

11A – Academic Appeals: Policy and Procedure for Taught Awards

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1. SCOPE AND PURPOSE

- 1.1 This policy and procedure is intended for Bournemouth University (BU) staff and students (including those enrolled on programmes delivered at academic partners) and recent students/graduates on taught programmes of study. *11C - Academic Appeals: Policy and Procedure for Research Awards* outlines the Appeals process for postgraduate research programmes.
- 1.2 This policy and procedure is for use when a student or a recent graduate wishes to Appeal against an assessment outcome. Academic Appeals from recent students/graduates are subject to the timescales contained within this document.
- 1.3 This policy and procedure relates to all forms of academic assessment for taught awards, whether by examination, written assignment, presentation or any other assessment method specified in the assessment guidelines. In certain cases the assessment may also refer to a period(s) of supervised work experience.

Students, please note that if you are Appealing against an academic decision on the basis of Exceptional Circumstances that may have affected your grade(s), the University can only consider this if you had a valid reason for not raising this at the appropriate time as indicated in *6J - Exceptional Circumstances: Policy and Procedure*. If you are not sure what this means for you, please contact SUBU Advice.

The University makes every effort to support students and appreciates that submitting an Appeal may be considered a difficult undertaking. The University provides support which is freely available to help you through any issues you may be experiencing.

Please have a look at the information and resources located on the [Health & wellbeing](#) webpages.

2. KEY RESPONSIBILITIES

- 2.1 Responsibility for the management and implementation of this policy and procedure lies with the Academic Registrar.
- 2.2 **Students** are responsible for familiarizing themselves with this Policy and Procedure and for acting in accordance with it as required. It is the responsibility of students to seek clarification if necessary.
- 2.3 **Senate** approves new policies or amendments to existing policies relating to academic appeals.
- 2.4 **Academic Standards and Education Committee (ASEC)** considers the effectiveness of the arrangements for academic appeals and recommends changes to current policy to Senate.
- 2.5 **Faculties** are responsible for ensuring that students are informed of the principles of this policy and procedure.

The relevant Faculty Education Service Manager co-ordinates the Local Stage of the procedure for Appeals from BU students and also for students on BU franchised / validated programmes at Partners

Programme teams are responsible for ensuring that guidelines relating to assessment are provided to all students within the relevant handbooks and for ensuring that these are reviewed annually. Programme teams are also responsible for cooperating with the local, central or appeal stage and for providing any additional documentation or comment that may be requested.

- 2.6 **Academic Quality** is responsible for coordinating the Central and Appeals Board Stages of the procedure for Appeals from BU and partner students. Academic Quality is also responsible for providing advice and guidance to staff involved with the procedures.

3. ACCESSING OTHER RELEVANT BU DOCUMENTS

- 3.1 All documents can be accessed [here](#)
- 3.2 Other documents with direct relevance to this are:
- *6A - Standard Assessment Regulations*
 - *6J - Exceptional Circumstances: Policy and Procedure*
 - *11F - Student Complaints: Policy and Procedure*
 - *11L - Third Party Involvement: Procedure*
 - *Students Examination Procedures Handbook*
 - *Dignity and Respect (Harassment) Policy and Procedure*
 - *Unacceptable Behaviour: Policy and Procedure*
 - *Important Information (Student-facing Policies and Procedures)*

Policy

4. GENERAL PRINCIPLES

- 4.1 The University takes all Appeals seriously and students will not suffer any disadvantage or recrimination by making an appeal in good faith. Where, however, an Appeal is believed to be frivolous, vexatious or motivated by malice, disciplinary action may be taken against the student under the relevant disciplinary policy.

