

PROCEDURE FOR APPEALS AGAINST ASSESSMENT DECISIONS

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| Subject: | Procedure for Appeals against Assessment Decisions |
| Origination Date: | June 2006 |
| Effective date: | June 2021 |
| Reviewed : | June 2021 |
| Person responsible: | Deputy Principal |
| Approved by: | SLT |
| For action by: | Curriculum Directors, Heads of School, Section Managers, Course Team Leaders, all teaching staff, Head of Pastoral/Tutorial Support, Attendance Co-ordinators, Learning Advocates and School Administrators |
| For information to: | All staff |

POLICY NO. S7/21

1.0 Background

- 1.1. These procedures for appeals against assessment decisions are set within the context of the college Assessment Policy.
- 1.2. The Assessment Policy is the measure through which the College seeks to protect the rights of its students to fair, honest and systematic assessment processes which ensure that standards of quality and equal opportunity are maintained and promoted. The Assessment Policy states that all students should be given information about and have access to the college Procedure for Appeals against Assessment Decisions and any other assessment appeals procedure set by external bodies which is relevant to their programme.
- 1.3 In addition to the college Assessment Policy, the College has developed an Academic Malpractice Policy. In some cases, for example, where there is evidence that grading issues may be related to academic malpractice, it may be more appropriate to refer to the latter policy when dealing with such instances.

2.0 Scope

- 2.1 These procedures apply to all enrolled students and to all programmes managed and delivered through the authority of HCUC
- 2.2 Appeals processes do not discriminate against students as a result of gender, race, disability, sexuality, age, pregnancy/maternity, religion and belief or marital status
- 2.3 These procedures cover all appeals against assessment decisions made by staff carrying out assessment under the authority of HCUC.

- 2.4 In order for an appeal to be requested, the outcomes of the assessment decision must be seen to seriously hinder full accreditation or progression.
- 2.5 Appeals must be made in writing to the Head of School within 10 working term-time days of the relevant assessment decision being communicated to the student.

3.0 Grounds for Appeal

- 3.1. The grounds for appeal against an assessment decision are:
 - 3.1.1. The assessment procedures were not conducted in accordance with the requirements of the Awarding Body, the College's Assessment Policy or in accordance with college requirements
 - 3.1.2. The assessment was based on inadequate, incorrect or biased information
 - 3.1.3. The student's performance was adversely affected by illness or other circumstances beyond their control which was for good reasons unable to be made known to the assessor at the time of assessment against which appeal is being made
 - 3.1.4. The assessment decision may seriously hinder full accreditation or progression.

4.0 Exceptions

- 4.1. This appeals procedures will not apply in the following circumstances:
 - where work is externally assessed.
 - where appeals against assessment decisions are superseded by external awarding body requirements.
 - where appeals against assessment decisions are superseded by the requirements of other institutions under whose authority the programme is being delivered and who have separate assessment appeals procedures.
 - vexatious appeals
 - where the QAA/Ofqual in liason with Awarding Bodies, introduce an Extraordinary Assessment Framework with specific overall and bespoke awarding body Appeal procedures

5.0 Appeals Procedure – Informal Stage- Early Resolution

- 5.1. Students who wish to question the correctness of an assessment decision or the procedures under which the assessment decision was carried out should, in the first instance do so by seeking guidance from their Course Tutor or relevant college Manager.
- 5.2. Wherever practicable, and permitted by awarding organisation regulations, it is advisable that a second assessment is undertaken, preferably by an independent person to verify the original decision. The purpose of this is not to give advice to the student or college staff but to provide further information on the legitimacy of taking forward the appeal.
- 5.3. These informal procedures do not form part of the formal procedures but evidence that these processes have been undertaken will be necessary before formal procedures may be considered.
- 5.4. Should the student be dissatisfied with their attempts to resolve the matter informally, then formal procedures may be followed provided the appeal meets

the grounds for appeal specified in this procedure and follows awarding body regulations.

