

ACADEMIC APPEALS POLICY & PROCEDURES

Policy Review				
Author	Position	Approved by SMT	Approval date	Review date
Susie Peart	Quality Manager	Signed: 	30.11.21	30.11.22

PURPOSE OF THE POLICY

Yeovil College is committed to improving the quality of the learning experience and constantly seeking to improve all services. We support this aim by ensuring that we deal openly, fairly and effectively with any comment or concern about assessment from learners.

Learners have the right to appeal against an assessment decision without fear of reprisal or victimisation. Yeovil College will deal with such appeals seriously, impartially and within a reasonable timescale.

Wherever possible issues should be resolved at the point they arise, with the member(s) of staff concerned. If this does not result in an acceptable outcome, or the situation makes this approach unfeasible, then the formal procedure should be followed.

SCOPE

The policy applies to any assessment made by Yeovil College or its sub-contractors. This includes at entry to a programme (assessment of prior knowledge and experience), during a programme or at the end of a programme. The procedure does not include appeals against the results of examinations/courses, e.g. GCSEs, where the awarding body is responsible for the grades awarded to candidates.

If you have reason to believe that an assessment decision relating to your work is incorrect or has in some way been based on incorrect or partial information, you have the right to appeal against that decision without fear of reprisal or victimisation. Yeovil College will deal with such appeals seriously, impartially and within a reasonable timescale.

There are separate procedures for complaining about any service which Yeovil College provides (Complaints Procedure) and for making disclosures in the public interest (Whistleblowing Procedure). The Academic Appeals procedure cannot be used for any of these purposes.

NOTE FOR Yeovil College University Centre:

Higher Education (HE) students will need to refer to the Academic Infrastructure of their awarding university. However, HE students can normally only make an appeal on the grounds of one of the following:

- there has been a material irregularity or significant administrative error in the assessment process
- the assessment was not conducted in accordance with the regulations for the programme
- 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 Board of Examiners

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 grounds for a request for reconsideration by a candidate.

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

RESPONSIBILITY AND AUTHORITY

Assistant Principals are responsible for ensuring the effective implementation of the appeals procedure within their areas. Curriculum Area Managers are responsible for the day to day operation of the appeals procedure.

All teaching and assessment staff are responsible for informing learners of the procedure and for its effective operation within their programmes. Study programme managers and internal quality assurers may have specific responsibilities as part of their role.

THE FIRST STAGE

In the first instance an informal approach is preferred to provide an opportunity to resolve the issue raised without recourse to the formal appeals procedure. You should inform your Study Programme Manager / Programme Leader of your concern. If the matter cannot be resolved within a period of 10 working days from the date of the publication of results, the appeal may go to the second stage.

THE SECOND STAGE

If your concern cannot be dealt with at the first stage, then you should write to the Quality Manager to request the appeal is investigated formally. You should do this within 20 working days of the publication of results. In your letter / email you should clearly state what you are appealing and on what grounds. You should provide any available evidence in support of your appeal. You should explain what steps you have taken at the first stage to resolve the concern informally. You should state the outcome you are hoping to achieve through the appeal.

The Quality Manager will then consider your appeal and confirm that this is the correct process to be following. If not, you may be directed to an alternative procedure, such as the Complaints Process, or the appeals procedure of a partner institution or awarding body.

If the Quality Manager decides that you have appropriate grounds for an Academic Appeal then they will allocate the appeal to a member of staff with no previous involvement to investigate. This may be the Quality Manager allocating the appeal to themselves to investigate. If you do not have valid grounds for appeal, then the Quality Manager will write to you to inform you of this. If you are a student on a HE course with Yeovil College University Centre you will also be issued with a 'Completion of Procedures' letter at this point (see Appendix 1).

The member of staff investigating your appeal may ask to meet with you in order to gain more information. However, they are not required to meet with you if there is already sufficient information available from your initial correspondence. Alternatively, they may contact you via email to gain further information, if required.

