



# APPEALS AGAINST THE DECISION OF AN ASSESSMENT BOARD (HE)

## PROCEDURE FOR MAKING AN APPEAL AGAINST A DECISION OF AN ASSESSMENT BOARD

Reviewed: April 2024

Date of next review: April 2026

### APPEAL STAGES

INFORMAL STAGE 1 (verbal or written)	FORMAL STAGE 2 (written)	FORMAL STAGE 3 (written)	APPEAL STAGE 4 (written)	APPEAL STAGE 5 (written)
Programme Leader or HE Manager	Director of Adult & Higher Education (or nominee)	College Complaints Panel chaired by Principal (or nominee)	Awarding University	After Completion of Procedures Letter has been sent by College or University having exhausted all internal processes

### DEADLINES

Your appeal must be submitted to the Director of Adult & Higher Education within the deadline. Your appeal could be dismissed without consideration if you miss the deadline.

If your appeal is against a decision of an Assessment Board	<b>the deadline is 28 days</b> from the date of the results being published
If your appeal is against a penalty for academic misconduct	<b>the deadline is 10 days</b> from the date of the letter or email informing you of the penalty
If you are studying with a partner institution collaborating with Middlesex University, you must follow their own appeal regulations first. If you are dissatisfied with the outcome, you can then appeal to Middlesex University	<b>the deadline is 28 days</b> from the date of the collaborative institution's letter of appeal outcome.

Make an appeal if you consider that an injustice has occurred in the assessment of your work that the Assessment Board did not consider when making the decision concerning your progression, module grade or final award. See the section below 'Under what circumstances should I appeal?' for the grounds on which an appeal would be investigated.

If your appeal is successful, the Assessment Board will review its original decision, which might then be altered to your advantage (it would not be altered to your disadvantage).

**A successful appeal might result in one or more of these outcomes:**

- the classification of your degree is reconsidered;
- your work is re-marked;
- a module grade is raised;
- compensation of a grade is agreed (although not normally for a project or dissertation module);
- a deferral of your first attempt of a module's assessment is retrospectively agreed;
- a deferral of your second (resit) attempt of a module's assessment is retrospectively agreed;
- you are allowed to retake (with attendance and fee) the whole module;
- an exceptional further attempt of the assessment is offered;
- you are allowed to remain in or return to a full-time mode of study;
- you are reinstated onto your original award programme;
- a reassessment is allowed where attendance has been below the required minimum;
- a penalty for academic misconduct is reviewed.

**WHAT CAN I APPEAL AGAINST?**

- an assessment result which has been confirmed by an Assessment Board and formally published on your record.
- provisional marks or grades which have been approved by an Assessment Board but have not yet been moderated by the External Examiners and which may change following this moderation.

**UNDER WHAT CIRCUMSTANCES SHOULD I APPEAL?**

- A. If your performance in an assessment was affected by illness or other factors which you were unable, or for valid reasons unwilling, to inform the Assessment Board (through the College's concessions procedures) before it reached its decision.
- B. If there was an administrative error in the management of the assessment.
- C. If the assessment was not run in accordance with the programme of study regulations.
- D. If the Assessment Board failed to consider circumstances relating to the delivery of a module, which have adversely affected your performance in assessment and which have been subject to a complaint upheld via the HE Complaints and Grievance Procedures, and steps have not been taken to mitigate the effects of the circumstances.
- E. That, following a penalty imposed for academic misconduct, you have any of the grounds for appeal listed under the academic misconduct regulations F8.4.
- F. Some other irregularity occurred.

**WHAT CAN'T I APPEAL AGAINST?**

- A mark or grade which has not yet been approved by the Assessment Board. (If you have a problem, we advise that you make an appointment to see your Module Tutor or Programme Leader);

- The academic judgement of the assessors in assessing the merits of your work, in reaching a decision on your progression, or in deciding the final classification of an award. Academic judgement is based on the need of the Assessment Board to be consistent in its policy towards all students in the cohort and is subject to internal moderation and to external scrutiny. The Board will already have used its discretion in this way if your final award profiles show you to be between two classifications or show two profiles and/or you have submitted extenuating circumstances to the Assessment Board before the Assessment Board met;
- That you did not understand or were not aware of the published regulations and procedures for a module, subject, programme, award or classification;
- That you have changed address/email address without informing Registry which led to you not receiving relevant assessment information.

