



## Academic Appeals Procedure

<b>Document Title</b>	Academic Appeals Procedure
<b>Approved by</b>	Management Committee
<b>Date Approved</b>	21/08/23
<b>Last Reviewed</b>	New Document
<b>Next Review Due</b>	May 2024
<b>Staff Member Responsible</b>	Director of Training
<b>Related Policies</b>	Assessment Policy, Student Complaints Policy, Fitness to Study Policy, Mitigating Circumstances Policy.

### Amendment History

Revision Summary	Date Approved	Author

# **Irish Baptist College**

## **Academic Appeals Procedure**

### **Introduction**

1. This procedure deals with academic appeals. An academic appeal is here defined as a request for the review of a decision of the Board of Studies. Any other issues are here called either complaints or grievances and students are referred to the appropriate policy to understand their scope and operation.
2. In the procedure outlined below all proceedings must remain confidential to those involved.
3. In writing this procedure advice and guidance for Concerns, Complaints and Appeals from the Quality Code of the Quality Assurance Agency has been consulted.

### **Scope**

4. This procedure is applicable to all registered students of the Irish Baptist College on a course leading towards a Master's degree including a Postgraduate Diploma or Postgraduate Certificate, an undergraduate degree, Diploma, or Certificate, including candidates who have (subject to section two below) completed such a course within the last twelve months.
5. Students are advised that the Procedure consists of two distinct stages: firstly, an application for verification of the result and, secondly, following completion of the verification process, an appeal.

### **Verification**

6. A candidate is entitled to ask for verification of one or more of the following in respect of any assessment:
  - that the assessment published by the College is free of arithmetical or other errors of fact;
  - that the examiners were aware of exceptional personal circumstances reported by the student prior to the meeting of the Board concerned and which might, in the student's opinion, have had an adverse effect on their academic performance;
  - that the examiners were aware of defects or irregularities in the marking of coursework or the conduct of an examination or in written instructions or in advice relating thereto, when such defects or irregularities or advice might, in the student's opinion, have had an adverse effect on their performance.
7. A candidate can request such verification by writing to the College Registrar. A letter must normally reach the Registrar within 15 working days after the date of the meeting of the Board of Studies. Applications for verification submitted outside this timescale with good reason may be accepted at the discretion of the Registrar and Director of Training where there are mitigating circumstances. Requests for

verification must include details and evidence of the alleged irregularity or the exceptional personal circumstances.

8. Upon receipt of such written application, the Registrar will ask the Director of Training, or appropriate nominee, to take the necessary steps to verify the facts to which the application refers. The Director of Training will verify the facts within 15 working days of the date of the application. The Registrar will acknowledge receipt of the application within 5 working days, informing the candidate of the action being taken.
9. If the verification procedure indicates that:
  - there has been an arithmetical or other factual error;
  - or the candidate has provided evidence of defects or irregularities in the conduct of the assessment or in written instructions or advice relating thereto of which the Examination Board had been unaware;
  - or exceptional personal circumstances reported by the student prior to the meeting of the Awards Board(s) concerned were not, in fact, considered at the meeting(s);
  - or a candidate, in the course of requesting verification, has provided additional evidence of exceptional personal circumstances which were previously notified prior to the meeting of the Board of Studies.

The Director of Training will arrange for the Board of Studies to re-consider the candidate's assessment performance. The Director of Training will then inform the Registrar in writing of the full circumstances of the case. The candidate will be informed of the action being taken within 5 working days of the Director of Training's decision.

10. If the verification procedure indicates that:
  - there has been no error;
  - or any exceptional personal circumstances reported by the candidate have already been considered;
  - or there are no defects or irregularities in the conduct of the examinations or in written instructions or advice relating thereto.

The Director of Training will inform the Registrar of this conclusion in writing. The Registrar will inform the candidate of this conclusion within 5 working days. They will also inform the candidate of the right of appeal and that an appeal may only be made on the grounds stipulated in paragraph 13 below.

### **Grounds for Appeal**

11. Appeals which question the academic judgement of examiners are not admissible.
12. Candidates are only entitled to appeal against a decision reached following the above process of verification. Any appeal will be sent in writing to the Registrar and must reach him or her not later than 15 working days after the despatch to the candidate of

the verification of their result. Simple notice of appeal given in writing by a candidate will not be deemed to constitute an appeal proper.

13. Appeals can only be considered on one or both of the following grounds:

- 1) defects or irregularities in the conduct of the assessment regarding written instructions or in advice relating thereto, where there is a prima facie case that such defects, irregularities or advice could have had an adverse effect on the candidate's performance;
- 2) exceptional personal circumstances where there is a prima facie case that such circumstances could have had an adverse effect on the candidate's performance. In appeals based on these grounds, the appellant must show good reason why such personal circumstances were not made known to the Board of Studies before its meeting. Where a candidate could have reported exceptional circumstances to the Board prior to its meeting, those circumstances cannot subsequently be cited as grounds for appeal.

### **Appeals Procedure**

14. On receipt of an appeal the Registrar will acknowledge receipt normally within 5 working days. The appellant will be provided with a written progress report within 25 working days detailing the outcome of the appeal and reasons for that decision.

