk/support/

Fylde College: http://fyldecollege.co.uk/jcr/welfare/

Graduate College: http://www.lancaster.ac.uk/colleges/graduate/welfare-advice/

Grizedale College: http://www.lancaster.ac.uk/colleges/grizedale/student-welfare/

Lonsdale College: http://www.lancaster.ac.uk/colleges/lonsdale/about/people/

Pendle College: http://www.lancaster.ac.uk/colleges/pendle/about-pendle/welfare-system/
Appendix 1

1. **ACADEMIC APPEALS**

These Academic Appeals procedures were approved by Senate on 17 June 2015. They will apply with effect from 1 October 2015. Any appeals made prior to this date will be dealt with under the regulations as set out in MARP 2014.

1.1 **PRINCIPLES**

1.1.1 Matters relating to a mark or grade for any assessment or an overall result shall be subject to the authority of the University, and agents acting on its behalf, in reaching academic judgements. The University, exercising its authority under its Statutes, acting through the decisions of boards of examiners as confirmed by the Committee of the Senate, has sole authority to determine whether or not a degree, certificate or diploma should be awarded to a particular candidate and, if so awarded, the specific class or other description of attainment, appropriate to the level of the award.

1.1.2 However, it is recognised by the University that there are non-academic elements to assessment judgments which might have adversely affected the outcome and that there are occasions where students may wish to appeal against an assessment outcome on such grounds. The procedures set out in this chapter explain how this appeal process will be managed, the responsibilities of all parties, and the opportunity for external scrutiny should students remain dissatisfied with the University's decisions.

1.1.3 These procedures apply to all current students registered on a Lancaster University programme, with the exception of those students registered on collaborative programmes where an alternative appeals procedure has been formally approved as being procedurally equivalent. Students who want to appeal and feel that they have good reason to do so must appeal within one month of the publication of results. Exceptions to this timescale will be determined on a case-by-case basis by the Head of the Student Registry.

1.1.4 The University, through its academic staff and assessment mechanisms, ensures that proper academic judgement is used in all assessment and moderation (see the General Assessment Regulations). Academic judgement thus stands outside of these procedures and cannot be subject to appeal.

1.1.5 The right of appeal is available to all students who have:

(i) failed to qualify to proceed from one stage of a degree programme to the next;
(ii) failed to qualify for the award of the degree for which they were registered;
(iii) received a lower class of degree than would otherwise have been the case had plagiarism penalties not been applied.

1.1.6 A *prima facie* case for appeal will be deemed to exist if there is evidence of one or more of:

(a) material administrative error or irregularity in the conduct of assessment which adversely affected the student's performance and results;
(b) significant extenuating circumstances which adversely affected the student's performance and results;
(c) unfair treatment or discrimination, outwith the exercise of academic judgement;
which, for good reason, could not be brought to the attention of boards of examiners at the relevant time and which could have influenced their recommendations had the information been available at that time.

1.1.7 Students will not be hindered in making a reasonable appeal. All parties will act without bias or prejudice and in a sensitive, fair and prompt manner.

1.1.8 The objective of the procedure is to establish the facts and come to a reasonable and just resolution, which is both relevant and proportionate.

1.1.9 No students will be disadvantaged for making appeals in good faith, and all reasonable appeals will be taken seriously and dealt with according to the agreed procedures. However, if it is established that appeals are frivolous or spurious, then they will not be considered reasonable, and the University may take disciplinary action.

1.1.10 The University will deal with all appeals confidentially so far as it is able, and expects all parties involved to honour this approach.

1.1.11 All reasonable measure will be taken to ensure that no student is disadvantaged within these processes due to location, requirements associated with protected characteristics, etc. Technology will be used, as appropriate, to facilitate these procedures.

1.1.12 Advice on how to use these procedures is available from the Students’ Union Education and Welfare Office or the Student Registry.

