



HARPER ADAMS UNIVERSITY COLLEGE

ACADEMIC APPEALS PROCEDURE

December 2009

HARPER ADAMS UNIVERSITY COLLEGE
ACADEMIC APPEALS PROCEDURE
(Issue date: December 2009)

Academic Appeals Procedure

1 Aim

This procedure applies to students on taught awards studying at Harper Adams University College, students registered on postgraduate research programmes, students studying on Harper Adams validated programmes at Reaseheath College, Walford and North Shropshire College, Warwickshire College and Beijing Agricultural College, and those studying on Harper Adams accredited employer engagement programmes. Separate procedures apply to students studying on Harper Adams validated awards at Askham Bryan College.

The aim of the procedure is to enable:

a) taught students to request a review of a published decision of a Course Assessment Board particularly as it applies to decisions on student progression, assessment and awards. This incorporates appeals against the decisions of a Placement Panel or decisions resulting from investigations into academic misconduct;

b) registered research degree students to appeal against the following decisions:

- (i) termination of registration to read for a higher degree;
- (ii) registration for a particular higher degree;
- (iii) refusal of permission to submit a thesis;
- (iv) the result of the examination of a thesis.

Because there are procedures for complaint and grievance during the study period, alleged inadequacy of supervisory or other arrangements during the period of study does not constitute grounds for requesting a review of the examination decision.

This procedure does not deal with disciplinary matters or complaints, for which there are separate procedures.

2 Academic Judgement

Students may not appeal against the academic judgement of examiners, for example claiming that the marks awarded were too low. Neither can a student appeal on the grounds that he or she did not understand, or was not aware of, the University College's regulations or procedures.

3 Grounds on which an appeal can be made

There are only two sets of circumstances in which the decision of either a properly convened and constituted Course Assessments Board or Research Degrees Awarding Board, acting within their approved terms of reference, may be changed by a higher authority within the University College.

3.1 Material Error or Irregularity

There was a material administrative error which affected the decision of the Course Assessment Board or Research Degrees Awarding Board. Examples might include that the assessment was not conducted in accordance with the regulations or that a Placement Panel failed to follow its own procedures.

3.2 Mitigating Circumstances not known to the Assessments Board

There were mitigating circumstances which the student was unable to divulge, for valid reasons, by the deadline for presenting evidence of mitigating circumstances. The student's appeal must be supported by medical certificates or other acceptable documentary evidence.

In this regard it is important to note that the University College's Examination Regulations for taught programmes specify that once a candidate has entered the examination room s/he has deemed him/herself to be fit to take the examination. Retrospective medical certificates purporting to certify illness at the time when a candidate took the examination, including a viva voce examination, will not normally be acceptable.

4 Procedure

4.1 The Appeals Procedure will be published in the Student Handbook and on the University College's website, to ensure that students are aware of their rights of appeal. Authoritative guidance on the operation of the procedure may be sought from the Academic Registrar.

4.2 Before submitting an appeal, taught students are encouraged to discuss any concerns with the Chair of the relevant Course Assessments Board, Academic Misconduct Panel or Placement Panel and for research students to discuss any concerns with the Chair of the Research Degrees Awarding Board. Before doing so, taught students may wish to seek impartial advice from the Student Services Manager or the President of the Students' Union and postgraduate research students from the Research Co-ordinator.

4.3 If the student decides to appeal, s/he should write to the Academic Registrar stating the grounds for appeal in line with the criteria in paragraph 3 above. The student's appeal should specify the nature of the outcome they are seeking. The written appeal must be received by the Academic Registrar within four weeks of the notification of the decision to the student. The appeal letter should be supported by any available written evidence.

4.4 On receipt of a formal appeal the Academic Registrar will conduct an investigation. The Academic Registrar will take one of the following decisions, normally within two weeks of receipt of a student's appeal, and notify the student accordingly:

- (a) to dismiss the appeal if there is evidence that the Course Assessments Board, Academic Misconduct Panel, Placement Panel or Research Degrees Awarding Board, has already taken proper account of the points in the appeal, that the regulations and procedures have been properly implemented, or, for example, that there is no sound reason why mitigating circumstances could not have been revealed before the meeting of the Course Assessments Board or Research Degrees Awarding Board;

- (b) if the investigation reveals prima facie evidence that there has been a material error or irregularity, the Academic Registrar may uphold the appeal on behalf of Academic Board, without recourse to an Assessments Appeal Committee hearing;
- (c) to refer the appeal back to the Course Assessments Board or Research Degrees Awarding Board, to amend or review its decision in the light of the evidence collected during the investigation;
- (d) to convene an Appeal Committee to request and consider additional evidence.

4.5 If the appeal has not been decided before the start of the next academic year or next stage of the course, the student will normally be permitted to continue provisionally on his or her course pending the outcome of the appeal.

5 Composition of an Assessment Appeals Committee

Where it is necessary to formally hear an appeal, an Appeal Committee shall be convened. The Committee shall normally comprise the following:

- Chair: a senior member of academic staff representing the Academic Board, normally a Chair of a Subject Assessment Board;
- one other member of academic staff from the Academic Board;
- the Student Services Manager (for taught students) or the Research Co-ordinator (for research students), except where either has been involved in providing impartial advice to the student (paragraph 4.2 above);
- secretary: Academic Registrar or nominee.

