

**HE ACADEMIC APPEALS
PROCEDURE
2023/24**

HE Academic Appeals Procedure

Policy Owner/Procedure: ELT

Date Approved: 09 October 2023

Next Review: June 2024

Responsibility for Review: Head of Quality

Policy Review Frequency: Annual

Applicable to staff: Yes/~~No~~

Applicable to students: ~~Yes~~/No

Publish on College website: Yes/~~No~~

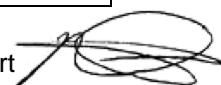
Consultation:

Undertaken with:	Yes/No:	Date:
Board/Committee		
ELT	Yes	09 October 2024
CMT		
Unions		
Students		
Employees		
Employers/Stakeholders		

Any Associated Documentation, for Reference:

HE Assessment Board Procedure, Academic Malpractice and Misconduct Procedure, Extenuating Circumstances Procedure, Recognition of Prior Learning Procedure.

ELT SIGN-OFF: Marie Haworth, Vice Principal Quality, Teaching, Learning & Learner Support



Contents

1. Introduction.....	4
2. Purpose	4
3. Appeals Process.....	4
3.1 Stage 1 – Informal Stage	4
3.2 Stage 2. Formal Stage.....	5
3.3 Appeals Panel.....	5
3.4 Documentation available to the panel.....	5
3.5 Panel Process.....	6
3.6 Possible outcomes.....	6
4. Adjudication	7
4.1 UCLan	7
4.2 Pearson	7
4.3 Office of the Independent Adjudicator (OIAHE) for Higher Education.....	7
5. General Data Protection Regulation	8
6. Monitoring and Review	8
Appendix 1. Academic Appeal Form.....	9
Appendix 2. Terms of Reference Academic Appeals Panel	12

HE ACADEMIC APPEALS 2023-2024

1. Introduction

This procedure relates to all higher education courses delivered at Preston College. The HE Academic Appeals Procedure is informed by the Office of the Independent Adjudicator for Higher Education Good Practice Framework: Handling complaints and academic appeals (OIAHE, 2022) - [OIAHE](#) and draws on the advice and guidance from the Quality Assurance Agency for England on Concerns, Complaints and Appeals (QAA, 2018) which represents a shared understanding of what the higher education sector considers to be good practice.

An academic appeal differs from a complaint and therefore appeals and complaints are considered under different procedures. A complaint is defined as a formal expression of dissatisfaction made by either a single student or a group of students about the provision of their programme of study or related academic service or facility or any other service provided by Preston College and therefore the Academic Appeals Procedure cannot be used to bring complaints. See Preston College's Complaints policy: [Policies & Procedures - Preston College](#)

2. Purpose

The purpose of this procedure is to establish the facts and come to a reasonable and just resolution, which is both relevant and proportionate. A prima facie case for appeal will be deemed to exist if there is evidence of one or more of:

- A material administrative error or irregularity in conduct of assessment which has affected the student's results and/or classification
- The production of significant new evidence concerning an outcome of an Extenuating Circumstance, Recognition of Prior Learning or Academic Malpractice panel.
- Prejudice or bias on the part of one or more of the examiners

In all cases, evidence should not have been available to the relevant Assessment Board or panel and will therefore not have influenced an outcome.

3. Appeals Process

Appeals should be received by the HE Manager on the Preston College Academic Appeals Form within **10 working days** of a student being notified in writing of the decision against which they wish to appeal. Submissions can either be emailed to HEAcademicAppeals@preston.ac.uk or handed in to the college reception desk.

3.1 Stage 1 – Informal Stage

For academic appeals raised against decisions made by Boards of Examiners or panel, the HE Manager or nominee will, on receipt of an appeal, arrange for a meeting between the student and the HE Manager to discuss the student's circumstances. The meeting may occur face to face or by telephone, email or video

call and will, wherever possible, occur within 15 working days from the receipt of an appeal. A student has the right to appoint a representative to accompany them at any meeting.

One of the following outcomes must be agreed at the end of the meeting:

- No prima facie case for appeal is found by the HE Manager, such cases will be considered as having exhausted the Academic Appeals process and will not proceed to Stage 2.
- Proceed to the formal stage

Students will in all cases be informed of the outcome of the informal stage in writing. Any student able to proceed their appeal to Stage 2 should inform the HE Manager in writing or by email to: HEAcademicAppeals@preston.ac.uk within 10 working days of receiving the decision of Stage 1.

3.2 Stage 2. Formal Stage

Where a student wishes to continue with their appeal the HE Manager will convene an Academic Appeals Panel (face to face or virtually) to hear the formal stage of the appeal.

3.3 Appeals Panel

To avoid any conflict of interest, members of any appeals panel must not have been party to any preceding decision that may have initiated the appeal.