18.2. APPLICATIONS AND IMPLEMENTATION OF THE PROCEDURE

18.2.1 The Academic Appeals procedure only applies to appeals initiated and conducted by an individual student or group of students. A group of students wishing to appeal collectively will need to provide reasons as to why they should be considered collectively. These will be subject to consideration and judgement by the Head of the Student Registry whose decision will be final (a decision to not consider an appeal collectively does not preclude students from pursuing individual appeals). Where a collective appeal has been agreed, the group will nominate a spokesperson for communication.

18.2.2 An appellant has the right to be accompanied and supported at any meeting by one person, and may be represented where the appellant expressly authorises a third party in writing to act on their behalf.

18.2.3 The University will make every reasonable effort to complete academic appeal procedures in a timely manner and aims to complete all aspects of the appeals process within ninety calendar days. If the University is unable reasonably to comply (for example, in factually complex matters involving a number of individuals, etc.) it will provide the appellant with an explanation and inform them of the timeframe in which the procedure will be completed.
18.2.4 In this procedure any reference to named members of University staff also includes reference to her/his nominee and named staff may delegate their responsibilities to other appropriate members of staff, including those suitably qualified in partner organisations, without invalidating the procedure. The identity of nominees or members of staff to whom responsibilities are delegated will be notified to the appellant.

18.2.5 The Academic Appeals procedures, as set out, act to fulfil the University's obligations under Statute 21 of its Charter and Statutes in relation to appeals against exclusion on academic grounds.

18.2.6 The Head of the Student Registry will oversee this process and provide advice. Any evidence of breaches of the principles as set out in 18.1.4-18.1.11 above should be brought to the attention of the Head of the Student Registry for investigation.

18.2.7 Should a student wish to register a concern about the actions of the Head of the Student Registry it should be sent to the Director of Student Based Services.

18.2.8 The Academic Quality and Standards Committee will receive an annual report on academic appeals and is responsible to both Council and Senate for monitoring academic appeals and agreeing institutional actions as required. UMAG will also receive the report for information.

18.3. THE PROCEDURE

18.3.1 The University uses a two-stage procedure.

18.3.2 Stage 1 – the Formal Appeal

18.3.2.1 In order for an academic appeal to be considered formally, the appellant must put the appeal in writing using the Academic Appeal form (available for online submission and in hard copy) and send it to the Head of the Student Registry.

18.3.2.2 Should the issue be immediately resolvable (for example, a simple recording error), the Head of the Student Registry will draw this to the attention of the relevant Exam Board Chair who will agree amendments by Chair’s action. If this is not the case, the Head of the Student Registry will consider the appeal and decide whether there is a prima facie case for appeal against the criteria set out in 18.1.6.

Where the is no prima facie case the Head of the Student Registry will either:

(a) refer the appellant to an alternate more appropriate procedure;
(b) enter into a discussion with the appellant, and other parties as appropriate, as to how best to take forward the concerns (e.g. in cases where the concerns involve a number of elements which cross University procedures); or
(c) provide an explanation to the appellant as to why no action can be taken along with a Completion of Procedures letter which sets out their right to refer the matter to the Office for the Independent Adjudicator and describe the means to do so.
18.3.2.3 If it is deemed that a *prima facie* case exists within the scope of this procedure, the appellant will be referred to an appropriate Academic Appeal Panel (i.e. UG Part I, UG Part II, PGT, PGR). It is expected that the student will have provided full information with accompanying evidence as required in their Academic Appeal form. However, in exceptional cases, where appropriate, an investigation to determine the facts of the appeal can be undertaken; an academic member of staff unconnected to the appeal will do this supported by the Student Registry.

