



Undergraduate Academic Appeals Policy and Procedures

INTRODUCTION

1. This policy relates to the query and appeal against the decision of a Progression and Award Board (Board) or of an Extenuating Circumstances (EC Panel) for programmes delivered in collaboration with Solent University (the University).
2. New College of the Humanities (the College) is committed to having in place fair, effective and timely procedures for handling student queries and academic appeals.
3. The College defines an appeal 'as a request for a review of a decision of an academic body charged with making decisions on student progress, assessment and awards'.
4. This policy outlines a three-stage process for the query and appeal against the decision of a Board. The first stage is facilitated by the College; the second stage is an initial appeal to the University's Assessment and Ceremonies Manager (ACM); with further recourse to a request for an academic appeal review to the Student Conduct, Complaints and Appeals Manager (SCCAM) should the query not be resolved to the satisfaction of the student.
5. This policy outlines a two-stage process for the appeal against the decision of an EC Panel. The first is facilitated by an initial appeal to the Head of Student Registry Services and Student Systems (HSRS), with further recourse to a request for an academic appeal review to the Student Conduct, Complaints and Appeals Manager (SCCAM) should the query not be resolved to the satisfaction of the student.
6. The policy and procedure apply to all current students and may be accessed without concern that they may be treated less favourably as a result of a query or an appeal.
7. Where a student raises new Extenuating Circumstances these will be treated in line with the College's Undergraduate Extenuating Circumstances Policy.
8. The procedure shall enable the process to be conducted in a timely, fair and reasonable manner, and have due regard to any applicable law.
9. The College will ensure that appropriate action is taken following a query or an appeal to communicate decisions to all parties and ensure that these are acted upon in a fair and timely manner.

10. The College will ensure that appropriate guidance and support is available for persons making a query or an academic appeal.
11. The College will have effective arrangements, through its Academic Board, to monitor, evaluate and improve the effectiveness of its policy and procedure and to reflect on the outcomes for enhancement purposes.
12. Any changes made to the policy and procedures must be approved by the University.
13. The College shall ensure that suitable briefing and support is provided for all staff and students involved in handling or supporting queries and appeals.

OTHER POLICIES AND PROCEDURES

14. The policy does not cover the following matters, for which separate procedures exist:
 - 14.1. Querying the marking and or grade of the NCH Diploma (refer to the NCH Diploma Regulations)
 - 14.2. Disciplinary matters (refer to the NCH Student Code of Conduct and Disciplinary Procedures)
 - 14.3. Complaints relating to the NCH Student Union (further information can be sought from the President of the NCH Student Union)
 - 14.4. Complaints of personal misconduct against a member of staff (refer to the NCH Student Complaints Policy)
 - 14.5. Complaints of specific concern or expression of dissatisfaction about the programmes, facilities or services provided by the College, or about actions or lack of actions by the College and its staff (refer to the NCH Student Complaints Policy)
15. Where a query or an appeal is deemed to fall under the separate procedures listed above, the College will inform the student that the matters raised have been referred to be dealt with under the appropriate procedure.
16. The College takes all queries and appeals seriously and expects students to submit an appeal in a responsible manner. Where the College receives a frivolous or vexatious appeal, the College will terminate consideration of the matter and inform the student of the reasons for doing so and any right of appeal against that decision. Examples of such appeals include:
 - Academic appeals which are obsessive, harassing, or repetitive
 - Insistence on pursuing non-meritorious academic appeals and/or unrealistic, unreasonable outcomes
 - Insistence on pursuing what may be meritorious academic appeals in an unreasonable manner
 - Academic appeals which are designed to cause disruption or annoyance
 - Demands for redress which lack any serious purpose or value
17. A query or an appeal can only be lodged by the student and cannot be made by a third party, other than in circumstances where, at the time allowed for the appeal to be lodged, the student is suffering from such physical or mental incapacity as to prevent the student acting for themselves.

18. Where students receive their formally published results and are unclear on any terminology or the impact of these results, they should in the first instance contact the Academic Services Coordinator, who can advise students on their results. Where they remain dissatisfied, students have the right to submit an academic appeal.

GROUNDINGS FOR QUERY AND APPEAL

19. The College defines academic judgment as 'a decision about scholarship that only a suitably experienced academic can make', similar to the definition used by the Office of the Independent Adjudicator (OIA). There is no right of query or appeal by students against the academic judgments of academic staff or of recognised committees of the College's or University's Academic Boards, including Extenuating Circumstances Panels or Progression and Award Boards, i.e. a student cannot query or appeal a mark or grade given for an assessment except where there has been an irregularity in the assessment process.
20. A student may query/appeal the decision of a Board or an EC Panel where:
 - 20.1. New, relevant, written extenuating circumstances are presented (see the Undergraduate Extenuating Circumstances Policy), supported by appropriate evidence, that for good reason were not originally made available to the EC Panel, and therefore were not considered at the time of the decision of the Board.
 - 20.2. Processes were not conducted in accordance with current approved policies and procedures or other irregularity concerned with the assessment process.
 - 20.3. There has been a material and significant error in the recording and/or processing of assessments/results.
 - 20.4. There has been a procedural error in the calculation of the award/progression decision.
 - 20.5. Academic penalties were not applied in accordance with current approved policies and procedures.
21. In making an academic appeal the burden of proof is on the student to show that one of the matters listed in paragraph 20 applies
22. The standard of proof in academic appeals is on the 'balance of probability' rather than 'beyond all reasonable doubt'.