The Panel will consist of:

- Vice Principal: Quality, Teaching, Learning & Learning Support or nominee
- Head of Quality and Higher Education or nominee
- Independent Head of School or nominee

In attendance:

- HE Manager (as required)
- Recruitment, Admissions and Careers Advisor (HE) (as required)
- HE Student Support and Wellbeing Coordinator (as required)

3.4 Documentation available to the panel

The HE Manager is responsible for providing documentation to the Academic Appeals Panel. This may consist of any documentation deemed relevant to the appeal and may be submitted by an academic colleague or by the student in question where either party believes it may assist the panel in their deliberation. All documentation must be provided to all parties prior to the meeting.

3.5 Panel Process

Students have a right to be accompanied at the Stage 2 Academic Appeal Panel; any person accompanying a student is present to support a student and as such should not contribute to the meeting unless at the behest of the student and only when invited to do so by the Chair. There is no right for a student to have legal representation at an Academic Appeals Panel.

The timing of the panel will be arranged to try to ensure the student can attend. If the student does not attend the Academic Appeals Panel, the Panel may continue to consider the appeal in the student's absence. The Panel may, if it wishes, adjourn the meeting if reasonable grounds for non-attendance have been provided (e.g. sickness absence).

The HE Manager will convene the Academic Appeals Panel either in person or virtually (via Teams). The panel will receive copies of the appeal form and student assessment detail report alongside any other evidence submitted in relation to the appeal. All reports available to the panel must also be made available to the student.

The Chair may at any point in the proceedings adjourn a panel meeting; such an adjournment would normally be for the purpose of seeking clarification on a particular issue so as not to disadvantage a student. Where a case implicates more than one student, Preston College may vary the structure and timings of meetings to ensure that all aspects are fully considered before reaching a conclusion.

A short meeting will take place before the panel meeting with panel members and the HE Manager to familiarise members with the case. The student and academic colleagues will then be asked to join the meeting to present their case to the panel.

Once the panel has heard the evidence and asked any further questions of clarification, the student, academic colleagues and anyone accompanying them will be asked to leave the meeting. The panel will then discuss the case and use the awarding body regulations to inform their discussions and decisions. Once a decision has been reached, the student and academic colleagues will be invited to re-join the meeting.

Normally, the student and academic colleagues will be advised of the panel decision verbally by the Chair on the day.

3.6 Possible outcomes

- i. To uphold the appeal based on the evidence presented and to amend the record of the student accordingly.
- ii. To partially uphold the appeal based on the evidence presented and to amend the record of the student accordingly
- iii. To dismiss the appeal

The HE Manager is responsible for ensuring that the student is informed in writing, normally within 10 working days of the Academic Appeal Panel of its decision. The letter, where appropriate, will advise the student of their right to refer the matter if they are unsatisfied. This will include links to the relevant awarding partner/awarding body's academic appeals procedure and deadlines.

4. Adjudication

A student can appeal to the validating partner or awarding body against the outcome of the College's internal appeals procedure. A student should only submit a request if they have exhausted the College's internal appeals processes and considers that they have been disadvantaged by the College. The appeal must be made to the appropriate awarding partner within their published timeframes.

4.1 UCLan

Programmes validated by University of Central Lancashire (UCLan) may include the right to refer the appeal to the University: studentappeals@uclan.ac.uk. Information about UCLan's academic appeals procedure can be found at Student Regulations and Policies www.uclan.ac.uk/studentcontract

4.2 Pearson

Students taking Higher National Certificates (HNC) and Higher National Diplomas (HND) Awarded by Pearson may have the option to present their appeal to the [Office of the Independent Adjudicator for students in Higher Education \(OIAHE\)](#).

Following the OIAHE process does not prevent students from pursuing an appeal with Pearson and they may choose whichever route(s) that they feel to be the most appropriate. Students can contact the Pearson Vocational Quality Standards team: vocationalqualitystandards@pearson.com. Information about Pearson's reviews and appeals policy can be found here: [Internal assessment in vocational qualifications review and appeals policy \(pearson.com\)](#)

4.3 Office of the Independent Adjudicator (OIAHE) for Higher Education

Once all internal procedures have been exhausted (which may include the right to refer the appeal to the awarding partner), and the student is still not satisfied and following the issuing of a Completion of Procedures letter, they have the right to take the case to the Office of the Independent Adjudicator (OIAHE) for Higher Education, for further review.

The application to the OIA must be made within 12 months of the issue of the Completion of Procedures letter. Information about the OIA and its processes can be found at <http://www.oiahe.org.uk/>

5. General Data Protection Regulation

Students should be aware that any information submitted to an Academic Appeal Panel will always be treated as confidential. There may be occasion however where documents could be used in conjunction with another College procedure. In the event of such a case the College will endeavour to inform the student prior to its use.

Under UK General Data Protection Regulations, Retaining Personal Data personal data should not be kept any longer than is necessary for the purpose for which it was obtained. Any documentation should meet the requirements specified in Preston College's Data Protection policy.

