

APPEALS POLICY

This policy should be read in conjunction with the [Appeals Procedure](#).

1 Introduction

- 1.1 It is very important to understand the difference between an appeal and a complaint, as they are treated separately by the University and there are different procedures that students are required to follow in each case. If a student is unsure about whether to lodge an appeal or a complaint, they should seek advice from either the [FXU Students' Union](#) or [Quality Assurance & Enhancement \(QAE\)](#).
- 1.2 If a student believes that there has been a material error or irregularity with the assessment process and/or a decision reached by a formal assessment on their academic work, and/or any other decision about them reached through the application of a University policy, procedure or regulation, they should lodge an appeal.

2 Communication and third party appeals

- 2.1 The Chancellor has no role with regards to the receipt or consideration of student appeals; any appeals sent directly to the Chancellor will not be investigated. The University will not forward any letters concerning appeals to the Chancellor.
- 2.2 The University's relationship is with the student, irrespective of who pays the student's fees. Under Data Protection legislation, the University cannot deal with third party appeals without the written permission of the student (including appeals made by a student's parent(s), carers, spouse or significant others) unless a third party has been formally authorised or instructed to act on a student's behalf. If third party consent is granted, correspondence will be copied to the student (unless specifically directed to the contrary by the student) for information only as the University will only deal with the individual authorised to act on the student's behalf in respect of an appeal.
- 2.3 Students are reminded that in line with the provisions of the General Data Protection Regulations, the University has a policy on the confidentiality of information held about individual students, including their assessment results. Therefore, information relating to an appeal cannot be released to a third party other than when required by law or at the written request of the student.

3 Appeal content

- 3.1 Appeals regarding the decision of an Assessment Board, Academic Misconduct Panel, Academic Disciplinary Committee, or other decision-making body must include:
- the student's full name, student number, course title, year of study
 - confirmation of the actions taken as part of Step 1 – Early Resolution;
 - details of the decision against which an appeal is being made;
 - full details of the grounds for the appeal which must include supporting

- evidence; and
 - the desired outcome/resolution that the student is seeking.
- 3.2 An appeal must be submitted on the correct form via email or in hard copy. Appeals which do not use the standard form will not be considered.
- 3.3 If a student cites the grounds for their appeal as relating to illness or other extenuating factors, full and valid reasons must be given as to why this information was not made available to the assessment board or other decision-making body before the meeting at which the decision was made, together with supporting evidence.
- 3.4 It is the responsibility of the student to provide complete and relevant evidence to support their case at the time of making the appeal. Further evidence brought forward following the consideration of the appeal will not normally be considered.
- 3.5 Appeals submitted without supporting evidence will not normally be considered.
- 3.6 Students who feel they may have grounds for an appeal are strongly recommended to seek impartial help and advice from the [FXU Students' Union](#) before submitting their appeal form.
- 4 Communications**
- 4.1 Communications between the University and student, including receipt confirmation and outcome notifications, will be conducted by email. Completion of Procedures letters can be sent as a hard copy to a student's preferred address by request.
- 5 Confidentiality**
- 5.1 In submitting an appeal, a student is conferring authorisation to those involved in the process to have access to relevant information required to make a decision. The University may require access to sensitive information (for example, a file held by Student Services).
- 5.2 Normally an appeal and supporting evidence will only be viewed by the members of the Quality Assurance and Enhancement Team and, should the appeal progress to the Appeals Board, by the members of that Board. In certain instances, staff other than the members of the Quality Assurance and Enhancement Team and the Appeals Board will need sight of all or part of the appeal in order to respond to the points raised within the appeal. Students can be reassured that, in such instances, any information disclosed will be treated sensitively and confidentially. However, if a student has specific concerns regarding confidentiality, such concerns should be raised in their appeal form.
- 6 Appeals concerning research degrees**
- 6.1 Research degree students are considered at Assessment Boards at the University of the Arts London, or Plymouth University according to registration. Consequently, students registered on these courses wishing to appeal should request further

information by contacting the [Research & Development Support Officer](#).

7 Grounds for appeal

- 7.1 The only grounds for appealing a decision reached through the application of a University policy, procedure or regulation are:
- a) that there has been a material error or irregularity in the formal conduct of the assessment or in reaching an academic or other decision; or
 - b) that the performance of the student was adversely affected by extenuating circumstances 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, with a detailed explanation of why this information had not been divulged prior to the decision in question being reached.
- 7.2 If a student's assessment performance is adversely affected by extenuating circumstances, it is the responsibility of the student to make use of the University's [Extenuating Circumstances Policy](#).
- 7.3 If students choose not to reveal any medical or other problem prior to the assessments or an assessment board, they will only be able to use this information as the grounds for a subsequent appeal in the most exceptional circumstances, and must provide evidence as to why they did not divulge such information as part of their appeal.
- 7.4 Students should be aware that a successful appeal on grounds of extenuating circumstances can only result in further time for an assessment, the removal of a capped mark if appropriate, or, in very exceptional circumstances, a further attempt at an assessment. **Additional marks or an increase in a degree classification will not be awarded as a result of a successful appeal on the grounds of extenuating circumstances.**
- 7.5 A student may not appeal the decision of an Assessment Board on the grounds of alleged defective judgement or non-competence of a properly convened and constituted Assessment Board (i.e. a challenge to academic judgement).
- 7.6 A student cannot appeal against Assessment Board decisions made in previous Study Blocks.

8 Timescale for all appeals

- 8.1 An appeal must be lodged with QAE within twenty (20) working days of the notification of Assessment Board results or outcome from another University decision-making body. Any appeal must be accompanied by supporting evidence to be considered.
- 8.2 Appeals received after twenty (20) days of the notification of Assessment Board results or outcome from another University decision-making body will not normally be considered. Supporting material received after twenty (20) days of the notification will not normally be considered.

8.3 Students should be aware that appeals against an Assessment Board may not always be processed before the start of the next study block or level of study. This scenario applies where an appeal is lodged against a decision that prevents the student from continuing their studies into the next Study Block or level. Students may be permitted to provisionally progress into the next Study Block or level of study whilst their appeal remains under consideration. This provisional progression is on the clear understanding that this is without prejudice to the outcome of the appeal.

9 Policy and Procedural Review

9.2 The Quality Assurance and Enhancement team submits an annual report regarding appeals to the Academic Quality & Standards Committee.

VERSION CONTROL

PURPOSE/CHANGE	AUTHOR	DATE
Updates to the below clauses following approval at AQSC: 2.2, 3.1, 3.2, 3.6, 4.1, 5.2, 7, 7.5, 6.7, 7.3, 8.1	QAE	04/07/2018
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