

APPEALS PROCEDURE

This procedure should be read in conjunction with the Appeals Policy.

The Academic Misconduct Procedure is managed by the Quality Assurance and Enhancement (QAE) team, which is responsible for the effective development, implementation and management of the University's policies, procedures and processes. QAE may be contacted at QAE@falmouth.ac.uk.

Please note that you can get free, impartial and confidential advice on this procedure from the FXU Students' Union: advice@fxu.org.uk | 01326 255 861 | drop in at the FXU reception.

1 Step 1 – Early resolution

- 1.1 Before deciding whether to lodge a formal appeal, you should discuss your concerns with a relevant member of staff. This informal discussion often leads to a better understanding why a certain decision was reached and/or whether you have valid grounds upon which to make an appeal.
- 1.2 You are strongly advised to discuss concerns with a member of the FXU Students' Union, for impartial advice and support.

2 Step 2 – Formal appeal

- 2.1 If you are unable to resolve your concerns through Step 1, you may make a formal appeal using the standard form, which must be submitted to Quality Assurance & Enhancement (QAE) along with supporting evidence.
- 2.2 Step 2 appeals must be submitted within twenty (20) working days of the Assessment Board results release or confirmation of the outcome of another University decision-making body.
- 2.3 Receipt of an appeal submitted to QAE will be acknowledged within five (5) working days.
- 2.4 All Step 2 appeals will be reviewed by a QAE Officer to determine whether an appeal should be upheld. The Step 2 outcome will be either:
 - Upheld (appeal demonstrates valid grounds and meets the timeframes and documentary requirements outlined in the Appeals Policy)
 - Not upheld (appeal does not demonstrate valid grounds and/or does not meet documentary requirements outlined in the Appeals Policy)
- 2.5 Where an appeal is upheld, the QAE Officer will recommend a new outcome to be agreed by the original decision-making body.

- 2.6 The student will normally be notified of the Step 2 outcome (with reasons for the decision) within twenty (20) working days of the applicable appeals deadline. However, this period may need to be extended depending on the nature and complexity of the review required.

3 Step 3 – Review

- 3.1 A student may request a review of the procedure undertaken at Step 2.

The grounds for requesting a review are:

- a material irregularity in the conduct of Step 2 of the Appeals Procedure; or
- where material new evidence has become available since the commencement of Step 2 that the student was unable, for valid reasons, to provide by the original appeals deadline.

Students should make their request for a review by completion a [Review Request Form](#), to be submitted to [Quality Assurance & Enhancement](#).

- 3.2 Step 3 must be invoked within ten (10) working days of the completion of Step 2.
- 3.3 Receipt of a Step 3 review request submitted to QAE will be acknowledged within five (5) working days.
- 3.4 All Step 3 review requests will considered by the next available Appeals Review Board.

Appeals Review Board

- 3.7 The purpose of an Appeals Review Board is to consider appeal review requests.
- 3.8 The Appeals Review Board is a delegated authority of the University's Academic Board and is authorised to make decisions on behalf of an Assessment Board and/or other University decision-making body.
- 3.9 The membership of an Appeals Review Board shall comprise:
- Deputy Vice-Chancellor (or nominee), who shall act as Chair
 - three Directors of Department (or nominees)
 - FXU Students' Union President (or nominee)
 - Head of QAE (or nominee), who shall act as Secretary.

Quorum for the Appeals Review Board shall be the Chair, Secretary and one Director of Department (or nominees). Staff who were involved in either the original decision-making process of the appeal cannot be included in the membership of the Appeals Review Board.

- 3.10 The Appeals Review Board decision in each case shall be either:

- that the appeal is upheld, in which case it shall review the decision of the Assessment Board or original decision-making body in the light of those grounds; or
- that no grounds for appeal have been established in which case the appeal shall be rejected.

3.11 The Appeals Review Board will normally meet within forty (40) working days of the applicable appeals deadline.

3.12 The student will be notified of the Step 3 outcome (with reasons for the decision) within ten (10) working days of the meeting.

4 Completion of Procedures letter

4.1 The response from Quality Assurance & Enhancement following the completion of Step 3 will be the conclusion of the University's internal processes and the student will be issued with a Completion of Procedures letter.

4.2 A Completion of Procedures letter will also be issued where an appeal has been determined to be out of time under the terms of the Appeals Policy and Procedure, and therefore not eligible for consideration. Such a letter will confirm that, the University's procedures have not been completed and that the student is now out of time to do so.

5 The Office of the Independent Adjudicator for Higher Education (OIA)

5.1 If, after using the appeals procedure, the student believes the University's response is not satisfactory, they can refer their appeal to the Office of the Independent Adjudicator for Higher Education (OIA), following receipt of a Completion of Procedures letter. Students must apply to the OIA within twelve (12) months of the issue of this letter.

5.2 Further details can be found on the OIA website at www.oiahe.org.uk. The OIA's contact details are: Office of the Independent Adjudicator, Second Floor, Abbey Gate, 57 – 75 Kings Road, Reading RG1 3AB, Tel: 0118 959 9813 Email: enquiries@oiahe.org.uk.

VERSION CONTROL

| PURPOSE/CHANGE | AUTHOR | DATE |
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| Updates to the below clauses following approval at AQSC: 1.1, 1.2, 2 (all clauses), 3 (all clauses), removal of 5.2 and 5.3 | QAE | 04/07/2018 |
| Updates to the below clauses following approval at AQSC: 2.4, 4.2 | QAE | 04/07/2019 |