



PROCEDURE FOR DEALING WITH ACADEMIC APPEALS (TAUGHT PROGRAMMES)

1. Introduction

An academic appeal is a request for a review of an academic decision that has been made in respect of student progression, assessment or award.

2. Scope of the academic appeals procedure

The academic appeals procedure can be used by currently registered students on any taught programme which contains an element or elements of assessed work. Former students may only appeal if they were prevented by exceptional circumstances from raising the matter while registered.

3. Establishing valid grounds for appeal

3.1 A student **may** appeal on the following grounds only:

- That there was an administrative error in recording or calculating the mark or result;
- That assessments were not conducted in accordance with the current regulations governing the programme of study;
- That performance in assessment(s) was adversely affected by illness or other significant factors which, for valid reasons, the student was unable to divulge before the Board of Examiners met to consider the student's performance.
- That some other material irregularity has occurred;
- That there was a procedural error in determining a decision of a breach of the Code of Practice on Academic Integrity.

3.2 A student **may not** appeal on any grounds:

- Which dispute the academic judgement of the Board of Examiners/markers.
- Which have already been considered by the Board of Examiners.
- Which could have been considered, had the student given prior notice to the Board of Examiners, and has no valid reason for failing to do so.

4. Appeals against individual module or assessment marks

Students may appeal against the mark awarded for an individual assessment if they have not yet completed their programme of study and wish to appeal against a module or assessment mark, including a mark of zero awarded following a finding that a breach of the Code of Practice on Academic Integrity has occurred. It should

be noted that marks are provisional until ratified by the final Board of Examiners for the programme.

- 4.1 Before submitting an appeal, the student should consult with the Director of Education or his/her designated representative, to clarify any possible misunderstanding about the way in which the examination or other work has been assessed.
- 4.2 An appeal against an assessment or examination mark should be made within 10 working days of the publication to students of provisional marks.
- 4.3 The student should submit a written statement of appeal accompanied by supporting evidence to the Academic Registrar. This may be submitted electronically via email or in hard copy to the Student Support Desk. Based on the information provided, the Director of Education will determine whether or not the student appears to have *prima facie* grounds for appeal.
- 4.4 Where the Director of Education considers that there are no *prima facie* grounds for appeal, the Academic Registrar will inform the student, in writing, of this decision and issue a Completion of Procedures letter. The student has no further right of appeal under these circumstances.
- 4.5 If the Director of Education considers that the student has presented *prima facie* grounds for appeal, an Academic Appeals Panel (AAP) will normally be convened, comprising the Director of LSTM and two academic staff who are not involved in teaching or assessing the student concerned. The AAP will review the case based on the information presented by the Director of Education and conduct any further investigations it deems necessary.
- 4.6 The student is informed that the AAP is taking place and is invited to make representation in person.
- 4.7 If the Director of Education agrees that a procedural irregularity has occurred as defined in 3.1, the Chair of the AAP will be notified of the circumstances of the appeal and may make a decision on action to be taken without convening the AAP.
- 4.8 Following an AAP, if the appeal is upheld, the matter will be referred back to the relevant Board of Examiners for action as follows:
 - Where there is evidence that there had been an error in the calculation of the mark, the mark should be amended appropriately.
 - Where there is evidence of a procedural irregularity in the conduct of an assessment or examination which could be deemed to have disadvantaged the student in his/her performance in the assessment, the relevant Board of Examiners will determine the most appropriate course of action.
 - Where there seems to be evidence of a procedural irregularity in the determination of a breach of the Code of Practice on Academic Integrity, to such an extent as to cast doubt on the reliability of the recommendation by the Academic Integrity Panel, the Director of Education will appoint a new Academic

Integrity Panel to investigate the alleged breach of academic integrity, and where appropriate, make a recommendation to the Board of Examiners, who may overturn the original decision.

- 4.9 The student will be informed in writing by the Academic Registrar of the outcome of the appeal and any action to be taken. The letter will include notification that the student(s) has completed the internal procedures of LSTM with respect to academic appeal.
- 4.10 If the student has exhausted the procedures set out in Section 4 and remains dissatisfied with the outcome of those procedures, further appeal may be made to the Office of the Independent Adjudicator for Higher Education (OIA). Further details and advice on how to do this are available from the OIA website at the following address: www.oiahe.org.uk

5. Appeals against the decision of the Board of Examiners on completion of a programme of study

Students may refer to this section if they wish to appeal against the non-award of a degree, diploma or certificate, or to appeal against the classification or other mark of differentiation of a degree, diploma or certificate, or to appeal against a decision to make a different award from that for which the student was attempting to qualify.

