SPI Academic Appeals Policy and Procedure

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Related Documents:	This policy has been developed in accordance with the following regulations, policies, and procedures. This list is not exhaustive: • St Padarn's Institute Programme Handbooks • University of Wales, Trinity Saint David Academic Quality Handbook • Durham University Learning and Teaching Handbook • St Padarn's Institute Learning Support Policy • St Padarn's Institute Equality, Diversity and Inclusion Policy • St Padarn's Institute Data Protection Policy

Document History			
Version	**Date**	**Author**	**Notes on Revisions**
2	22 June 2022	Gareth Longden	• Revision undertaken as per schedule. • To incorporate learners registered on MA programmes under Common Awards.
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2. Introduction

2.1 The aim of the Academic Appeals process is to provide learners with a mechanism for appealing against what a learner could consider to be an unfair procedure in assessment or about the decision of an academic body.

2.2 An **academic appeal is defined as** *"A request for a review of a decision of an academic body charged with making decisions on learner progress, assessment and awards."*

2.3 You may not appeal simply because you do not agree with the marker's academic judgement. **Academic judgement is defined as" the** *professional and scholarly knowledge and expertise that members of staff, as well as external examiners, draw upon in reaching an academic decision."* Matters of academic judgement include (but are not limited to) marks given for individual assessments or modules.

2.4 Academic Appeals are not investigated by St Padarns but instead are investigated by the validating university. St Padarn's will support you through the appeal process by providing accurate information and pastoral support.

3. Principles of Policy

3.1 We aim to respond to any enquiry or appeal confidentially, fairly, and promptly and in accordance with the Institute's **Equality, Diversity, and Inclusion Policy**. Staff aim to be courteous to the complainant, responding positively and, wherever possible, offering constructive solutions.

3.2 All appeals will be managed in a sensitive way and with due regard to data protection issues. Whilst it is understood that complainants may wish some evidence (e.g., a witness statement or medical evidence) to remain confidential, this may not always be possible without hampering a thorough investigation of the facts. In these circumstances the Institute will discuss with the complainant the best way to approach the submission of evidence.

3.3 Parties to an investigation will be offered support by their Personal Tutor. Parties may also choose to be accompanied by, or represented at any meetings by, a supportive friend. This must be someone independent of the circumstances that gave rise to the meeting and therefore not be the person offering them pastoral support through the process.

3.4 A detailed record will be kept of all formal investigations, appeals or reviews.

3.5 The processing of the formal appeal and any subsequent review should take **no longer than 30 calendar days.** (In the case of learners registered on postgraduate programmes with Common Awards the timeframe is **42 days**). This requires the learner to meet any deadlines for the submission of material.

3.6 Appeals involving more than one issue may, in some cases, require the resolution of one issue before dealing with another. This may necessitate having a discussion with the complainant regarding the best way to resolve the whole situation satisfactorily.

3.7 The complainant will always be informed, in writing, of the outcome of an investigation or appeal and with reasons given for the decision which has been reached. The complainant will be informed at the same time of any further appeal processes which may still be available to them.

3.8 Any review will be heard by someone who was not involved in the original investigation and will occur according to the timescales given. You will be informed if there is going to be any unavoidable delay.

3.9 No-one will be disadvantaged by making an appeal.

3.10 The appeal may be withdrawn without prejudice at any time during the process.

3.11 Further information about the Academic Appeals process can be found in the definitive documentation provided on the validating university websites. Learners are strongly advised to consult the relevant definitive documentation.

- For the University of Wales, Trinity Saint David see the Academic Quality Handbook
- For Durham University see https://www.durham.ac.uk/departments/academic/common-awards/students/complaints-appeals/

4. Appealing about an Assessment Outcome

4.1 Grounds for Appeal

You can appeal **only** on the following grounds:

4.1.1 That there has been an arithmetical or other factual error in the published results.

4.1.2 That, the decision-making body failed to take appropriate action to implement an Extenuating (Adverse) Circumstances decision, or the decision-making body was unaware of Extenuating (Adverse) Circumstances which adversely affected the learner's performance (and there is independent evidence to show compelling reasons why the decision-making body was not made aware of these circumstances in a timely manner).

