



General Regulations for Students 2009-10 – Appendix 4

Appeals procedure, including review of an assessment board decision



Approved by Academic Board, January 2010

Appeals Procedure (including review of an assessment board decision)

- 1 Examinations and assessment shall be conducted in accordance with the approved assessment regulations of the course and of the College and in accordance with the principles and regulations agreed with an accrediting body where appropriate. Given this, the decisions of a properly convened and constituted assessment board may not normally be modified by an authority within the College.

Note: Research degree students are considered at Assessment Boards at the University of the Arts, London, or the University of Plymouth according to registration. Consequently, students registered on these courses wishing to appeal should request further information by contacting the Quality Office.

- 2 The only grounds for requesting an assessment board to reconvene in order to review its decision are:
 - a) that there has been a material error or irregularity; or
 - b) that the examinations or assessment were not conducted in accordance with the current regulations of the course; or
 - c) that the performance of the candidate was adversely affected by illness or other factors which the candidate was unable or, for valid reasons, unwilling to divulge before the decision concerned was reached. Such a request must be supported by a full medical report or other documentary evidence, together with an explanation of why this information was not divulged prior to the assessment board meeting.

A student may not request a review of an assessment board decision on the grounds of alleged defective judgement or non-competence of a properly convened and constituted assessment board.

Note: Students who feel they may have grounds for an appeal can seek impartial help and advice from the Students' Union.

3 Extenuating circumstances

If a candidate's assessment performance is adversely affected by illness or other factors, it is the responsibility of the candidate to inform the course leader or the Assistant Registrar with responsibility for assessment of any extenuating circumstances prior to the assessment board meeting. This must be done in writing.

Where reasonably practicable, any extenuating circumstances should be made known prior to the assessments. Where this is not feasible, the extenuating circumstances must be made known before the final assessment board meeting.

Candidates should note that if they choose not to reveal any medical or other problem prior to the meeting of the assessment board, s/he will not normally be able to use this information as the grounds for a subsequent appeal.

Any statement of extenuating circumstances must be supported by appropriate contemporaneous documentary evidence (See Appendix 5, section 4 for examples of appropriate corroborating evidence). In the case of medical circumstances, a medical certificate may not be sufficient. A full medical report may be required, the cost of which would be borne by

the student. Medical evidence should include the precise dates of the illness and comment on the effect of the illness on the student on the date(s) of the assessment(s).

If the mitigating evidence is not drawn to the attention of the assessment board, it will only be considered as grounds for appeal in the most exceptional circumstances.

- 4 A request for a review of an assessment board decision must be lodged, in writing, with the Quality Office within ten working days of the publication of the results. Requests received after this time will not normally be considered. It is helpful if full documentary evidence is submitted at this point. However, a further ten working days is granted for the appellant to submit evidence. Any student who intends to make use of this additional period to forward further information must make this clear in his/her letter of appeal.
- 5 Appeals must be made by the student him/herself and all subsequent correspondence from the College will be addressed to the student.

Note: The College will only correspond with the student who has submitted an appeal and no other parties, unless a third party has been formally authorised/instructed to act on the student's behalf. Whilst correspondence will then be copied to the student (unless specifically directed to the contrary), the College will only deal with the single individual authorised to act on the student's behalf and not with multiple agencies.

Students are reminded that in line with the provisions of the Data Protection Act, the College has a policy on the confidentiality of information held about individual students, including their assessment results. Therefore, information may not be released to a third party other than when required by law or at the written request of the student.

The written request for a review shall include:

- a) the appellant's full name, course title and year of study;
- b) details of the decision of which a review is requested (this is usually the assessment result);
- c) the name of the appellant's course leader;
- d) full details of the grounds for the request, including contemporaneous documentary evidence;
- e) if these grounds relate to illness or other extenuating factors, full and valid reasons as to why this information was not made available to the assessment board before the meeting at which the decision was made, together with appropriate supporting documentary evidence as detailed above.

It is the responsibility of the student to provide full and appropriate evidence to support his/her case at the time of making the appeal. Further evidence brought subsequent to the consideration of an application for a review will not normally be considered.