18.3.2.4 An Academic Appeal Panel will consist of a minimum of three persons. Membership will vary according to the award level and location of provision (i.e. Lancaster or a collaborative teaching partner). At Lancaster, this will normally be the relevant Associate Deans (UG or PG) with the caveat that any Associate Dean previously involved in an Examination Board which considered the student(s) in question will be excluded. Equivalent postholders will be involved in collaborative teaching partners. A note taker will also be in attendance throughout. Dates for Academic Appeals Panels will be formally scheduled into the timetable of meetings, but can also be called on an *ad hoc* basis as necessary. In each case, the Panel shall have the right of access to detailed marks in the candidate’s units of assessment. In addition all details of cases where the board of examiners have permitted a student to be reassessed as first attempt candidates will be available to the Panel. The appellant may attend the event, although it is not required and failure to attend would not stop the proceeding. If present, the appellant will be invited to make a short personal statement to further elucidate the submitted materials. The panel will be allowed, through the Chair, to question the appellant. It will not normally be permissible to call witnesses as part of the panel hearing; however, the Chair may allow it at their discretion. The appellant will be given the opportunity to sum up their position. The burden of proof will be on the appellant, albeit within a recognition of the responsibilities of the University. Following the proceeding, the panel will deliberate in private using the balance of probability as the standard of proof, and reach a decision. A member of the Student Registry will be available to provide advice on the scope of actions/remedies available to the Panel.

18.3.2.5 Where an appeal involves an element of fitness to practise a professionally qualified person appointed as a member of a panel established for the purpose of assessing fitness to practise shall be invited to attend in an advisory capacity on professional requirements.

18.3.2.6 The potential options for outcomes available to the Academic Appeal Panel will differ depending on the nature of the case, particularly with regard to the level of the award. In general terms the following options apply:

18.3.2.6.1 **Undergraduate Part I**

(a) Exclusion  
(b) Confirmation of failure  
(c) Condonation of failure and the granting of permission for external reassessment  
(d) Readmission to Part I
18.3.2.6.2 Undergraduate Part II

(a) Exclusion.
(b) Confirmation of failure.
(c) Confirmation of existing degree classification.
(d) Reconsideration of candidate in accordance with the regulations relating to incomplete and mitigating circumstances, as detailed in the General Assessment Regulations and the Undergraduate Assessment Regulations.
(e) Agreement to allow the student to retake the entire year
(f) Agreement to temporarily exclude the student allowing a reassessment the following year.
(g) Amendment to the awarded degree classification.
(h) For students who have been adjudged to have committed malpractice in examinations and excluded with no reassessment opportunity, the opportunity for reassessment for a Pass degree only.

18.3.2.6.3 Postgraduate (Taught)

(a) Confirmation of failure.
(b) Confirmation of awarded degree.
(c) Exclude the student from the University without the opportunity to redeem the failure.
(d) Allow the student the opportunity to resit examinations or to resubmit a dissertation or project which has been failed. (In this case, the department(s) shall recommend to the nominated representative of the officer with delegated authority from Senate the form, timing and content of the re-examination and the timing of any re-submission. Re-examination shall normally take place within one year.)

18.3.2.6.4 Postgraduate (Research) – pre final examination

(a) Confirm the decision of the transfer panel regarding the student's registration.
(b) Allow the student a final opportunity to go through the transfer process/confirmation process.

In the case of the second option, the Academic Appeal Panel will specify the date by which the student will apply for transfer, and advise the student and department of the reasons why this decision has been taken with recommended steps by which the student and supervisor(s) may prepare for the next transfer/confirmation panel.

The Academic Appeal Panel, following a review of the case regarding exclusion in which the student and members of staff may be interviewed, may either:

(i) confirm the exclusion, terminating the student's registration; or
(ii) allow the student to continue with their registration subject to appropriate academic probationary arrangements.
18.3.2.6.5 Postgraduate (Research) – post final examination

(a) Approve the recommendation of the examiners.
(b) Determine the proper action which may include:
   (i) to recommend to the examiners that, for reasons stated, they should reconsider their action;
   (ii) to give the student permission to revise the thesis and resubmit for re-examination, for the same or lesser degree, within a specified time limit;
   (iii) To declare the examination null and void and to direct that a fresh examination be conducted.

Where fresh examination under (iii) is determined, the following shall apply:

- new examiners will be appointed, in number not fewer than on the original board;
- the examiners will be given no information about the previous examination except the single fact that they are conducting a re-examination on review;
- the examiners will submit independent reports on the thesis before they examine the candidate orally, and a joint report after the oral examination.

