



**Cheshire College
South & West**

CCSW Academic Regulations – Part J

Academic Appeals

Introduction

- Assessment may take a variety of forms including dissertation, examination, project, essay, presentation, practical work or any other exercise which is designed to enable students to demonstrate achievement.
- Prior to submitting an appeal, students should raise issues informally with members of the Programme Team and attempt to resolve any concerns.
- Impartial advice on how best to raise issues is available from the Student Centre, Wellbeing Centre and the Student Hub.
- It is important that students ensure that any circumstance which they feel could adversely affect their performance is recorded in accordance with the published procedures (with reference to EEC guidance in particular) and within the deadlines set down in those procedures. It is unlikely that an appeal on this basis will be successful if the student has not reported it and followed the appropriate procedures.
- All staff involved in an appeal will maintain confidentiality.

Valid Grounds for Appeal

Students can only appeal against an assessment result (including an RPL decision – see Part C) or a decision of an Assessment Board for one or more of the following reasons:

- That the student's performance in an assessment suffered through illness or other compelling circumstances which could not have been reasonably reported at the time of the assessment; students who base an appeal on this ground will be expected to show why the circumstances could not have been reported earlier;
- That the assessment was not carried out in accordance with the programme and/or module regulations and procedures;
- That the administrative procedures were not correctly followed or that a significant mistake was made in the administrative process (such as recording the grade in Markbook for example);
- That the assessor(s) or the Assessment Board did not consider all the previously reported circumstances which may have significantly affected the student's performance. Students are reminded that such circumstances must be recorded at the time they arise.

Invalid Grounds for Appeal

- Students cannot appeal against academic judgement.
- Students cannot make an appeal based on a complaint which was not formally recorded at least seven days prior to completion of the assessment process, ie formal release of results.
- In cases where such a formal complaint has been made, but not satisfactorily resolved, the complaint investigation will be completed before consideration of the appeal. If the circumstances can be shown to have had an effect on the student's performance any relevant findings may be subsequently taken into account in considering the appeal.

Making an Appeal

There are three routes by which students can make an appeal:

- For a student who is registered for a programme with a partner HEI then the student should follow the relevant HEI regulations relating to academic appeals. These programmes are subject to an Assessment Board and appeals can only be made against a decision of such a Board on formal release of results.
- External Awards: This route is used for a programme of study leading to an award of an external professional body or in partnership with an external professional body, for example, AAT or CIMA
- For a student who is registered on a College programme of study (ie Pearson programme) then the procedure is set out below
- **Appeal Procedure: College / Pearson Programme Awards**
- This procedure relates to appeals against formally-released module results or the decision of an Assessment Board regarding a module or group of modules.
- Initially the student will approach members of the Programme Team or the Module Leader to seek clarification.
- If not resolved the student may raise an appeal with the Dean of Higher Education. To enable a student to make raise an appeal as swiftly as possible, this can be done by email to the Dean of Higher Education. The email must set out clearly the grounds for the appeal and clearly state the case with the desired outcome. Alternatively, the student may complete and submit a Formal Appeal Form to the Dean of Higher Education within 10 days of the date of formal publication of module results or following receipt of the letter from the Dean of Higher Education post Assessment Board.
- On receipt, the email or form will be checked to ensure that it complies with the following:
 - It is fully completed (including desired outcome, signature – an email signature will suffice)
 - All relevant evidence is attached
 - The case is clearly stated and relates to one of the previously listed grounds for appeal.
- The College reserves the right to reject an appeal submission without further investigation if it fails to comply with all of the above.