Students should make every effort not to provide details that relate to a third party. Where such information is provided, under UK GDPR Article 14, the College may be required to notify third parties that it is processing their data. Where possible and appropriate any such information should have personal information redacted, if information is received that has not been redacted the College will redact personal information immediately following its presentation to a panel.

Staff at Preston College who participate in an Academic Appeal Panel should be aware that information about them acting in their professional capacity may be disclosed to the OIA if it formed part of the information which has been considered under the College process.

6. Monitoring and Review

Preston College will monitor the receipt and outcome of all First and Second Stage appeals to identify trends and areas of good practice for the purposes of enhancing academic decision making and the student experience.

Appendix 1. Academic Appeal Form



Academic Appeals Form

Submission of this form initiates Preston College's Academic Appeals Procedure any submission should adhere to the regulations set out in that Procedure. Before submitting an academic appeal, you should discuss the matter with your course leader or other appropriate person to better understand the reason for the result or decision against which you wish to appeal. If the discussions do not resolve your concerns, you may invoke the Procedure. You may seek advice and guidance in preparing an appeal from your Curriculum Leader.

Note:

- You are responsible for submitting your own appeal. An appeal submitted by a third party will not be accepted unless accompanied by written authorisation from you.
- The Appeal Form must be submitted to HEAcademicAppeals@preston.ac.uk or handed to the reception area and must be done so within 10 working days of notification of the result or decision against which you are appealing.
- The document is completed fully
- Any supporting evidence is included with the application

Your Details

Full Name:			
Student Number:			
Curriculum Area:			
Programme of Study:			
Year of Study:			
Address for correspondence:			
Tel no:		Mobile no:	
E-mail:			

(we will normally contact you through your student email address)	
---	--

About Your Appeal

a) Please state the decision against which you are appealing e.g. academic malpractice and the details of your appeal

b) A request for an appeal against an Assessment Board including a Module Board decision will be valid only if it is based on one or more of the grounds listed below, and must be supported by suitable evidence: <i>Please tick the box(es) below to indicate on what grounds you are appealing:</i>
--

insufficient weight has been given to extenuating circumstances	
---	--

the student's academic performance has been adversely affected by extenuating circumstances which the student has for good reason been unable to make known at the time	
---	--

there has been a material administrative error at a stage of the process, or that some material irregularities have occurred	
--	--

the assessment procedure and/or examination(s) have not been conducted in accordance with the approved regulations.	
---	--

c) A request for an appeal against the outcome of an academic misconduct meeting/hearing will only be valid if it is based on the following grounds

d) Please indicate what supporting documentation you are submitting in support of your appeal (e.g. medical certificate, emails and other correspondence). This should normally be contemporaneous, and capable of verification.
--

e) Please indicate, without prejudice, what outcome or further action you are expecting from a successful appeal, e.g. "be offered a replacement first attempt at my exam":

Declaration:

I declare that the information given in this form is true and that I have consulted the academic regulations before completing the form.

Signed:

Date:

Note:

- The College will endeavour to maintain confidentiality in relation to your appeal but, in order for it to be considered fully, the content will need to be disclosed to members of staff who are involved in enacting the Procedure as well as staff whose involvement may be required to respond to the issues you have raised.
- By signing the declaration above you are consenting to the disclosure and sharing of information relevant to the appeal within the College at all stages of the Procedure.

Appendix 2. Terms of Reference Academic Appeals Panel

Chair: Vice Principal: Quality, Teaching, Learning & Learning Support (or nominee)

Membership: Head of Quality and HE (or nominee)
Independent Head of School

Academic Appeals Panel will be considered quorate only when all the above members are in attendance.

In attendance: Curriculum area academic representative (as required)
Recruitment, Admissions and Careers Advisor (HE) (as required)
HE Student Support and Wellbeing Coordinator (as required)
HE Manager (as required)

Minuting: Learner & Curriculum Administrator

Frequency: As required

Summary of Purpose: Responsible to Higher Skills, Quality and Standards Committee; to ensure the fairness and reliability of all judgements and formal decisions relating to the outcomes of Preston College's assessments and where appropriate, make recommendations of any remedial action to be taken by the College in the light of the considered appeal. To adjudicate on matters relating to Extenuating Circumstances, Recognition of Prior Learning and Academic Malpractice Panels decisions.

Terms of Reference

- To provide an opportunity to any individual to appeal against a final decision of an academic body charged with making decisions on student progression, assessment and awards.
- Under agreed College procedures, the Chair of the Panel will be able to substitute a decision on behalf of the College.
- To monitor the outcomes of individual cases through reporting to the Quality and Standards Committee.
- To report on trends and issues, including any need for policy change arising from consideration of an individual case or cases through reporting to the Quality and Standards Committee.
- To make judgements on the relevance of evidence that was not submitted in accordance with the deadline for Extenuating Circumstances (EC) applications.
- To make judgements and adjudicate on decisions made by the Academic Malpractice Panel.
- To make judgements and adjudicate on decisions made by the Recognition of Prior Learning Panel.