Committee members should not be directly concerned with the case at issue.

6 Administrative Arrangements

6.1 Unless the appellant agrees to a shorter period, she/he must be given written notice, at least seven days prior to the hearing, that the hearing will take place, and of her/his rights under this procedure.

6.2 Normally at least five working days before the hearing, members of an Appeal Committee and the student shall be provided with the following documents, together with any additional documents considered relevant by the Chair of the Appeal Committee:

- (i) A copy of the University College's relevant assessment regulations;
- (ii) The anonymised results of all the students taking the particular assessment and the relevant extract of the minutes of the relevant Course Assessments Board, Academic Misconduct Panel, Placement Panel or Research Degrees Awarding Board, if relevant;
- (iii) A copy of the student's letter of appeal, together with supporting documentary evidence;
- (iv) A copy of the Appeals Procedure;

- (v) Written statements on the appeal provided by appropriate members of staff, such as the module leader, Course Manager, Senior Tutor or Director of Studies.

The Academic Registrar shall inform the student in writing of the decision as soon as possible after the hearing but not later than seven days thereafter.

The University College will reimburse reasonable and proportionate incidental expenses necessarily incurred by a successful appellant in order to attend an Appeal Committee.

7 Rights and position of Appellants

- 7.1** The student, and any other person(s) cited in the appeal, each accompanied if so desired by another person, but not including members of the legal profession engaged to act in their professional capacity, has the right to appear before and be heard by the Appeal Committee.

8 Procedure at a Hearing

- 8.1** The procedure to be followed at a hearing shall be determined by the Chair in consultation with other members of the Appeal Committee at the commencement of the hearing. According to the circumstances, the parties to the appeal may be seen separately (in whatever order is deemed appropriate) or together.
- 8.2** During the Appeal Committee the accompanying person can offer independent advice to the appellant, but has no right to address the Committee or to ask questions of witnesses unless invited to do so by the Chair.
- 8.3** In the unavoidable absence of the appellant, the Secretary to the Committee in consultation with the Chair will reconvene the meeting at a mutually convenient time. If the appellant voluntarily decides not to attend the hearing, the Committee shall reach a decision on the basis of all the available evidence.

9 Powers and Terms of Reference of an Appeal Committee

- 9.1** An Appeal Committee, acting on behalf of Academic Board, shall consider and determine appeals against the decision of a Course Assessment Board or Research Degrees Awarding Board.
- 9.2** An Appeal Committee shall have the power to require the attendance of any member of staff, providing a reasonable period of notice is given for such attendance, and shall be given access to any records and documents which it regards as crucial to its operation.
- 9.3** As appropriate, an Appeal Committee may instigate negotiations with any relevant examining body under the powers delegated to it by the Academic Board.
- 9.4** Whenever there is not unanimous agreement, decisions of the Appeal Committee shall be by majority vote.
- 9.5** If the Appeal Committee decides to uphold the appeal, the relevant Course Assessments Board or Research Degrees Awarding Board must be

reconvened at the earliest opportunity and the student's results reconsidered. The Course Assessments Board or Research Degrees Awarding Board, in undertaking such reconsideration, shall have regard to the report of the Appeal Committee and to the recommendations contained therein.

9.6 If, after reconsideration, the Course Assessments Board or Research Degrees Awarding Board confirms its original decision, the Appeal Committee shall be reconvened to consider further the position of the appellant. If the Appeal Committee concludes that due and proper account has not been taken of its decision and/or recommendations, it shall have the power, on behalf of Academic Board, to annul the Course Assessment Board's or Research Degrees Awarding Board's decision and substitute it with a decision of its own.

9.7 The Appeal Committee shall have the right to make recommendations and observations to the Academic Board concerning any matters of detail or principle arising from a hearing.

10 Reporting Procedure and Confidentiality of Hearings

The proceedings of an Appeal Committee shall be confidential to the parties involved. An anonymised report of the Committee meeting will be forwarded to the Academic Board, together with any specific recommendations or observations which the Appeal Committee decides to make.

A report of the hearing, prepared by the Secretary and approved by the Chair, shall be made available to the members of the Appeal Committee and the student. The Chair of the Assessments Board or the Chair of the Research Degrees Awarding Board shall also receive a copy of the report, and he/she may in turn circulate it to the Assessment Board or Research Degrees Awarding Board if the student's results are subject to reconsideration. The report shall be confidential to those persons circulated by the Secretary of the Appeal Committee, the Chair of the Assessments Board or Chair of the Research Degrees Awarding Board

11 Office of the Independent Adjudicator for Higher Education

Once the University College's appeals procedure has been exhausted, the student will be issued with a 'Completion of Procedures' letter and advised to contact the Office of the Independent Adjudicator for Higher Education if they are dissatisfied with the outcome.

12 Monitoring and Review of Appeals

The Academic Registrar will prepare an annual review of student appeals for the consideration of the University College's Academic Board.

Academic Registrar
December 2009