- 4.2 This policy also extends to cover all apprentices undertaking a Degree Apprenticeship, where their application has been accepted and they and their employer have returned the signed and dated Commitment Statement. For the purpose of this policy, all apprentices are considered students.
- 4.3 The University is committed to the fair and equal treatment of all individuals regardless of gender, age, disability, colour, race, ethnic or national origin, socio-economic group, sexual orientation, marital status, family responsibilities, religious or political beliefs.
- 4.4 The University is committed to ensuring that the Appeal is dealt with independently and without bias. The decision maker at each stage will be a different person, thus ensuring independence and the removal of the perception that any bias may have occurred. However, staff who have been involved at earlier stages may be required to provide evidence and information relating to the case.
- 4.5 The University will deal with all Appeals in a timely manner and will ensure that students (and recent graduates) are communicated to with regards their case on a regular basis. Where the University needs to go outside of the timelines stipulated in this policy and procedure this will be communicated to the student in a timely manner.
- 4.6 If the student wishes to make a Complaint at the same time as an Appeal, both will be dealt with concurrently. If this is not practicable, the Complaint will be dealt with under *11F – Student Complaints: Policy and Procedure* before the Appeal is considered.
- 4.7 Where a student is also subject to a University procedure (whilst pursuing an Academic Appeal) such as (but not limited to) Fitness to Practice/Study or a Disciplinary Procedure, the University will determine which Procedure takes precedence. The student will be kept informed at all stages.
- 4.8 *11A - Academic Appeals: Policy and Procedure for Taught Awards* is an internal procedure and is not a legal process. The University strongly advises students to use the services of the [SUBU Advice](#) team who are independent from the University and have a full understanding of the university's processes and procedures. BU does not normally use legal professionals in the handling of cases and does not expect that students will need to do so either. The engagement of legal professionals by students to represent them in the appeals process is normally not permitted.
- 4.9 Students can choose to be supported or represented by a third party (but not normally a legal advisor) at each stage. However, the University will not investigate an Appeal made on the student's behalf by a third party unless they have appointed the third party as their representative to manage the Appeal on their behalf. Please refer to *11L - Third Party Involvement: Procedure* for further details.

5. DEFINITIONS

- 5.1 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 progression, assessment and awards.**
- 5.2 An Academic Appeal (taught awards) can only be considered on the following grounds:
1. there has been a material irregularity or significant administrative error in the assessment process;
 2. the assessment was not conducted in accordance with the regulations for the programme;
 3. a student's performance in assessment has been affected by illness or other factors which, for valid reason(s), they were unable to divulge before the meeting of the Assessment Board (see *6J - Exceptional Circumstances: Policy and Procedure*);
 4. bias or the perception of bias in the assessment process / consideration of the Appeal.

Disagreement with the academic judgement of the examiners assessing the merits of an individual piece of work or in reaching any decision based on the marks, grades and other information relating to a candidates performance does not in itself constitute acceptable grounds for making an academic appeal.

- 5.3 Those involved in consideration of Appeals at all stages will not attempt to re-examine the student, nor to appraise the professional academic judgement of the examiners, but will consider whether the decision of the Assessment Board was fair and whether all relevant factors were taken into account.

6. STUDENT RIGHTS

- 6.1 Students pursuing an Appeal through this policy and procedure will be entitled to apply for access to personal data by making a subject access request in accordance with the data protection legislation. Applications should be made in writing to the appropriate Faculty Education Service Manager or to the Information Officer. Contact details for the Information Officer are:

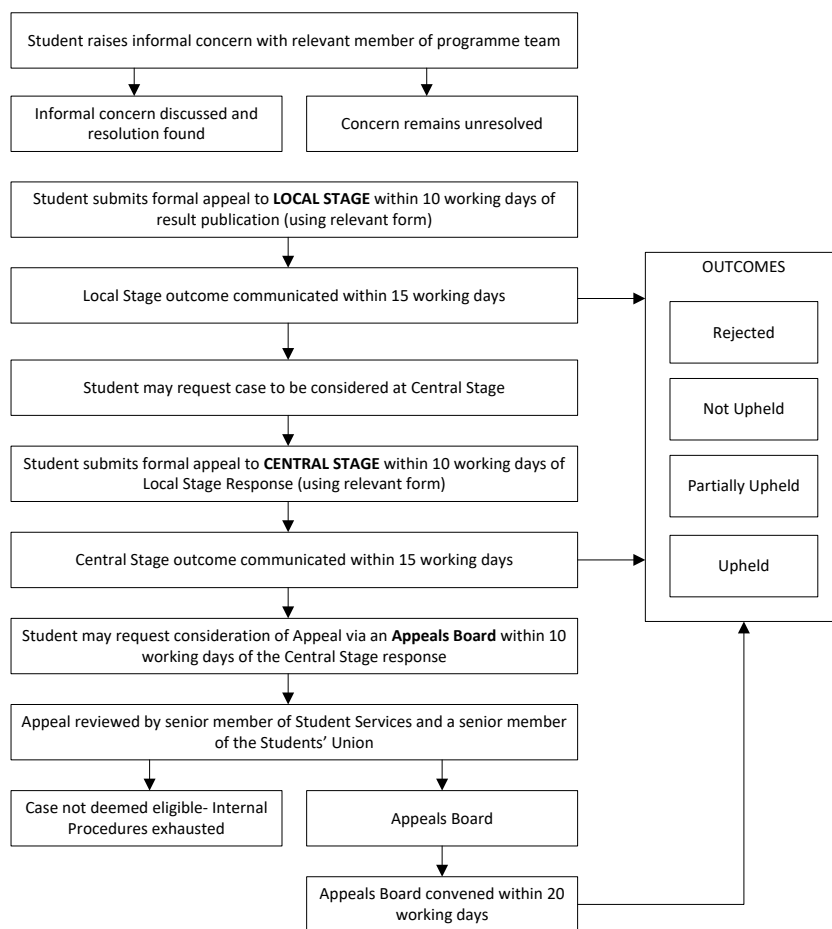
Legal Services, Melbury House, 1-3 Oxford Road, Bournemouth, Dorset BH8 8ES.

