

Reference Number: P78



ACADEMIC APPEALS POLICY & PROCEDURES

Policy Review					
Author	Position	Approved by SMT	Approval date	Review Cycle/Date	Published on Website Y/N
Susie Peart	Quality Manager	Signed: 	13.07.23	Annually November 2024	Y

Document Control – Revision History

Author/Owner	Summary of Changes	Date	Date last reviewed by SED	Version	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			
Mark Bolton Scott Austin	Changes to other policy and procedure references Removal of references to legacy processes	13/7/23		V1	

Initial Equality Impact Screening

Has anyone else been consulted on this policy and/or procedure?
What evidence has been used for this impact screening (e.g. related policies, publications)?

Declaration (please tick one statement and indicate any negative impacts)

I am satisfied that an initial screening has been carried out on this Policy and/or Procedure and a full Equality Impact Assessment is not required. There are no specific negative impacts on any of the Protected Characteristics groups.

I 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:

- Age
- Disability
- Gender Reassignment
- Race
- Religion or belief
- Sex
- Sexual orientation
- Marriage & civil partnership
- Pregnancy & maternity

Completed by:	Scott Austin	Position:	Assistant Principal	Date:	13.07.23
Reviewed by Equality & Diversity Group: YES/NO If Yes: Date: I confirm that any recommended amendments have been made					
Summary of Comments including Recommendations from Equality & Diversity Group Review:					
Amended by Author:		Position:		Date:	

Contents

1.	PURPOSE OF THE POLICY	3
2.	SCOPE	3
3.	RESPONSIBILITY AND AUTHORITY	4
4.	THE FIRST STAGE.....	4
5.	THE SECOND STAGE.....	5
6.	THE THIRD STAGE	6
7.	GROUP COMPLAINTS.....	7
8.	SUPPORT AND REASONABLE ADJUSTMENTS	7
9.	RIGHT TO INFORMATION	7
10.	TIMING FOR APPEALS	8
11.	AWARDING ORGANISATIONS	8
12.	VEXATIOUS OR FRIVOLOUS COMPLAINTS AND APPEALS	8
13.	RELATED POLICIES, PROCEDURES, DOCUMENTS, DEFINITIONS.....	9
	Appendix 1.....	10
	Appendix 2.....	12
	Appendix 3.....	14

1. PURPOSE OF THE POLICY

- 1.1. 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.
- 1.2. 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.
- 1.3. 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.

2. SCOPE

- 2.1. The policy applies to any assessment made by Yeovil College, Yeovil College University Centre 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.
- 2.2. 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.
- 2.3. There are separate procedures¹ for giving feedback about any service which Yeovil College provides (Customer Feedback Policy and Procedure - including complaints) and for making disclosures in the public interest (Whistleblowing Policy and Procedure). The Academic Appeals procedure cannot be used for any of these purposes.
- 2.4. NOTE FOR Yeovil College University Centre:
Higher Education (HE) students should appeal internally to Yeovil College University Centre (YCUC) using the procedure set out below. However, they may also need to refer to the Academic Infrastructure of their awarding university as HE students can normally only make an appeal on the grounds of one of the following:

¹ Available at <https://www.yeovil.ac.uk/policies-reports/>

2.4.1. there has been a material irregularity or significant administrative error in the assessment process

2.4.2. the assessment was not conducted in accordance with the regulations for the programme

2.4.3. 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.

2.5. 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 candidate's performance, does not in itself constitute grounds for a request for reconsideration by a candidate.

2.6. 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.

3. RESPONSIBILITY AND AUTHORITY

3.1. Assistant Principals are responsible for ensuring the effective implementation of the appeals procedure within their areas. The Quality Manager is responsible for the administration of the second stage of the procedure as outlined in section 5.

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

4. THE FIRST STAGE

4.1. 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. A record of the discussion should be entered on Pro Monitor under Comments and Meetings. The Study Programme Manager/Programme Leader should consult the Internal Quality Assurer for the programme and/or the Curriculum Area Manager. 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.

5. THE SECOND STAGE

- 5.1. 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.
- 5.2. 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 Customer Feedback Policy and Procedure (including complaints)², or the appeals procedure of a partner institution or awarding body.
- 5.3. 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 Appendices 1-3). Please see paragraph 12.3 for guidance on what to do if you wish to take the matter further.
- 5.4. 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.
- 5.5. You will be informed of the outcome of this investigation in writing, within 15 working days of receipt of your appeal. 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.