- 5.1 In the first instance, the student should consult with the Director of Education, or his/her delegated representative, in order to clarify any possible misunderstanding about the way in which the examinations or other work was assessed.
- 5.2 If, after consulting with the Director of Education or his/her representative, the student wishes to proceed with an appeal, the student must:
- Within 10 working days of the formal confirmation of the result by the Board of Examiners, give notice in writing to the Academic Registrar of their intention to appeal, stating on what grounds the appeal is being lodged. This can be submitted electronically or in hard copy via the Student Support Desk.
 - Within a further 14 working days, present a full case in writing to the Academic Registrar, submitted electronically or in hard copy via the Student Support Desk.
- 5.3 Upon submission of an appeal, students should not accept a degree or other award until the conclusion of the appeals procedure.
- 5.4 Appeals on the grounds of illness or other significant factors must include full documentary evidence and state reasons why the information was not presented in advance to the Board of Examiners
- 5.5 Appeals on the grounds of administrative error must include a detailed description of the error which is alleged to have occurred.
- 5.6 Students should be assured that, should they lodge an appeal in good faith, they will not be disadvantaged should that appeal not subsequently be upheld.

- 5.7 Based on the information provided by the Academic Registrar, the Director of Education will determine whether or not the student appears to have *prima facie* grounds for appeal.
- 5.8 Where the Director of Education considers that there are no *prima facie* grounds for appeal, the Academic Registrar will inform the student, in writing, of this decision. A student may appeal against this decision to the Director of Education. In this case, an AAP will be convened.
- 5.9 Where a *prima facie* case for appeal has been established, the Director of Education will convene an Academic Appeals Panel (AAP), comprising the Director of LSTM, two academic staff who are not involved in teaching or assessing the student concerned and a member of the LSTM Board of Trustees.
- 5.10 Documentation relating to the case will be forwarded to the Chair of the AAP by the Academic Registrar. This will include:
- The student's letter of appeal and any supporting evidence
 - Copies of the relevant regulations
 - Copies of any other relevant information or statements, including a written report from the Director of Education or his/her representative.
- 5.11 The student is informed that the AAP is taking place and is invited to make representation in person.
- 5.12 The AAP will determine the outcome of the appeal based on information about the case and will conduct any further investigations it deems necessary.
- 5.13 The student has the right to be accompanied by a friend if he/she wishes, and both may speak at the meeting. The student may also call witnesses to attend the meeting. The student is responsible for giving anyone accompanying them, details of the meeting date and time and for securing their attendance. The student should give names of anyone accompanying him/her to the Secretary to the AAP in advance of the meeting.
- 5.14 The Director of Education may also call witnesses to the meeting, and is responsible for giving them details of the meeting and for securing their attendance. The names of any witnesses attending the meeting should be given to the Secretary to the AAP in advance.
- 5.15 Evidence will be taken in the following order:
- a) The student
 - b) Witnesses in support of the student
 - c) The Director of Education or his/her nominee
 - d) Witnesses in support of the Director of Education
 - e) Final statement from the student

- 5.16 Members of the Academic Appeals Panel may put questions to anyone attending the meeting. The student and the Director of Education may put questions to each other and to the witnesses, through the Chair. If the student does not attend the meeting, the Panel may proceed in his/her absence, provided the Secretary has made every reasonable effort to inform the student that the meeting is taking place.
- 5.17 The Academic Appeals Panel will consider their decision in private.
- 5.18 The decision may be that the appeal is dismissed; or the appeal is upheld and the Panel recommends reconsideration by the Board of Examiners.
- 5.19 The student will be informed by the Academic Registrar of the outcome of the decision of the Board of Examiners and any action to be taken as soon as possible, but in any event, in writing within five working days of the date of the meeting. The student will be informed that this completes LSTM's internal procedures.
- 5.20 If the student remains dissatisfied with the outcome of those procedures, then further appeal may be made to the Office of the Independent Adjudicator for Higher Education (OIA). Further details and advice on how to do this are available from the contact given below or by accessing the OIA website at the following address:
www.oiahe.org.uk