

## ACADEMIC APPEALS POLICY AND PROCEDURE

If you require any help or advice regarding this document, you can contact:

[Hallam Help](#)  
[Students' Union Advice Centre](#)

### Academic Appeals Policy

<i>Definition</i>	For the purposes of this policy, an appeal is a challenge to a decision by an academic body that makes decisions on student progress, assessment, or awards.
<i>Who can appeal?</i>	<p>Any student (including those studying at one of our collaborative partners in the UK or overseas) may appeal a decision they have received from one of the following:</p> <ul style="list-style-type: none"> <li>• Academic Conduct Review Panel</li> <li>• Assessment Board</li> <li>• Capacity to Study Panel</li> <li>• Exceptional Circumstances Panel</li> <li>• Fitness to Practise Panel</li> <li>• Research Degree Examiner Panel</li> <li>• University Research Degrees Committee</li> <li>• Head of Department regarding withdrawal for non-engagement with studies</li> </ul>
<i>Exclusions</i>	<p>This policy and procedure does not cover appeals about admissions or disciplinary decisions - these are dealt with by the <a href="#">Appeals and Complaints Procedure for Applicants</a> and by the <a href="#">Disciplinary Regulations for Students</a> respectively.</p> <p>Nor can it be used to challenge decisions to withdraw for non-payment of tuition fees or failure to enrol by the published deadline. Concerns about these decisions may be raised via the <a href="#">Student Complaints Policy and Procedure</a> if students feel there are mitigating factors that have not been fully considered.</p>
<i>Grounds for appeal</i>	<p>Students can appeal a decision of an academic body on one or both of the following grounds:</p> <p><b>There has been an irregularity in the application of the relevant regulation, policy or procedure which has had an impact on the decision.</b></p> <p>or/and</p> <p><b>There is relevant new evidence or information that you did not provide, and you have a valid reason why you did not submit it at the time.</b></p> <p>Disagreement with academic judgement does not constitute grounds for appeal. The definition of academic judgement by the Office of the Independent Adjudicator is <sup>1</sup> "a judgement that is made about a matter where only the opinion of an academic expert will</p>

<sup>1</sup> <http://www.oiahe.org.uk/glossary.aspx>

	<p>suffice". This means that you cannot question judgement made by an academic about the quality of your work or the assessment criteria being applied to mark your work.</p>
<i>Eligibility</i>	<p>We will consider an appeal if:</p> <ul style="list-style-type: none"> <li>• It relates to a formal decision issued by the academic body.</li> <li>• It is submitted within 10 working days of that decision being issued to you.</li> <li>• It is based on one or both permissible grounds and supported by documentary evidence.</li> </ul> <p>Appeals submitted beyond 10 working days of receiving the decision will not be considered unless students can demonstrate there are valid reasons why they could not have raised them sooner.</p>
<i>Representation</i>	<p>We expect students to submit appeals themselves. Only in exceptional circumstances can a third party submit an appeal form on your behalf. You must request permission in writing via <a href="mailto:appealsandcomplaints@shu.ac.uk">appealsandcomplaints@shu.ac.uk</a> with evidence stating reasons why you are unable to raise issues yourself.</p> <p>Our internal processes do not seek to imitate the legal justice system. As such, it is our position that professional legal representation is not necessary for either party at any point of the appeals procedure. If you believe your case is of such complexity that you require the person representing you to be a member of the legal profession, you must request permission in writing via <a href="mailto:appealsandcomplaints@shu.ac.uk">appealsandcomplaints@shu.ac.uk</a> stating reasons.</p> <p>The Head of Student Policy, Casework and Compliance, or nominee, will decide on all requests.</p>
<i>Consideration</i>	<p>Decisions on appeals will be made by senior members of the University. No one involved in decision-making will have had prior involvement in the issues raised in the appeal.</p> <p>We aim to complete consideration of an appeal and any associated review within 60 working days if students meet any deadline we set for submitting information and evidence. We will however be mindful of any factors that require more urgent consideration, for example where the matters raised affect progression to the next level of study.</p> <p>We will update students of the progress of their appeal, including where it is necessary to extend the deadline for response.</p>
<i>Outcomes</i>	<p>We will issue appeal outcomes in writing, setting out the findings and any action to be taken. Outcomes will include information about the next steps a student can take if they remain dissatisfied with the response to their appeal.</p>

## Academic Appeals Procedure

1 Decisions issued by academic bodies will include information about how you might appeal that decision. This information will be included in the decision letter, or within the results page on My Student Record for decisions on marks and awards confirmed by an Assessment Board. You can initiate the appeals procedure at that point by completing the online concerns form:

- SHU Students: [Student Concerns Form](#)
- External Parties: [Student Concerns Form \(external\)](#)

2 There are a maximum of three stages through which a concern may be considered: -

Triage	A preliminary assessment of the concerns form to decide on the most appropriate way of responding	See sections 3-5 below.
Investigation (Appeal Stage 1)	Cases will be referred to this stage when concerns cannot be quickly resolved during the triage process.	See sections 6-8 below.
Review (Appeal Stage 2)	Students may escalate their appeal to this stage on certain grounds if they remain dissatisfied with the response at Stage 1	See sections 9-13 below.

### Triage

3 The Head of Student Policy, Casework and Compliance (or nominee) will undertake a preliminary assessment of the information provided on the concerns form and decide whether we can quickly resolve your concerns outside of the formal appeal procedure.