6.0 Appeals Procedure – Formal Stage

- 6.1 Appeals against assessment decisions should be made in writing to the Curriculum Director who may pass it to an alternative, Curriculum Director who has not been involved with the student's assessment, and must include the following information:
- the student's full name
 - the name of the assessor and course tutor relevant to the student's programme
 - details of the assessment decision against which an appeal is being requested
 - reason for the appeal – citing 3.1.1, 3.1.2, 3.1.3 or 3.1.4.
- 6.2 On receipt of the letter of appeal, the Curriculum Director shall decide whether the appeal meets the grounds for appeal specified in the paragraphs 3. Or where the grounds for appeal are not met the Curriculum Director
- 6.3 will write to the person making the appeal within 10 working days detailing the reasons for their judgement.
- 6.4 Provided that grounds for appeal are met, the Curriculum Director shall convene an assessment review panel whose membership shall comprise:
- the relevant Head of School
 - an internal verifier not connected in any way with the original assessment decision
 - the Lead IV
- 6.5 In convening the Assessment Review Panel, the Curriculum Director shall give due consideration to the extent to which each individual member is able to form an effective judgement about the appeal given the nature of the appeal and the type and subject matter of the assessment.
- 6.6 Where there are grounds for appeal the Curriculum Director shall notify the student in writing within 10 working days informing them of:
- the membership of the Assessment Review Panel
 - the date when the Review Panel shall meet to hear the appeal which shall be not more than 15 working, term-time days after the appeal was requested
 - details of how the review will be carried out as described in paragraph 7.0.
- 6.7 The Assessment Review Panel shall meet not more than 15, working term-time days after the appeal has been requested
- 6.7 The student shall be given not less than 10 working term-time days' notice of the meeting of the Assessment Review Panel, except where it is to the student's advantage to hold the meeting without delay. He/she will be advised in writing of their rights to:
- attend the meeting
 - be accompanied by a friend or other advocate (non-legal) of his/her choosing
 - the necessity to supply any written evidence at least 5 days before the meeting of the Assessment Review Panel
 - arrangements for the calling of witnesses as described in paragraph 6.8.
- 6.8 The student may call witnesses to the review panel provided the names and addresses of the witnesses are made known to the Chair at least 5 working days in advance of the panel meeting.

7 Assessment Review Panel Hearing

- 7.1. The Assessment Review Panel shall review the case within the following framework:
- (a) evidence discussed shall relate only to situations and information already known to the student
 - (b) the student and/or his/her advocate shall have the right to put their case and to question witnesses called by the panel
 - (c) staff carrying out the assessment or involved with the assessment shall have the right to outline the reasons for their assessment decision
 - (d) members of the Assessment Review Panel shall have the right to seek further information, to question those present and to pursue any line of enquiry which shall lead to a fair hearing and judgement on the appeal.
- 7.2. The outcome of the Assessment Review Panel will be communicated to the student not more than 10 working days after the Panel has met and shall clearly outline the reasons for their decisions.
- 7.3. The decision of the Assessment Review Panel is final and shall not be subject to further appeal within the College, except in circumstances where the student believes the review was not carried out in accordance with these procedures. In such circumstances the student has the right of appeal within 10 working days to the Vice Principal who shall decide within 5 working days whether to reconvene the Review Panel. The Vice Principal's decision is final.
- 7.4. After the outcome of the College's internal appeal's procedure, if the student considers him/herself to be disadvantaged by a decision concerning assessment outcomes and/or reasonable adjustments, he/she may then take the appeal to the external, awarding organisation, and/or the Office for Independent Adjudication (OIA), for higher education courses.
- 7.5. For higher education students, the College will inform the student of 'completion of procedures' and provide details of how to contact the external awarding organisation or OIA.

8 Quality Improvement

- 8.1. This procedure commits the College to the ongoing improvement of its assessment processes and the implementation of our policies for equal opportunity.
- 8.2. The number of appeals against assessment decisions and the outcomes of such appeals must be recorded by Heads of School and records will be notified to the Academic Standards office and examined in the annual Assessment Health Check.

Completion of Procedures Letter Template

Please note - the format may be adjusted to meet the individual circumstances of a complaint provided that the key points below are included.

Dear [*Name of complainant*],

Completion of Procedures Letter

This letter confirms that the internal procedures of [*name of higher education provider*] in relation to your *appeal* regarding [*please describe*] have been completed.

The issues that you raised in your *appeal* were [*details*]

The issue(s) that were considered in relation to your *appeal* was / were*: [*brief summary of the appeal*].

The final decision of [*name of higher education provider*] is* [*detail*] because [*reasons*].

The procedures / regulations applied were*: [*details and date as supplied to the OIA's electronic Regulations Bank*].

[*Name of provider*] 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 appeal* to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the appeal you take to the OIA is eligible under its Rules.

Should you decide to make an appeal 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 2018, this date should be 9 July 2019*].

[*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 website. <http://oiahe.org.uk/making-a-complaint-to-the-oia/oia-complaint-form.aspx>. 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 an appeal to the OIA and the OIA Complaint Form can also be found on the OIA's website <https://www.oiahe.org.uk/students/how-to-complain-to-us/>. You may also wish to seek advice from the Students' Union about taking your appeal 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*]