

## **APPENDIX H (iii)**

### **THINKING OF MAKING AN ACADEMIC APPEAL? NOTES OF GUIDANCE**

These notes of guidance should be read in conjunction with the Academic Appeals Procedures.

#### **Can I make an Academic Appeal?**

You may only make an Academic Appeal on the grounds prescribed by the Academic Appeals Procedures. If you submit an Academic Appeal you will be referred to in the procedures as 'the appellant'. A list of matters which are not grounds for Academic Appeal is cited in Section 7, paragraph 7.3 of the Assessment Handbook).

In addition, the following are not grounds for an Academic Appeal:

- Missing deadlines because of computer, multimedia or transport difficulties;
- Losing work due to computer or multimedia failure;
- Failing to read an examination timetable correctly;
- Employment commitments;
- Work entrusted to another person or a postal or other service for delivery was not submitted on time.

This list is not exhaustive and reasons of a similar nature or demonstrating similar lack of forethought on the part of the student will not be considered.

**You cannot appeal against academic judgement.** Every piece of work is marked in relation to the learning outcomes, and a pass mark means that you have achieved them. Marks are moderated between teaching staff, and endorsed by external examiners. These systems help to ensure that the marks awarded to you are fair.

#### **When can I make an Academic Appeal?**

Academic Appeals can only be made after results have been confirmed by the Awards Assessment Board or Examination Committee.

**Within 14 calendar days** of the official results publication date you must submit your full appeal using the **Academic Appeal Form** to the Dean of Academic Quality and Enhancement, University of Chester. You must submit valid supporting evidence, as stated in Section 7, paragraph 7.5 of the University's Academic Appeal Procedures in this Handbook.

An Appeal will not be considered if the **Academic Appeal Form** is submitted incomplete or after the expiry of the above time limits unless the Dean of Academic Quality and Enhancement considers there is a valid reason for incomplete or late submission. **Being on holiday will not be accepted as a reason for the late submission, neither will an alleged lack of knowledge of the Academic Appeals Procedures.**

#### **How do I make an Academic Appeal?**

You may wish to take advice from the Students' Union before submitting your Academic Appeal.

It is vital that you complete all sections of the **Academic Appeal Form**. You must state the grounds upon which you are appealing. The grounds can be one or more of the following: You should indicate on the form which modules and forms of assessment were affected by the circumstance(s).

- 7.2.1.1 that the appellant's performance in the assessment was adversely affected by personal illness or other exceptional personal circumstance(s) only if s/he was unable, or for valid and compelling reasons unwilling, to divulge such illness or circumstance(s) before the Awards Assessment Board or Examination Committee reached its decision. Such illness or circumstance(s) must have had a demonstrable and substantial negative impact on the resulting assessment outcome;
- 7.2.1.2 that the assessment was not conducted in accordance with the relevant assessment regulations, leading to a demonstrable and substantial negative impact on the resulting assessment outcome;
- 7.2.1.3 that there was administrative error, on the part of the University, which had a demonstrable and substantial negative impact on the resulting assessment outcome;
- 7.2.1.4 that some other material irregularity on the part of the University occurred in the conduct of the assessment which had a demonstrable and substantial negative impact on the resulting assessment outcome;
- 7.2.1.5 that the appellant has been assessed as having a specific learning difficulty during the current academic session, subject to the following.

A student who is diagnosed during a programme, and who is debarred from submitting a retrospective claim to the Mitigating Circumstances Board under section 3 of the handbook governing the assessment of students, may none the less lodge an appeal in respect of assessment taken prior to, but in the same academic session (year) as, the diagnosis. A successful appeal in these circumstances will mean that the results of such assessments are set aside, and deferred assessments are granted. In no circumstances will deferral of assessment be granted in respect of assessment taken in a previous academic session.