4 If the nature of your concerns mean that an early resolution is not possible, it will be referred to the Investigation Stage of the academic appeals procedure if it meets the eligibility criteria set out in the Academic Appeals Policy. The reasons why it may not be eligible are:

- The academic body has yet to issue its formal decision (e.g., your concerns are based on provisional marks rather than confirmed marks issued by the Departmental Assessment Board). In this case, we will explain the process for confirming your mark and you will be advised to talk to a member of academic staff about the mark you have received.
- You have submitted the concerns form beyond the deadline stated in the Academic Appeals Policy without a valid explanation. The type of explanation we would normally accept is where you were incapable of submitting on time due to serious health or personal reasons, provided that the explanation is supported by independent and authoritative evidence from a third party to confirm the circumstances that have delayed you submitting the appeal.
- Your concerns are not based on any of the grounds stated in the Academic Appeals Policy.

5 We will write to you to confirm your form has been received and is being considered within the triage stage. We will aim to complete the triage stage within 10 working days and will write to you again at the end of this to confirm the action we are taking, including whether your concerns have been passed to the investigation stage.

### The Investigation Stage (Appeal Stage 1)

6 An investigator will be assigned from within the Student Policy, Casework and Compliance Team. The investigation will be proportionate to the scale of the issues being raised and the material impact they have had on you.

7 The findings of the investigation will be considered by an Appeal Panel comprising senior managers from academic and professional services areas. The Appeal Panel will decide whether to accept or decline your appeal. If the appeal is accepted, the Appeal Panel will decide what action to take. This may include referring the case back to the academic body for further consideration.

8 The Appeal Panel's findings will be reported to you in writing. This response will:

- Confirm the decision and comment on any key aspects of the case.
- For accepted appeals, explain the action taken as a result and the implications of those actions in terms of assessment, progression, and awards.
- For appeals that have been declined, explain the grounds and timescales by which you may escalate your complaint to the Review Stage (Appeal Stage 2).

## **The Review Stage (Appeal Stage 2)**

- 9 You may request a review of the Stage 1 decision in one or more of the following situations:
- Where you have evidence that the procedures were not properly followed during Stage 1, and that this impacted the decision on your appeal.
  - Where you have new, relevant evidence that you can demonstrate you were unable to provide earlier for reasons beyond your control.
  - You believe the outcome at Stage 1 was clearly unfair or manifestly unreasonable.
- 10 You can request a review of the Stage 1 decision by completing the Appeal Review Form: <https://forms.office.com/e/sbXRbMkj0H>. You should do this within 10 working days of us sending you the Stage 1 outcome. Forms received beyond the 10-working day period will only be considered in exceptional circumstances where you have provided a valid reason, with evidence, for the delay.
- 11 The Chair of the Review Panel (or nominee) will determine whether the request is eligible for consideration. The reasons why it may not be eligible are that:
- It is late without a valid reason.
  - It does not relate to any of the situations by which a review can be requested.
  - It is not supported by new, relevant evidence.
  - It is raising new issues not reported in the Stage 1 appeal.
- 12 A Review Panel meeting will be convened comprising senior managers from academic and professional services areas. No member of the Panel will have had any previous involvement with your case. You will have the opportunity to attend a meeting of the Review Panel if you wish. If you choose to attend, we will:
- Confirm the date of the meeting and the names of those attending no later than two weeks before it is due to take place.
  - Provide you with a copy of all the information sent to the Review Panel regarding your appeal.
  - Permit you to be accompanied by one other person.
- 13 The Review Panel's findings will be reported to you in writing and, where appropriate, will explain any action we will take. The Review Panel's decision will be final from a university point of view. If you remain dissatisfied with that response, you can apply for a review of your case by the Office of the Independent Adjudicator for Higher Education (OIA). We will issue a Completion of Procedures letter which will explain how to do this.

## **Office of the Independent Adjudicator for Higher Education (OIA)**

- 14 The OIA is the independent body appointed in the higher education sector to review complaints by students against higher education providers. The OIA will not normally consider a case until the internal procedures of the University have been exhausted and a Completion of Procedures statement is issued. We will issue, or offer, a Completion of Procedures statement at the point that we issue a final decision on your complaint. This will normally be in one of the following scenarios:
- Where your appeal is ruled ineligible for progression at either of the formal stages of the appeals procedure.
  - Where we issue the final decision at the review stage of the appeals procedure.

## **Progressing on your course whilst an appeal is being considered.**

- 15 We will prioritise appeals against decisions that are preventing you from continuing the course or progressing to the next level of study. However, if we cannot conclude the appeal by the start of a new academic year or block of study, you may be allowed to attend teaching and submit assessment pending the outcome of the appeal provided that the appeal has been submitted on time and is still being considered at either stage of the appeals procedure at the start of the new academic year or block of study.
- 16 You must speak to a Student Support Adviser to discuss whether this option is available to you and to ensure that you understand the implications of progressing to the next academic year or continuing on your course pending the outcome of your appeal. Each case will be considered on an individual basis and if you are permitted to continue with your studies, it will be under the following conditions:
- Your enrolment status will be conditional (pending the outcome of the appeal) which means that you will not be charged tuition fees, and you will not be able to access student funding.
  - If your course includes a placement, it may not be possible to attend placement pending the outcome of your appeal.
  - Once we have made the final decision on your appeal, your conditional enrolment status will be updated accordingly.
- 17 If your case is under consideration by the OIA and the decision appealed against would prevent you from progressing normally on the course at the start of an academic year, you are not permitted to attend the programme or take assessments and are not permitted to enroll.

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