- Receipt of the appeal will be acknowledged to the student by the Dean of Higher Education or nominee, who will advise the student on whether the appeal submission has been accepted and the anticipated timescale for the investigation. Students are advised that full consideration of an appeal including a panel may take up to 30 calendar days depending on the complexity of the circumstances
- The email or form may be copied to the Chair of the Assessment Board, the programme / course team leader nominee, The Examinations Manager and to the Assistant Principal with responsibility for the student's programme
- The Dean of Higher Education or nominee may collect written evidence from relevant members of staff or from the Assessment Board and will consult with the Chair of the Academic Quality Committee (AQC) or nominee.
- If after the above consultation the Dean of Higher Education or nominee establishes that the appeal is not properly based on one of the acceptable grounds set out above, s/he will recommend to the Chair of AQC or nominee that the appeal be turned down.
- If the Dean of Higher Education or nominee and/or Chair of the Assessment Board or nominee establish that the student does have grounds for appeal, a consultation may be held with relevant members of the Assessment Board, which may include an External Examiner. The consultation will agree what action, if any, should be taken to address the appeal without the need for a Formal Appeals Panel hearing. Any such action may be confirmed by Chair's action and reported to the next meeting of the Assessment Board.
- The Dean of Higher Education or nominee will notify the student of the decision and indicate the reasons why. Notification will mirror the contact from the student, so if the student emailed their appeal, then notification will be given by return email. A copy of the decision will be recorded on the student's ProMonitor record.
- The student will be deemed to have accepted this decision unless s/he rejects it by informing the Dean of Higher Education or nominee in writing giving reasons, within 14 days of receiving formal notification. Where the outcome is rejected by the student, s/he may request that the matter be referred to a formal Appeals Panel.

Appeals Panel

The Dean of Higher Education or nominee will convene the Appeals Panel which will comprise:

- A College academic Assistant Principal or nominee, other than the Assistant Principal or manager with responsibility for the student's programme, as Chair;
- Two members of academic staff, normally drawn from the membership of Academic Board or Academic Quality Committee ((AQC) or Head of Subject but not including any member of staff involved with the student's programme;
- A student representative, normally the HE Student Governor
- The Dean of Higher Education or nominee will act as Secretary to the Panel

- The Dean of Higher Education or nominee will notify the student, at least 14 days in advance, of the time, date and place of the panel hearing. This timescale can be reduced by mutual agreement.
- It is the student's responsibility to prepare and present her/his case and s/he is entitled to bring a friend. This person should be a member of the College or a Student representative. The friend may make representations on the student's behalf with permission of the Chair of the Panel. Where the appeal is brought by a student under the age of 18, they may be accompanied by a parent or guardian. Details of anyone accompanying the student must be notified to the Appeals Panel seven days in advance of the hearing.
- The student is entitled to call witnesses, but must notify the Dean of Higher Education or nominee seven days in advance of the panel hearing if s/he intends to do so.
- The student is entitled to see in advance of the hearing all relevant evidence, except provisional assessment marks or grades, but must keep all such information confidential. S/he is entitled to be present throughout the hearing except for the private meetings of the panel.
- The panel may also call witnesses and may seek information from the Chair of the Assessment Board or nominee.
- Members of the panel may question the student and the witnesses. The student may also question the witness. All witnesses will leave the meeting after giving their evidence.
- When all the evidence has been heard, including the student's closing statement, the student and her/his friend or parent/guardian will leave the meeting and the panel will consider its decision in private.

Based upon the evidence the Appeals Panel will either:

- Determine whether to uphold the decision of the Assessment Board or published result; OR
- Require the Assessment Board to annul its decision or rescind the published result.

The decision of the Appeals Panel is final.

The panel's decision will normally be communicated to the student immediately after the meeting and subsequently confirmed in writing by the Chair. The report of the panel hearing, once approved by the Chair of the panel, will be submitted in confidence to the members of the panel, the Chair of the Assessment Board and to the Chairs of Academic Board, Academic Quality Committee (AQC).

If the Assessment Board is required to annul its decision or rescind the published result, then it must agree appropriate arrangements for the student to complete any outstanding assessment requirements as quickly as practicable and notify the student accordingly. Such arrangements may be agreed by a full meeting of the Assessment Board, convened especially for the purpose.

Completion of the College's Internal Procedures

Following the Appeals Panel, the College will confirm that the internal procedure has been completed.

In the event that the appellant rejects the findings of the Appeal Procedure, s/he may request an independent review of the process by the Office of the Independent Adjudicator (OIA) provided it is eligible under their rules. In such circumstances, the student should submit a Scheme Application Form to the OIA. Scheme Application Forms are available from the OIA website: www.oiahe.org.uk