Note: Correspondence cannot be conducted via email.

Stage 1

- 6 Receipt of a request for a review of an assessment board decision will be acknowledged within five working days. If a case for the review of an assessment board's decision has been established, the case shall be referred to the Assessment Review Board of the Academic Board. This Board will meet on a set date, determined by the date of the publication of results. This date will also take account of the length of time permitted for the submission of appeals and the need for a timely decision. (Please see Stage 2 below.)

All appeals will be viewed by an Appeals Screening Panel which will determine whether there is sufficient credence/evidence for the appeal to progress to the Assessment Review Panel. This will be co-ordinated by the Senior Assistant Registrar (or delegate) and will take place via circulation. The Appeals Screening Panel will comprise the following:

- a) one academic staff representative for each School;
- b) Course Leader, MA Education: Creative & Academic Practices in Higher Education;
- c) a representative of the student body, as nominated by the FXU Students' Union;
- d) Senior Assistant Registrar (or delegate).

If an adequate case has not been made for the review of an assessment board's decision, the case shall not be referred to the Assessment Review Panel and the appeal will be dismissed. The student will be notified in writing of the reasons for the decision. (For example, an application made on the basis of academic misjudgement will be dismissed at Stage 1.)

In advance of the meeting of the Assessment Review Panel, all appellants will be notified in writing of whether or not their appeal is going forward to Stage 2 for consideration by the Assessment Review Panel.

Stage 2

- 7** The membership of the Assessment Review Panel shall be confirmed by the Chair of the Academic Board and shall comprise:
- a) the Deputy Rector, who shall act as Chair;
 - b) the Registrar;
 - c) one academic staff representative for each School;
 - d) the FXU Students' Union President (Representation);
 - e) the Deputy Registrar (Quality Office) or nominated representative shall act as Secretary.

Academic members of an assessment board responsible for a decision that is being considered by the Assessment Review Panel cannot be included in its membership, nor can an individual who has been involved in the Appeals Screening Panel.

- 8** The Registrar shall provide the Assessment Review Panel with:
- a) the application for review with any supporting documentary evidence;
 - b) the regulations governing the course and its assessment;
 - c) minutes of the relevant assessment board;
 - d) copies of any other written information considered as relevant by the Registrar;
 - e) a copy of these procedures.
- 9** The Assessment Review Panel's decision in each case shall be either:
- a) that grounds for review have been established, in which case it shall require the assessment board to review its decision in the light of those grounds; or
 - b) that no grounds for review have been established in which case the application shall be rejected.

The Registrar shall inform the appellant and the chair of the assessment board, in writing, of the Assessment Review Panel's decision (with reasons) as soon as possible after this decision has been arrived at, and in any event within five working days of the meeting.

- 10** An assessment board which is required to review its original decision shall normally meet as soon as possible after receipt by the chair of the instruction to do so. This will usually follow the format of a reconvened assessment board in terms of membership. However, the external

examiner(s) for the course should also be briefed on the situation and the outcome, and their advice sought where appropriate.

The assessment board, after duly considering the evidence, shall agree either to amend or to confirm its original decision.

Where the board agrees to amend their decision, but are uncertain as to the most appropriate alternative recommendation, they may seek additional evidence of the student's performance, either through re-assessment at the next normal opportunity, through a viva voce examination or through another form of assessment appropriate to the student's circumstances and the requirements of the course of study.

Where the board agrees to confirm their original decision this ends the matter in cases based on personal circumstances. In cases of procedural or other irregularity there is the further possibility of the assessment board's decision being annulled by the Academic Board, which will then be responsible for ensuring that appropriate follow-up action is taken.

Note: in exceptional circumstances, if reconvening the assessment board is not possible, the Academic Board has the ultimate authority.

- 11** The Secretary to the assessment board shall inform the appellant and the Registrar, in writing, of the assessment board's decision immediately following the meeting of the assessment board.
- 12** The Registrar shall submit an appropriate written report of the case to the Academic Board.

Note: Students should note that the Office of the Independent Adjudicator for Higher Education (OIA) cannot look at a complaint if it relates to a matter of academic judgement.

Visual representation of process