You will be informed of the outcome of this investigation in writing. This will give a clear explanation and outline the reasons for each decision in straightforward language. It will also explain how to take your appeal to the third stage, if required.

This outcome will be recorded centrally to ensure the causes of appeals can be identified and improvements introduced where appropriate.

THE THIRD STAGE

If you are not satisfied with our response and want to pursue matters further you should write to the Assistant Principal within 10 working days of receiving the outcome of the formal investigation, providing details as follows:

- your name
- a contact address (and preferably telephone and/or e-mail address)
- your programme of study
- the date on which the disputed decision took place
- the nature of the decision
- reasons for the appeal
- any other relevant information

The Assistant Principal will acknowledge your appeal within 3 working days of its receipt and will arrange for an Appeals Panel to hear the appeal. If your expectations of the Appeals Panel seem to exceed the scope of the review stage, then the Assistant Principal will explain this to you in order to manage expectations.

The panel will consist of three members who have not been involved in the Appeal at a previous stage. This may include members of the College Management Team, as well as Programme Leaders or Internal Quality Assurers from other areas.

The Panel will consider whether the relevant procedures were followed during the second stage, whether the second stage outcome was reasonable in all aspects and whether you have received clear reasons why the second stage outcome was reached. If new material evidence has been provided, the panel will consider whether you have given valid reasons for not supplying this earlier.

The panel meeting will take place within 15 working days. You will receive a written account of the decision within 5 days of the meeting. The written outcome will state whether the second stage outcome has been upheld, partially upheld, or not upheld.

This is the end of the internal appeals procedure. Students on HE courses with Yeovil College University Centre will be issued with a 'Completion of Procedures' letter at this point (see Appendix 1).

This outcome will be recorded centrally to ensure the causes of appeals can be identified, and improvements introduced where appropriate.

GROUP COMPLAINTS

In instances where the issue in question has affected a number of students, students may submit a 'group complaint'. The students involved may nominate a representative, and must all agree that this person can speak and liaise on their behalf.

RIGHT TO BE ACCOMPANIED

During the appeal process you have the right to be accompanied by a friend, parent or fellow student. With the agreement of the College, a friend, parent or fellow student may present the appeal on your behalf.

NOTE FOR Yeovil College University Centre:

If a student on a Yeovil College University Centre Higher Education programme requires support with this process, they should initially contact the HE Manager who can provide support, or appoint an appropriate support person. If this is not possible, they should instead contact the HE Student Liaison Officer.

RIGHT TO INFORMATION

You have the right of access to all the information presented to the Appeal Panel.

TIMING FOR APPEALS

All internal appeals should have been considered and resolved by the date of the last externally-assessed paper of the exam series (e.g. by the end of June for the summer series). The College will raise any difficulties in meeting this deadline with the Awarding Organisation.

AWARDING ORGANISATIONS

The College will inform the Awarding Organisation of any outcome from an appeal which has implications for the conduct of an examination or the issue of results.

VEXATIOUS OR FRIVOLOUS COMPLAINS AND APPEALS

The Quality Manager has the right to identify an appeal as vexatious or frivolous in situations including, but not limited to:

- complaints or academic appeals which are obsessive, harassing, or repetitive
- insistence on pursuing non-meritorious complaints or academic appeals and/or unrealistic, unreasonable outcomes
- insistence on pursuing what may be meritorious complaints or academic appeals in an unreasonable manner
- complaints or academic appeals which are designed to cause disruption or annoyance
- demands for redress which lack any serious purpose or value.

Such appeals may be terminated. In any such case, the Quality Manager will write to you explaining why the appeal has been terminated. In such cases, you will be informed of how to appeal this decision.

NOTE FOR Yeovil College University Centre:

OFFICE OF THE INDEPENDENT ADJUDICATOR

Upon receiving a Completion of Procedures Letter, students on proscribed Higher Education programmes through Yeovil College University Centre have the right to request the OIA, (the independent ombudsman service), review their complaint about the outcome of the provider's academic appeals process. The complaint should be submitted to the OIA within 12 months of the date of the Completion of Procedures letter.