² Available at <https://www.yeovil.ac.uk/policies-reports/>

5.6. This outcome will be recorded centrally to ensure the causes of appeals can be identified and improvements introduced where appropriate. The central records will also serve as a monitoring and reporting tool in order to analyse the incidence and nature of academic appeals, including for groups sharing protected characteristics.

6. THE THIRD STAGE

6.1. 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:

6.1.1. your name

6.1.2. a contact address (and preferably telephone and/or e-mail address)

6.1.3. your programme of study

6.1.4. the date on which the disputed decision took place

6.1.5. the nature of the decision

6.1.6. reasons for the appeal

6.1.7. any other relevant information

6.2. 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.

6.3. 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.

6.4. 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.

6.5. 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.

6.6. 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 Appendices 1-3).

6.7. This outcome will be recorded centrally to ensure the causes of appeals can be identified, and improvements introduced where appropriate. The central records will also serve as a monitoring and reporting tool in order to analyse the incidence and nature of academic appeals, including for groups sharing protected characteristics.

7. GROUP COMPLAINTS

7.1. 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.

8. SUPPORT AND REASONABLE ADJUSTMENTS

8.1. Should you require any reasonable adjustments to enable you to engage with the academic appeals process, you should contact a member of the Student Experience team (please see note for YCUC students below).

8.2. 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.

8.3. 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.

9. RIGHT TO INFORMATION

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

10. TIMING FOR APPEALS

10.1. 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.

11. AWARDING ORGANISATIONS

11.1. 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.

12. VEXATIOUS OR FRIVOLOUS COMPLAINTS AND APPEALS

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

12.1.1. complaints or academic appeals which are obsessive, harassing, or repetitive

12.1.2. insistence on pursuing non-meritorious complaints or academic appeals and/or unrealistic, unreasonable outcomes

12.1.3. insistence on pursuing what may be meritorious complaints or academic appeals in an unreasonable manner

12.1.4. complaints or academic appeals which are designed to cause disruption or annoyance

12.1.5. demands for redress which lack any serious purpose or value.

12.2. 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.

12.3. NOTE FOR Yeovil College University Centre:

OFFICE OF THE INDEPENDENT ADJUDICATOR

Upon receiving a Completion of Procedures Letter, students on 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.

13. RELATED POLICIES, PROCEDURES, DOCUMENTS, DEFINITIONS

Customer Feedback Policy and Procedure - including complaints³

Whistleblowing Policy and Procedure⁴

Awarding organisation processes⁵

³ Available at <https://www.yeovil.ac.uk/policies-reports/>

⁴ Available at <https://www.yeovil.ac.uk/policies-reports/>

⁵ These are typically published on the website of the relevant awarding organisation for a particular course.

Template letter when ‘Third Stage: Appeal’ stage has been concluded internally for students studying on Open University validated courses.

Dear **[Name of complainant]**,

This letter confirms that the internal procedures of Yeovil College 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]**.

Our final decision is* **[detail]** because **[reasons]**.

In conclusion the College will be taking the following actions in relation to the issues you have raised. **[Here you must add – actions to be taken, timescales and who is responsible.]**

Once again please accept my sincere apologies for any upset or distress that was caused to you or upset or distress you felt. **[Use the former phrase if the complaint was justified]**. I can assure you that every effort will be made to ensure that all future dealings that you may have with the College will prove to be satisfactory.

I hope you will view this response as helpful in addressing your concerns. However, if you have any further concerns, require any information, or would like to attend a meeting to discuss your **complaint / appeal** further, please contact me to resolve any outstanding issues you may have.

I should also like to take this opportunity to thank you for contacting us about your concerns. The opinions of those who use our services give us valuable insight into the service that we provide and areas where improvements might be made.

Because you are studying on a programme validated by the Open University (OU) you can request that the OU reviews this outcome if certain conditions are met. Please read “Appendix 1: Student

Complaints and Appeals Procedure” of the Open University’s Handbook for Validated Awards⁶ to understand if you would be eligible to request the Open University review this outcome, and if so, the timeline and process you will need to follow. Do read the Open University’s documentation for full details, however, you should be aware that it is important that the OU receives any complaints or appeals as soon as possible, and within three months of the date of this letter. A delay may mean that the OU are unable to investigate the matter fully.