4.1.3 That there were defects or irregularities in the assessment task or in the written advice relating to the assessment task of such a nature as to create reasonable possibility that the result may have been different had they not occurred.

4.1.4 Appeals which are made on any grounds other than those listed above (including those which question the academic judgement of the marker) shall not be admissible.

4.2 Inadmissible Reasons for Appeal

4.2.1 An appeal against a module mark cannot be made simply because you do not agree with the mark awarded (academic grounds).

4.2.2 An appeal cannot be made on the grounds of unawareness of the published regulations (e.g., word count or submission deadline).

4.2.3 Where you disagree with the conclusions reached by the committee which considered your submission of extenuating (adverse) circumstances.

4.3 Process for Appealing about an Assessment Outcome

Before you appeal to the University you are strongly advised to discuss the issue with the Director of Academic Studies at St Padarn's Institute. The Director of Academic Studies, or their nominee, will direct you to the correct forms and advise you of the process to make an appeal to the appropriate validating university.

- Appeals to **University of Wales, Trinity, Saint David** should be made within **15 working days** of the notification of the mark or the making of the decision.

- Appeals to **Durham University** should be made within **28 calendar days** of the notification of the mark or the making of the decision.

Appeals received after the above deadlines will be deemed to be out of time and may not be considered unless there is independent evidence to show compelling reasons as to why the appeal was not submitted in a timely manner.

5. Notification of Outcome of Appeal

The university will inform the applicant of the outcome of an appeal in writing.

On receipt of an **Appeal Outcome Letter**, if you are not satisfied with the decision or remedy, then there may be grounds to further appeal to the university for the decision to be reviewed.

6. Appeals to External Bodies

6.1 It will usually only be possible to appeal to an external body against the final decision if the university has either not followed its own procedures properly or it has not dealt with the appeal fairly.

6.2 It is usually only possible to make an appeal to an external body after all the internal appeal and review procedures have been exhausted.

6.3 Appealing to the Office of the Independent Adjudicator

The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. St Padarn's is a member of this scheme. If you are unhappy with the outcome, you may be able to ask the OIA to review your case. You can find more information about making a complaint to the OIA, what it can and can't look at and what it can do to put things right if something has gone wrong here: https://www.oiahe.org.uk/students/

You normally need to have completed the Academic Appeals procedure before you complain to the OIA. We will send you a letter called a **"Completion of Procedures letter"** when you have reached the end of our processes and there are no further steps you can take internally. If your case is not upheld, we will issue you with a Completion of Procedures Letter automatically. If your case is upheld or partly

upheld, you can ask for a Completion of Procedures letter if you want one. You can find more information about Completion of Procedures letters and when you should expect to receive one here https://www.oiahe.org.uk/providers/completion-of-procedures-letters/

7. Appeals Process Monitoring

The issues and outcomes of any appeals will be discussed within the Institute to monitor and ensure the effectiveness of the appeal, the quality of the learning experience, and the issue of confidence in the appeals processes.

8. Other Regulations

8.1 Academic appeals will be considered impartially. The Institute makes every effort, in accordance with its **Equality and Diversity Policy**, to ensure that learners are not unlawfully discriminated against according to the Equality Act 2010. We believe that diversity is a positive contribution to the learning experience at St Padarn's.

8.2 Records of any appeal process are kept in accordance with the General Data Protection Regulation. See the **Data Protection Policy** for details, which is found on the St Padarn's website www.stpadarns.ac.uk. In line with the terms of the General Data Protection Regulation, learners are entitled to a copy of all their personal data held by us. All requests should be made to the Director of Operations.

9. Responsibilities, Policy Approval, and Review

The Director of Operations has overall responsibility for the academic appeals policy.

10. Policy Communication

10.1 This document can be found on the St Padarn's website www.stpadarns.ac.uk.

10.2 Every effort will be made to respond to any request to provide this policy in a different format.

10.3 This policy will be included in staff and learner induction.