15. The Registrar will disallow any appeal that:

- is based on factors which were known to the Board concerned when the candidate's result was determined;
- introduces information which was known to, and could have been reported by, the candidate prior to the meeting of the Board.

16. This is normally notified in writing within 20 working days of its receipt.

17. If it is decided by the Registrar that there is a prima facie case to be considered, it will be referred to an Appeal Board. The College's Principal will appoint an Appeal Board which will consist of three persons, at least one of whom will not be a member of the College's employed staff. This will normally happen within 20 working days of receipt of the appeal.

18. The appellant will be given 10 working days' notice of the date and time of the Appeal Panel meeting and will be invited to attend the meeting of the Appeal Panel to present his or her case. Where the appellant decides not to attend, the Panel may proceed in his or her absence.

19. The student may be accompanied at the meeting by a fellow student, a member of staff or one of the College's Student Representatives. The appellant will be sent copies of all documents to be made available to the Appeal Panel.

20. The Appeal Panel is empowered to call members of staff with knowledge of the case to attend the meeting to give evidence and to correspond with external examiners or others as appropriate.

21. The appellant and any accompanying person will be permitted to speak and to question any persons giving oral evidence to the Panel.
22. The Director of Training and the Registrar will be invited to attend the hearing and, at the invitation of the Appeal Board, to contribute to it. Neither the Director of Training nor the Registrar will be a voting member of the Appeal Board.
23. The Appeal Board will base its decision on the evidence of the appellant's submission and the testimony of any relevant contributors e.g., the Director of Training, together with any further evidence which it considers relevant. The Appeal Board has discretion to declare inadmissible any matter introduced by the appellant, or by any person accompanying the appellant, if they deem it not directly related to the contents of the appeal previously lodged in writing.

### **Appeal Decision**

24. The decision of the Appeal Board will be provided in writing (via its Chair) within 10 working days. The report will be sent to the appellant, the Director of Training and the College Registrar.
25. The Appeal Board can take the following decisions:
  - 1) that the appeal be rejected and no further action be taken;
  - 2) that the matter be referred back to the Board of Studies;
  - 3) that the appellant be remunerated for any reasonable costs incurred in the appeals procedure.
26. If the matter is referred back to the Board of Studies, a full report, including recommendations or advice where appropriate to the circumstances of the case—including all supporting documentation—will be sent by the Chair of the Appeal Board to the Director of Training for consideration by the Board of Studies. The Board will decide as soon as is practicable. The decision of the Board on whether any adjustment should be made to marks or grades previously awarded will be reported back to the Appeal Board and will be final.
27. A decision by the Board of Studies on whether or not to adjust marks or grades previously awarded may or may not alter the appellant's overall examination result. If the overall result is altered, the Director of Training will arrange for the validating institution to publish any supplementary pass-list which may be necessary. The Registrar will inform the appellant in writing of the decision of the Board, and of the reasons for the decision.
28. The Board of Studies has authority to deem a candidate who has already been admitted to a degree to have been admitted to a different class of degree if, following a successful appeal, it decides that the candidate's degree classification will be amended. In such cases, the validating institution will be asked to issue a replacement certificate upon the return by the candidate of the original certificate.

29. The Appeal Board may make recommendations for consideration by the Director of Training, the Board of Studies or the College's Senior Management Team as appropriate on any matter arising from the consideration of appeals.

### **Group Appeals**

30. Where an appeal is raised by a number of students who believe they have been treated unfairly regarding the same issue, it can be dealt with as one collective appeal. In this case a 'Group Appeal-Complaint Consent Form' should be completed to confirm and clarify exactly which students have been materially affected by the issue and authorising the College to correspond with a single named spokesperson (Lead Student) to represent the group. The College will then only communicate with the lead student throughout the process, sending all documents and correspondence to them.
31. Once the Group Appeal Form is submitted, the College will not normally allow other students to join the group at a later date. Usually only the lead student can attend meetings about the appeal. Usually only the lead student plus one other representative from the group can attend meetings about the complaint. They have a duty to liaise with other students in the group complaint, collecting evidence and providing regular feedback.

### **Completion of Procedures and Independent Review**

32. Once a student has finished the internal appeals procedures the College will promptly send them a Completion of Procedures letter. This will set out clearly what issues have been considered and the College's final decision.
33. If the appeal is rejected and this procedure has been completed, students registered with validating institutions can request a review of their appeal.
34. If the Student believes the issue has not been appropriately addressed, the student may complain to the Office of the Northern Ireland Public Services Ombudsman:  
<https://nipso.org.uk/>

### **Reporting and complex cases**

35. At all points of the above procedure due care must be given to issues of confidentiality and data protection.
36. Each year, the Director of Training will prepare an anonymised report for the Management Committee and the Student Voice Committee on the number and nature of complaints.
37. Following the outcome of an upheld or partially upheld complaint, the Senior Management Team will be responsible for formally deciding what corrective action should be implemented, if any. This will be reported annually to the Staff Student Liaison Committee. Examples of corrective action may include, but is not limited to, a change to policy, process or practice and relevant staff training.

38. Documentation relating to a formal complaint brought by a student will be retained for six years in accordance with the College's GDPR Policy.
39. In those cases where an academic appeal is part of a broader complaint the issues will be separated and dealt with according to the appropriate procedure. The appellant will be kept informed at all stages as to how the issues raised are being addressed.