Further information about data protection rights can be found on the [Data protection and privacy page of the BU website](#). This includes a subject access request form which will help you submit your response in writing.

- 6.2 Students should be aware that even when an Appeal is successful, all students still need to complete and pass all elements of their work before progressing to the next stage of their programme.
- 6.3 A student may not have a degree or other academic qualification conferred until all their outstanding examination or assessment Appeals have been resolved.
- 6.4 If an Appeal is upheld, or partially upheld, the University will normally meet any reasonable 'out of pocket' expenses connected with the Appeals Board, on production of receipts; this may include UK travel and subsistence costs in connection with the student's attendance at the Appeals Board

7. APPLICATION

- 7.1 A student may Appeal against a decision of an Assessment Board providing they can demonstrate that they have grounds as outlined in 5.2. Appeals may be made on multiple grounds.
- 7.2 Where an Academic Appeal is brought by a group of students, normally one student should be prepared to identify themselves as spokesperson and correspondent. All students must agree in writing to the spokesperson acting on their behalf. Each member of the group must be able to demonstrate that they have been personally affected by the matter that is the subject of the Appeal.
- 7.3 The diagram below gives an overview of the Appeal process:



7.4 Initially, the appropriate team will consider whether the Appeal is admissible on the grounds stated in paragraph 5.2 above and reserves the right to reject any Appeal that is not within the scope of this document. In these cases, the student will be provided an explanation of why their appeal has been rejected.

7.5 Informal Resolution

7.5.1 The University encourages the early and informal resolution of any concerns that students may have. Students are therefore encouraged to discuss any concerns relating to their assessment outcomes (e.g. feedback/marks) during the year with an appropriate member of their programme team in the first instance.

7.6 Local Stage

7.6.1 If the student's concern cannot be clarified by an informal discussion, students have the opportunity to submit a formal Appeal. Appeals should be addressed in the first instance within the Faculty using the Appeals Form (Appendix 1). This form must be submitted **within 10 working days** of the publication of the results of the Assessment Board. Students must include any relevant evidence to support the Appeal.

7.6.2 Appellants should normally expect to receive a written response **within 15 working days** of receipt of their Appeal.

7.6.3 The outcome of the Appeal will be one of the following:

- **Rejected-** the Appeal does not fall within the grounds outlined in 5.2 OR has been

submitted outside of the 10-day deadline stipulated in 7.6.1 and no evidence was submitted to support a valid reason for submitting outside of the deadline.

- **Not Upheld-** The Appeal has been investigated but there is no evidence to support the grounds upon which the Appeal was made.
- **Partially upheld-** The Appeal has been investigated and it is found that one or more elements of the Appeal have been substantiated.
- **Upheld-** The Appeal has been investigated and it is found that the grounds of the Appeal have been fully substantiated.

7.6.4 All appellants who have received an outcome from a formal Local Stage Appeal have the opportunity to request that their case is considered at the Central Stage.

7.7 Central Stage

7.7.1 Students may request consideration of their case at Central Stage by updating the form submitted to Local Stage. This must be submitted to Academic Quality **within 10 working days** of the date of the Local Stage response.

7.7.2 New points of appeal, including additional grounds, may not be raised at the Central Stage, with the exception that a student may raise ground 4 (see paragraph 5.2 above) in the event of a concern about bias or the perception of bias in the consideration of the Local Stage appeal. Any further relevant evidence to support the Appeal should be included. The student should also specify what action they have taken to date to attempt resolution and provide copies of all correspondence exchanged during the Local Stage.