The Dean of Academic Quality and Enhancement is empowered to grant a deferral of assessment on receipt of satisfactory evidence of the diagnosis of a Specific Learning Difficulty, provided the conditions set out in paragraphs 3 and 4 of section 9 of the handbook governing the assessment of students apply, without the need to convene an Appeals Board. In cases of doubt, recourse shall be had to the full Appeals procedure. In the case of students on professional programmes, those academic appeals which have been upheld on this ground shall normally be referred to the Assessment Review Board, in order that assessment of the professional components may be considered.

In your Statement of Appeal, you must:

- state the nature of the circumstance(s);
- explain the effect these had upon your assessment;
- if you are appealing on the grounds of personal illness or other exceptional personal circumstances, you must state the reason why you did not disclose your circumstance(s) at the relevant time, and did not apply for an extension, deferral or mitigating circumstances. **LACK OF KNOWLEDGE OF THESE PROCEDURES IS NOT ACCEPTABLE AS GROUNDS FOR APPEAL.** All procedures are detailed on SharePoint, and students are responsible for familiarizing themselves with these procedures; if it was the illness or exceptional circumstances of a family member or friend which you believe affected you, you must describe the effect of the illness or circumstances upon **you**, and submit medical or other professional evidence relating to the effect the illness or circumstance had on **you**.
- submit valid supporting evidence such as a medical certificate signed by a medical practitioner, or other sufficiently independent documentary evidence, relating to **you**. You should contact the Students' Union to discuss what other documentary evidence might be of relevance if you are unsure. You must submit original evidence as photocopies will not be accepted, and you must list all evidence on the **Academic Appeal Form**;
- in the case of alleged administrative error, assessment or other material irregularities, include as much information as you can about the error or irregularity.

**Note that disagreement with academic judgement is not a ground for Academic Appeal and will not be considered by an Academic Appeals Board.**

If you think that your mark or degree classification has been calculated incorrectly, you should first go to Student Programmes, who will check the calculations.

Please note that if you have any queries about your appeal you must contact the office of the Dean of Academic Quality and Enhancement yourself in writing either by post or email to [academicappeals@chester.ac.uk](mailto:academicappeals@chester.ac.uk). The Dean and his officers will not enter into discussion about your case with someone acting on your behalf and they will not discuss your Academic Appeal by telephone.

We must have an address for correspondence for the duration of your Academic Appeal. It is your responsibility to change your details on SharePoint if this is a permanent change of term time or home address. The Dean will not do this for you.

You should also ensure that your envelope has the correct postage – delivery of some academic appeals has been considerably delayed due to insufficient postage stamps being placed on an envelope.

You should keep a copy of your academic appeal submission, and of your evidence. If you ask us to, we will return original documents after the appeal is over. An exception to this is that, if you ask us, we will return death certificates immediately, once we have seen and copied the original.

## **What happens when I've submitted my Academic Appeal?**

The Preliminary Stage

Your Academic Appeal will be considered by the Dean of Academic Quality and Enhancement together with the Senior Assistant Registrar (Review and Student Affairs) or nominees. They will decide whether your case falls within the published grounds for Academic Appeal and is fully supported by appropriate evidence. Your case will normally either be rejected at this stage or sent to the next Academic Appeals Board for consideration. If you have appealed on the grounds of specific learning difficulty or administrative error which has been confirmed by the relevant department, the Dean is empowered to 'fast-track' your Academic Appeal (see section 7.6 (a), (iii)) on Academic Appeals Procedures in this Handbook).

*What can I do if I don't agree with the outcome after the preliminary stage?*

You may request a review of the decision of the Dean of Academic Quality and Enhancement. This will only be considered if you can demonstrate that the relevant procedures have not been followed. You should submit your request for a review to the Senior Assistant Registrar (Review and Student Affairs) in Academic Quality Support Services (AQSS) who will forward your request to an impartial Dean. The request for a review must be submitted **within 7 days** of the letter from the Dean of Academic Quality and Enhancement being sent.