A QUERY ABOUT THE DECISION OF A BOARD

23. A student wishing to query the decision of a Board must make a query in writing to the Registrar within ten working days of the date of the results of publication. Where a query is received outside of this deadline it will be considered at the discretion of the Registrar.
24. The Registrar will review and then liaise with the Master to make a decision.
25. Where the decision is to recommend a change to the Board's outcome, the query will be referred to the ACM as an appeal, and the Registrar will inform the student in writing within ten working days of the receipt of the query that this action has been taken.

26. The ACM, on behalf of the Chair of the Board, will investigate the appeal and will provide a written response within ten working days of receipt of the appeal.
27. Where the decision is not to recommend a change to the Board outcome, the Registrar will provide a written response within ten working days of receipt of the query.
28. If the query is not resolved by the College to the student's satisfaction, the student may appeal directly to the ACM within ten working days of the receipt of the Registrar's written notification.
29. If the student does not appeal to the University within ten working days following from the outcome of Stage 1, the College will issue a Completion of Procedures Letter.

AN APPEAL AGAINST THE DECISION OF AN EC PANEL

30. A student wishing to appeal the decision of an EC Panel must submit their query in writing to the HSRS within ten working days of the receipt of the decision. Where a query is received outside of this deadline it will be considered at the discretion of the HSRS.
31. The HSRS will investigate the appeal and provide a written response within ten working days of receipt of the appeal.

ACADEMIC APPEAL REVIEW

32. Where the appeal is not resolved to the satisfaction of the student, they may request an academic appeal review through the University's Office of the Student Conduct, Complaints and Appeals Manager (SCCAM):

Student Conduct, Complaints and Appeals Manager
Policy Governance and Information
Solent University
East Park Terrace
Southampton
SO14 0YN
33. A request for an academic appeal review to the SCCAM must be made in writing within ten working days of receipt of the appeal outcome. Where a request for an academic appeal review is received outside of these deadlines, it will be considered at the discretion of the SCAAM.
34. The request should state in full the grounds on which the student is requesting an appeal review and should be accompanied by any necessary supporting evidence.
35. The SCAAM (or nominee) shall assess whether there are valid grounds for a review.
36. Where the SCAAM, on the basis of evidence, upholds the appeal, the Chair of the Board or EC Panel will be required to take Chair's action to amend the decision of the Board or EC Panel.

37. Where elements of the appeal relate to non-procedural matters, the SCAAM will consult with the Chair of the relevant Board or EC Panel.
38. Where the SCAAM, having reviewed the appeal, considers that there is ambiguity in the procedures or evidence an appeal review panel will be convened, to which the appellant will be invited.
39. Where there are no grounds for an appeal review, the student will be informed and notified that this marks the end of the University's internal procedures.

THE APPEAL REVIEW PANEL

40. The composition of each appeal review panel¹ shall be:
 - 40.1. Chair to be a Dean of School or Head of Quality Management
 - 40.2. One academic staff member, independent of the faculty to which the appeal relates
 - 40.3. One member drawn from Academic Board or the Learning, Teaching and Student Achievement Committee (LTSAC)
 - 40.4. The President of Solent Students' Union or a sabbatical or an elected officer of the Students' Union, nominated by the President
41. A quorum for an appeal review panel shall be three members, one of whom must be the Chair.
42. A member of staff from Policy, Governance and Information Service will serve as the Secretary of the appeal review panel and advise the panel on procedural issues and record the decisions of the panel.

DECISION OF AN APPEAL REVIEW PANEL

43. The review panel shall make recommendations by majority vote. In the event of an equality of votes, the Chair shall have a casting vote.
44. The Board or Panel (EC) Chair is required to accept the decision of the appeal review panel.
45. Where the appeal is rejected or not resolved to the student's satisfaction at the formal appeal stage, they will be informed in writing that this will mark the end of the University's appeals process.

EXTERNAL EXAMINERS

46. The appropriate External Examiner will be informed of any changes to Board decisions made as a result of a College query or academic appeal that result in a change to a progression or award decision.

END OF THE UNIVERSITY'S PROCEDURE RELATING TO AN ACADEMIC APPEAL

47. The University will provide the student with a Completion of Procedures Letter. The letter will draw the student's attention to the Office of the Independent Adjudicator for Higher Education Student Complaints Scheme, to whom any final appeal can be made.

¹ The Appeals Panel is made up of University staff. NCH staff are not present at the appeal.

MONITORING AND REPORTING

SOLENT

- 48. Policy, Governance and Information Service will maintain a record of appeal outcomes and ensure that appropriate action has been taken by the College in response to specific appeals.
- 49. Data on queries and appeals will be provided to the College for the purposes of annual Programme Review.
- 50. An annual report on appeals will be provided to the University’s Academic Board and the Board of Governors.

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- 51. The Registrar will maintain a record of appeal outcomes and ensure that appropriate action has been taken.
 - 52. Any appropriate actions or outcomes from the appeals process should be recorded in the Annual Monitoring Review Reports.
 - 53. An annual report on queries and appeals will be provided to the College’s Academic Board.
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Title	Undergraduate Academic Appeals Policy and Procedures	Author	Registrar
Location	NCH Academic Handbook	Approved by	Academic Board
Version	2.2	Last updated	January 2019
Publication date	March 2019	Review date	September 2019
Referenced policies	NCH Diploma Regulations; NCH Student Code of Conduct and Disciplinary Procedures; NCH Student Complaints Procedure; and NCH Undergraduate Extenuating Circumstances Policy.		
External Reference Point	UK Quality Code Theme: Concerns Complaints and Appeals		