RELATED POLICIES, PROCEDURES, DOCUMENTS, DEFINITIONS

Complaints Procedure

Whistleblowing Procedure

Awarding organisation processes

Template 'Completion of Procedures' Letter - YCUC

Please note - the format may be adjusted to meet the individual circumstances of a complaint provided that the key points below are included.

Dear [*Name of complainant*],

Completion of Procedures Letter

This letter confirms that the internal procedures of [*name of higher education provider*] in relation to your *complaint / appeal etc** regarding [*please describe*] have been completed.

The issues that you raised in your *complaint / appeal etc* were* [*details*]

The issue(s) that were considered in relation to your *complaint / appeal etc was / were**: [*brief summary of the complaint etc*].

The final decision of [*name of higher education provider*] is* [*detail*] because [*reasons*].

The procedures / regulations applied were*: [*details and date as supplied to the OIA's electronic Regulations Bank*].

[*Name of provider*] subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of *your complaint / appeal etc** to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint you take to the OIA is eligible under its Rules.

Should you decide to make a complaint to the OIA, your OIA Complaint Form **must be received by the OIA** within **12 months** of the date of this letter, that is, it must be received by the OIA **on or before** [*insert date - e.g. if the Completion of Procedures Letter is dated 9 July 2015, this date should be 9 July 2016*].

[*Include here any factors of which the provider is aware which mean that it is particularly important for the student to bring the complaint promptly.*]

You can fill in the OIA's complaint form online or download a copy from the OIA website.

<https://www.oiahe.org.uk/students/how-to-complain-to-us/>. The OIA also publishes *An Introduction to the OIA Scheme for Students*, which can be downloaded from <https://www.oiahe.org.uk/students/can-you-complain-to-us/>. Alternatively, you can telephone or write to the OIA for a form. **You should send a copy of this letter to the OIA with your OIA Complaint Form.**

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website <https://www.oiahe.org.uk/students/how-to-complain-to-us/>. You may also wish to seek advice from the Students' Union about taking your complaint to the OIA.

Please note that the OIA will normally only review issues that have been dealt with through the provider's internal procedures.

Yours sincerely,

[Authorised signatory]

Document Control – Revision History

Author/Owner	Summary of Changes	Date	Date last reviewed by SED	Recommend to SED Y/N
Derrick Goddard	Minor amendments clarify arrangements for HE and to job titles	05.09.16	-	Yes
Derrick Goddard	No changes	12.09.17	02.11.16	No
Sian Deasy	Compliance with OIA best practice framework	29.07.20	02.11.16	No
Susie Peart	Minor Amendments to make the parts relating to YCUC clearer and update DoC to Assistant Principal	04.10.21		

Initial Equality Impact Screening	
Who has been consulted on this policy & procedure?	
All	
What evidence has been used for this impact screening (e.g. related policies, publications)?	
Declaration (please tick one statement and indicate any negative impacts)	
<input checked="" type="checkbox"/>	We are satisfied that an initial screening has been carried out on this policy/procedure and a full Equality Impact Assessment is not required. There are no specific negative impacts on any of the Protected Characteristics groups.
<input type="checkbox"/>	We recommend that an Equality Impact Assessment is required by the Equality and Diversity group, as possible negative impacts have been identified for one or more of the Protected Characteristics groups as follows: <ul style="list-style-type: none"> <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Gender Reassignment <input type="checkbox"/> Race <input type="checkbox"/> Religion or belief <input type="checkbox"/> Sex <input type="checkbox"/> Sexual orientation <input type="checkbox"/> Marriage & civil partnership <input type="checkbox"/> Pregnancy & maternity
Completed by Author: Susie Peart Position: Quality Manager Date: 04.10.21	
<input type="checkbox"/> Reviewed by Equality & Diversity Group Date:	
<input type="checkbox"/> We confirm that any recommended amendments have been made	
Amended by Author: Position: Date:	
Summary of Comments/Recommendations from Equality & Diversity Group Review:	