7.7.3 The Central Stage will normally be completed with a response in writing **within 15 working days** of receiving the completed Appeals Form. The outcome will be in line with section 7.6.3 above.

7.7.4 All appellants who have received an outcome from a formal Central Stage Appeal have the opportunity to request that their case is considered via an Appeals Board.

7.8 Request for consideration via the Appeals Board

7.8.1 The request for presentation to the Appeals Board must be made in writing, within 10 working days of the date of the Central Stage response. The request should be addressed to Academic Quality and must outline why the outcome of the Central Stage is not satisfactory.

7.8.2 Once this information has been received, a senior member of Student Services and a senior manager of the Students' Union (or their nominees) will consider whether the Appeal should be presented to the Appeals Board. Consideration will be given to whether:

- there have been material irregularities in the application of the University's policies and procedures for considering the student's Appeal at an earlier stage of the process;
- the student has provided new and relevant evidence in support of their Appeal which, for valid reason, they had not been able to supply at an earlier stage of the process;
- the outcome of Central Stage is deemed to be unreasonable under the circumstances.

7.8.3 A decision on whether an Appeal is admissible for consideration by an Appeals Board will normally be returned to the student within 5 working days of a request being received. If an Appeal is not within the scope of this document, the student will be informed in writing and given the reasons for this decision.

7.8.4 If the request is felt to be admissible, an Appeals Board will be convened in accordance with Appendix 2.

7.8.5 The Appeals Board will normally be convened **within 20 working days** of the student's request and the student will be given **10 working days'** notice of the date. For more information on the conduct of Appeals Boards see Appendix 2 (*Appeals Board Guidance*).

- 7.8.6 The Outcome of the Appeals Board will be in line with section 7.6.3 above. The timeline for the provision of the Outcome will be in accordance with the guidance outlined in Appendix 2 (Appeals Board Guidance). If the Appeal is upheld, the Chair of the Appeals Board, in consultation with Academic Quality may make such instructions and/or recommendations as are deemed appropriate. If an Appeal is not upheld, the student will be informed in writing with reasons for this.

8. REVIEW BY THE OFFICE OF THE INDEPENDENT ADJUDICATOR

- 8.1 Students who remain dissatisfied after exhausting Bournemouth University's internal procedures, *11A - Academic Appeals: Policy and Procedure for Taught Awards* may request a review from the Office of the Independent Adjudicator for Higher Education.

Contact details for the Independent Adjudicator are:

Office of the Independent Adjudicator,
Second Floor, Abbey Gate, 57-75 Kings Road, Reading,
RG1 3AB
Tel: 0118 959 9813
Email: enquiries@oiahe.org.uk

- 8.2 Students on Degree Apprenticeship programmes may also have the option to complain to the Education and Skills Funding Agency (ESFA) in circumstances where the appeal is not eligible for review at OIA. Apprentices can access details of the ESFA's procedures at: <https://www.gov.uk/government/publications/complaints-about-post-16-education-and-training-provision-funded-by-esfa/complaints-about-post-16-education-and-training-provision-funded-by-esfa> . The ESFA helpdesk can be contacted directly using 08000 150400 or email nationalhelpdesk@apprenticeships.gov.uk

9. MONITORING, EVALUATION AND REVIEW

- 9.1 Faculties are required to keep records of Appeals considered at the Local Stage and will report on these on an annual basis.
- 9.2 Academic Quality will keep records of all Appeals progressed through the Central and Appeals Board Stages.
- 9.3 Academic Quality will report on all appeal cases annually to the University Board. The purpose of this report is to ensure appropriate monitoring, evaluation and review of the Appeals process. The report will also outline any recommendations for amendments to practice based on the data collated. Academic Quality will ensure that all such recommendations are considered in a timely manner.

General

10. REFERENCES AND FURTHER INFORMATION

- 10.1 [*Office of the Independent Adjudicator – Good Practice Framework QAA Chapter B9 – Academic Appeals and Student Complaints*](#)
- 10.2 This policy was reviewed according to the University's *Equality Analysis Procedure* in July 2019.
- 10.3 If you would like this document in a different format please email appeals@bournemouth.ac.uk.

11. APPENDICES

Appendix 1 – [Academic Appeals Form](#)
Appendix 2 – [Appeals Board Guidance](#)