Please note, that procedures will not be deemed officially ‘completed’, and therefore you would not be able to ask the Office of the Independent Adjudicator for Higher Education (OIA) to review this outcome until you had also exhausted the Open University’s processes. If you were to follow and complete the Open University’s processes, you would then be issued a ‘Completion of Procedures’ letter and at that point would be entitled to request that the OIA review the complaint. Please be aware that there are time limits within which you would have to request the OIA review a complaint – typically students have 12 months to bring an appeal to the OIA, although please visit their website for the most up-to-date information.

Yours sincerely,

[Authorised signatory]

⁶ <https://www.open.ac.uk/about/validation-partnerships/about-ou-validation/ou-handbook-validated-awards>

Template letter when 'Third Stage: Appeal' stage has been concluded internally for students studying on University of Gloucestershire validated courses, relating to matters that have the right of appeal to UoG.

Dear **[Name of complainant]**,

This letter confirms that the internal procedures of Yeovil College 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]**.

Our final decision is* **[detail]** because **[reasons]**.

In conclusion the College will be taking the following actions in relation to the issues you have raised. **[Here you must add – actions to be taken, timescales and who is responsible.]**

Once again please accept my sincere apologies for any upset or distress that was caused to you or upset or distress you felt. **[Use the former phrase if the complaint was justified]**. I can assure you that every effort will be made to ensure that all future dealings that you may have with the College will prove to be satisfactory.

I hope you will view this response as helpful in addressing your concerns. However, if you have any further concerns, require any information, or would like to attend a meeting to discuss your complaint further, please contact me to resolve any outstanding issues you may have.

I should also like to take this opportunity to thank you for contacting us about your concerns. The opinions of those who use our services give us valuable insight into the service that we provide and areas where improvements might be made.

Because you are studying on a programme validated by the University of Gloucestershire (UoG), you can request that UoG review this outcome if you are dissatisfied with the outcome reached, if certain conditions are met. Please visit the 'Academic Appeals and Student Complaints'⁷ section of the UoG website to review UoG's procedures and understand if you would be eligible to request

⁷ <https://www.glos.ac.uk/information/knowledge-base/appeals-and-complaints/>

UoG review this outcome, and if so, the timeline and process you will need to follow. Do read the UoG documentation for full details, however, you should be aware that it is important that the UoG receives any complaints or appeals as soon as possible, and within their published timescales. A delay may mean that UoG are unable to investigate the matter fully.

Please note, that procedures will not be deemed officially 'completed', and therefore you would not be able to ask the Office of the Independent Adjudicator for Higher Education (OIA) to review this outcome until you had also exhausted the University of Gloucestershire's processes. If you were to follow and complete UoG's processes, you would then be issued a 'Completion of Procedures' letter and at that point would be entitled to request that the OIA review the complaint. Please be aware that there are time limits within which you would have to request the OIA review a complaint – typically students have 12 months to bring an appeal to the OIA, although please visit their website for the most up-to-date information.

Yours sincerely,

[Authorised signatory]

Template letter when 'Third Stage: Appeal' stage has been concluded internally for students studying on a higher education programme which does not have the right of appeal to a partner university.

Dear [Name of complainant],

Completion of Procedures Letter

This letter confirms that the internal procedures of Yeovil College 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]**.

Our final decision is **[detail]** because **[reasons]**. The **procedures / regulations** applied were: **[details and date as supplied to the OIA's electronic Regulations Bank]**.

In conclusion the College will be taking the following actions in relation to the issues you have raised. **[Here you must add – actions to be taken, timescales and who is responsible.]**

Once again please accept my sincere apologies for any upset or distress that was caused to you or upset or distress you felt. **[Use the former phrase if the complaint was justified]**. I can assure you that every effort will be made to ensure that all future dealings that you may have with the College will prove to be satisfactory.

I hope you will view this response as helpful in addressing your concerns. However, if you have any further concerns, require any information, or would like to attend a meeting to discuss your **complaint / appeal** further, please contact me to resolve any outstanding issues you may have.

I should also like to take this opportunity to thank you for contacting us about your concerns. The opinions of those who use our services give us valuable insight into the service that we provide and areas where improvements might be made.

Yeovil College 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 website⁸. The OIA also publishes An Introduction to the OIA Scheme for Students, which can be downloaded from the OIA website⁹. 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. 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]

⁸ <https://www.oiahe.org.uk/students/how-to-complain-to-us/>

⁹ <https://www.oiahe.org.uk/students/can-you-complain-to-us/>