18.3.2.7 The appellant will receive a written decision that addresses the points they have made and gives reasons for the conclusion reached. The letter will also advise the appellant of their right to refer the matter to Stage 2 and describe the means to do so.

18.3.3 Stage 2 – the Review Stage

18.3.3.1 If the appellant feels their appeal has not been resolved under Stage 1, they may apply for a formal review to the Head of the Student Registry within two weeks of the date of the Stage 1 written decision. They should explain why they feel dissatisfied with the outcome at Stage 1 and what remedy they seek. Requests for Stage 2 consideration can only be made on the following grounds:

(a) that there exists evidence that could not reasonably have been made available at Stage 1; or
(b) that there exists evidence of a material procedural irregularity in Stage 1; or
(c) that there exists evidence that the judgement at Stage 1 was perverse.

No new ground of appeal may be requested at Stage 2, but the appellant may submit further evidence in support of their case (subject to point (a) above) or suggest a new remedy. For those students facing exclusion this fulfils the University’s obligations under Statute 21.

18.3.3.2 The Head of the Student Registry will consider the application and make a prima facie decision as to whether or not to instigate a review. Where a review is rejected the Head will write to the appellant explaining the reasons for the decision and providing a Completion of Procedures letter that sets out their right to refer the matter to the Office for the Independent Adjudicator and describes the means to do so.
18.3.3.3 Where a review is deemed within the scope of the procedures a Review Panel will be convened. The panel will consist of either the Pro-Vice-Chancellor (Education) or the Provost for Student Experience, Colleges and the Library (in the chair) and two other members of academic staff (appointed by the Vice-Chancellor). No members of the panel will have been associated with the appeal or the Faculty or equivalent institutional body of the appellant. Dates for Review Panels will be formally scheduled into the timetable of meetings, but can also be arranged ad hoc as required.

18.3.3.4 The Head of the Student Registry, or nominee, will act as Clerk to the panel and will prepare the documentation. The Chair of the Stage 1 Panel will be invited to submit a statement addressing the appellant’s submission. The appellant may submit additional material only if there are good reasons why they were not submitted at Stage 1 (see 18.3.3.2 above). Both the appellant and the Chair of the Appeal Panel will be invited to attend; however failure to attend by either party will not invalidate the proceeding, as determination can be made via the submitted documentation.

18.3.3.5 If present, the appellant will be invited to make an opening statement as to why, in their view, the case should be subject to review. This will be restricted to consideration against the identified review grounds; the Review Panel will not rehear the original appeal. If present, the Chair of the Stage 1 Academic Appeals Panel will then be invited to present an opening statement explaining how the Stage 1 decision was determined and how, in their view, it was reasonable. If the appellant presents either new evidence or alternate remedies the Stage 1 Academic Appeal Panel Chair will also be invited to comment on these. Neither the appellant nor the Stage 1 Chair will be allowed to question the other, but the members of the Review Panel, through the Chair, may question either. Both the Stage 1 Chair and the appellant will be given the opportunity to sum up their position. The burden of proof will be on the appellant, and the standard of proof will be on the balance of probability. Following the proceeding, the panel will deliberate in private and will determine their conclusions, including, as appropriate, any modifications and/or additions to the Stage 1 actions/remedies. Only in exceptional circumstances would a rehearing at Stage 1 be recommended. The Head of the Student Registry will provide advice on the scope of actions/remedies available to the Panel.

18.3.3.6 The appellant will receive a written decision that addresses the points they have made and gives reasons for the conclusion reached. They will also receive a Completion of Procedures letter which will also advise the appellant of their right to refer the matter to the Office of the Independent Adjudicator and describe the means to do so.

18.4 OFFICE OF THE INDEPENDENT ADJUDICATOR

18.4.1 Once all internal appeals procedures have been exhausted, if the student is still not satisfied they have the right to take the case to the Office of the Independent Adjudicator (OIA) for Higher Education, for further review. The application to the OIA must be made within 12 months of the issue of the Completion of Procedures letter. Information about OIA and its processes can be found at www.oiahe.org.uk