#### **HOW CAN I CHECK THAT I HAVE BEEN AWARDED THE CORRECT HONOURS OR MASTERS DEGREE CLASSIFICATION?**

You need to ask for a copy of the College Academic Regulations. These are available on the College website [www.psc.ac.uk](http://www.psc.ac.uk) (Adult and Higher Education, Policies and Procedures).

#### **HOW DO I MAKE AN APPEAL?**

Before you make an appeal, it is advised that you make every effort to discuss your problem with your Programme Leader, Module Tutor, or any other appropriate member of the academic or administrative staff. This is because an appeal can take some weeks, and sometimes months, to settle and during that time you will be in a state of uncertainty, so it is important that you do all you can to attempt to solve the problem informally and quickly.

If an appointment has been made which means that your appeal (if you still need to submit one) will be delayed beyond the 28-day deadline, contact the HE Co-ordinator, Amanda Petty, within the deadline by email ([apetty@psc.ac.uk](mailto:apetty@psc.ac.uk)) stating that you wish to register an appeal which may be late and giving your name and student number. A new deadline will be arranged with you. When you submit your appeal, you will need to explain in your statement the reason for it being late. If you have registered your appeal and your reason is valid, your appeal will be accepted.

If possible, the member of staff will consider your case and might advise you:

- that they will ask the Chair of the Assessment Board (if they are not the Chair themselves) to either act on behalf of the Assessment Board or to request that the Board, at its next scheduled meeting or through 'Chair's Action', reconsiders its decision taking into consideration the new information that you have provided;
- that they consider that there has been no error and that the Assessment Board's decision was based on a fair evaluation of your assessment performance and they will not recommend to the Board that it is reconsidered;
- to discuss the matter with another appropriate member of staff;
- that you should make a formal appeal.

**Write a detailed statement of your case**, using these notes for guidance. Your statement will be regarded as a definitive statement of your case and cannot normally be added to later.

**Include relevant documentary evidence.** Your appeal may be delayed or dismissed if supporting evidence is not included. If your evidence is not available to you and means that your appeal will be delayed beyond the 28-day deadline, contact the HE Co-ordinator within the deadline by email ([apetty@psc.ac.uk](mailto:apetty@psc.ac.uk)) stating that you wish to register an appeal which may be

late and giving your name and student number. A new deadline will be arranged with you. When you submit your appeal you will need to explain in your statement the reason for it being late. If you have registered your appeal and your reason is valid, your appeal will be accepted.

Send your form, statement and evidence within the deadline by email to: [apetty@psc.ac.uk](mailto:apetty@psc.ac.uk)

By post to: c/o HE Co-ordinator, Peter Symonds College Adult & Higher Education, Stoney Lane Winchester, Hampshire, SO22 6DR. If you do not receive a receipt within 7 days - email the HE Co-ordinator ([apetty@psc.ac.uk](mailto:apetty@psc.ac.uk)) to check that it has been received.

#### **WHAT IS MY STATUS AS A STUDENT WHILST MY APPEAL IS BEING CONSIDERED?**

You should continue as if you had not submitted an appeal: i.e. the Assessment Board's decision remains in force until the Board is notified by the Director of Adult & Higher Education that the decision is cancelled. You should therefore meet any requirements for referral, resubmission, etc, until the appeal is completed. This will not prejudice the outcome of the appeal.

You will normally be permitted by an Assessment Board to continue to the next stage of your studies if you have complied with all the University and Programme of Study regulations apart from the decision you have appealed against. This is solely to help ensure that, if your appeal is upheld, you would not be academically disadvantaged. This entitlement will continue until, if the appeal is unsuccessful, the date of the letter formally notifying you of the outcome of the appeal.

**However, there are exceptions to this permission and it is possible that the Assessment Board may not allow you to continue if:**

- If the next stage of your programme is a PLACEMENT, and it is judged that it may be against the interests of other people who would be affected by the placement. You will need written permission from the HE Manager or Programme Leader to attend the placement. They are not obliged to give this permission to you.
- The next stage of your programme requires that you have passed a PRE-REQUISITE MODULE that you have failed and are appealing against. You will need written permission from the HE Manager or Programme Leader to progress. They are not obliged to give this permission to you.
- You have been EXPELLED from the College following an investigation into academic misconduct. You will need written permission from the Director of Adult & Higher Education to attend the College. They are not obliged to give this permission to you.