### **The Academic Appeals Board**

The Academic Appeals Board is usually held 6 weeks after the publication of results. Academic Appeals Boards normally consider written evidence only. If the Academic Appeals Board decides it needs to consider oral evidence, you will be contacted. The Academic Appeals Board decides whether to uphold your appeal and overturn the decision of the Awards Assessment Board. If your case is successful, your appeal will be sent to an Assessment Review Board. If not, your Academic Appeal will be turned down at this stage and you will be sent a letter giving the reason why your appeal failed.

*What can I do if I don't agree with the outcome after the Academic Appeals Board?*

You may request a review of the decision of an Academic Appeals Board. You should refer to paragraph 7.9 of the Academic Appeals Procedure. You should submit your request for a review to the Senior Assistant Registrar (Review and Student Affairs) in Academic Quality Support Services (AQSS) who will forward your request to a Pro Vice-Chancellor. The request for a review must be submitted **within 14 calendar days** of the letter from the Dean of Academic Quality and Enhancement being sent.

### **What happens if my Academic Appeal is successful?**

If your Academic Appeal is successful, it will be considered by an Assessment Review Board. The Assessment Review Board decides what action to take in terms of your assessment. **You will normally be given the opportunity to be assessed again in the relevant components of the assessment.** Exceptionally the Assessment Review Board may reach a different decision, which could be the same decision as the original decision of the Awards Assessment Board. If this is the case, you will be given a written explanation why this decision was made. You should be aware that whatever mark you gain in the assessment following an Academic Appeal, it is this mark that will count, not the original one, even if your original mark was higher. **There is no right to request a review of this decision.**

### **If my Academic Appeal is successful, why can't I just have some marks added, or my degree classification raised?**

Your marks, and your degree classification, are based on your achievement, and your personal circumstances do not change that achievement. If your academic appeal is upheld,

you get the chance to demonstrate what you can achieve when your personal circumstances are more favourable.

### **What can I do if I don't agree with the outcome after the Assessment Review Board?**

The decision of the Assessment Review Board is final, and no further action can be taken.

Where an appellant has exhausted internal procedure, and a Completion of Procedures letter has been issued, there exists a right to take the case to the Office of the Independent Adjudicator for Higher Education (OIA). If the appellant wishes to take his/her complaint to the OIA, s/he must send a Scheme Application Form within three months of the date of the Completion of Procedures letter. A Scheme Application Form can be obtained from the Institutional Compliance Officer, Chester Students' Union or downloaded from the OIA website [www.oiahe.org.uk](http://www.oiahe.org.uk).

### **How long will the appeals process take?**

The Academic Appeals process can take up to four months. Many appeals are dealt with in a shorter timeframe, typically 8 weeks.

### **What about returning to study?**

- **If your studies have been terminated** you **must not** return to your programme unless and until your Academic Appeal is upheld. If your Academic Appeal is successful this may result in you having to suspend studies for a year, or in the case of some professional programmes re-entering a different cohort. **The University will not be liable for expenses you incur, such as paying for accommodation, due to your assuming your academic appeal will be upheld.**
- **If you have been granted reassessment**, you should prepare for and submit any assessments or reassessments by the given deadline and sit any examinations on the scheduled dates.
- **If you have been given a discretionary third attempt** and have not have been allowed to progress to the next level, you **may not** attend lectures nor submit work for the next level unless and until you have been notified to this effect following a successful appeal. **The University will not be liable for expenses you incur, such as paying for accommodation, due to your assuming your academic appeal will be upheld.**

### **Where can I go for help and advice regarding my Academic Appeal?**

1. The Academic Appeals Procedure, guidance and forms can be found on SharePoint at: [http://qanymede.chester.ac.uk/index.php?page\\_id=305789](http://qanymede.chester.ac.uk/index.php?page_id=305789)
2. You may seek advice about the Academic Appeals Procedure from AQSS. *Please note that the advice can only be given on procedural matters, and staff cannot give advice or opinion on the likelihood of an Academic Appeal's success.*

3. You may seek advice and help with submitting your Academic Appeal and gathering evidence from the Chester Students' Union.

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