If you are applying for a job or further course of study, you may inform your prospective employer or university of the classification and grades you have been awarded by the Assessment Board, but may add that you have submitted an appeal, and the decision may be reviewed: **However, do not assume that your appeal will be successful.**

You may attend the Graduation Ceremony if you have graduated and accepted an invitation. If the Assessment Board's original decision was that you have failed your programme of study, you may not attend the Graduation Ceremony.

#### **WHAT HAPPENS NEXT?**

The HE Co-ordinator requests information from relevant staff and forms a case-file. When the case-file is complete, it is considered by the Director of Adult & Higher Education.

If the Director of Adult & Higher Education (or nominee) considers that there may be grounds for appeal they may request the Chair of the Assessment Board to review the Board's decision in the form of an informal settlement, or they may convene an Appeal Panel.

If the Director of Adult & Higher Education (or nominee) considers that there is no ground for appeal on the evidence available they will consult the Principal (or nominee). If the Principal (or nominee) agrees that there is no ground for appeal the appeal is dismissed.

If, however, they do not agree to dismiss the appeal

- either an informal settlement is arranged with the Assessment Board
- or an Appeal Panel is convened to consider the case.

You are informed in writing of the outcome to your appeal.

#### **WHAT IS AN INFORMAL SETTLEMENT?**

If either of the people considering your case decide that there are grounds for appeal, the Chair of the Assessment Board may be invited to request the Board to review its decision in the light of the information given in your appeal.

#### **WHAT IS AN APPEAL PANEL?**

- Following the decision that you do have grounds for appeal, an Appeal Panel is held only if an informal settlement cannot be reached.
- The Panel is called to clarify evidence by questioning those who have submitted it, enabling the Appeal Panel to reach a just decision.
- If a Panel is to be called, you will be invited to attend and will be sent all the relevant information.
- The Panel normally consists of three senior members of staff from as many different areas of the College as practical. No-one is eligible to be a Panel member who has taught you or is likely to teach or assess you.
- You can be accompanied by a companion, but not a legal representative, bring and question witnesses, and comment on the evidence.
- If the Appeal Panel finds that an injustice appears to have been caused to you, it will require the Assessment Board to review its decision and will submit all its findings for the Assessment Board's consideration.

#### **HOW LONG DOES AN APPEAL TAKE TO RESOLVE?**

An appeal can normally take between 3 weeks and 4 months to be resolved, depending on how complicated the issues are and the availability of relevant members of staff.

#### **COULD MY GRADES BE LOWERED BECAUSE I MAKE AN APPEAL?**

No - any change in the Assessment Board's decision will not disadvantage you.

#### **HOW CONFIDENTIAL IS MY APPEAL?**

Your appeal is kept as confidential as possible and within the College. Whilst the investigation is being carried out, the following people may be informed:

- Any member of the College or University staff who may be able to contribute to the investigation of your case.
- The Chair of the Assessment Board.
- Two 'neutral' Senior Managers who may be requested to review your case.

Papers will be kept on confidential file for up to six years, following which they will be destroyed.

#### **WHO CAN I CONTACT FOR ADVICE ON THE PROGRESS OF MY APPEAL?**

Members of teaching staff are unable to discuss your appeal with you while it is being processed, but if you would like information on its progress, please contact the HE Co-ordinator via Stoney Lane Reception ([apetty@psc.ac.uk](mailto:apetty@psc.ac.uk)) who will be co-ordinating the investigation of your appeal.

#### **WHAT HAPPENS IF MY APPEAL IS DISMISSED?**

You will receive a Completion of Procedures letter informing you of the outcome and the reasons behind the decision. A decision that your appeal is dismissed is final and no further appeal against this decision can be made to the College.

#### **CAN I TAKE THE MATTER FURTHER?**

Yes, once the College appeals procedure has been exhausted you can appeal to the awarding university. This must be done within 10 working days of receipt of the Appeals Panel decision. You must advise the College that you have progressed your complaint to the relevant awarding institution.

On completion of their process, a Completion of Procedures (COP) letter will be issued informing you that the internal procedures are complete. You are then able to appeal to the Office of the Independent Adjudicator for Higher Education (OIAHE), Second Floor, Abbey Wharf, 57-75 Kings Road, Reading, RG1 3AB.

You must do this within 12 months of receiving the Completion of Procedures letter. Email enquiries can be sent to [enquiries@oiahe.org.uk](mailto:enquiries@oiahe.org.uk). The website address is [www.oiahe.org.uk](http://www.oiahe.org.uk). The Completion of Procedures letter will give you these details.