Section H: Academic Appeals

1 What is an Appeal?

1.1 An appeal is a formal request by a student to the University to reconsider an Examination Board decision regarding their academic progression or award.

1.2 A student may only appeal on the ground that there has been a significant administrative error or omission in the assessment process which has had a detrimental effect of the student’s outcome.

2 What is not an appeal?

2.1 The following are not grounds for an appeal:

2.1.1 Perceived shortcomings in tuition, supervision or support which may be raised separately under the University’s Student Complaints Resolution Procedure as outlined in the Student Contract;

2.1.2 Matters relating to academic judgement of an Examinations Board or individual member of staff;

2.1.3 Appeals against marks;

2.1.4 Complaints about unsatisfactory service;

2.1.5 Any exceptional or mitigating personal circumstances are not grounds for appeal and should be notified in accordance with the mitigating circumstances procedure
3 How can a student appeal?

3.1 The University’s appeals process has two stages:

- Stage 1 formal appeal (see section 5 below)
- Stage 2 review stage (see section 8 below)

3.2 Following notification of results, students may wish to meet with a member of staff (normally either their Course Leader or Personal Tutor). This meeting provides an opportunity to seek clarification of results and discuss any concerns before the student decides whether or not to submit a Formal Stage 1 Appeal. Where an arithmetic error is suspected, the staff member concerned may report this to the Chair of the Examination Board for appropriate action. (Note that attendance at a results meeting is optional and does not form part of the Appeals process and the student should not miss the deadline for appeal). Further information about the results review process is provided at section 4 below.

4 Results Review process

4.1 At any point during the academic year and up to the time that an Examination Board meets, students are encouraged to speak to their Course Leader, Deputy Head of School (Quality Assurance) or School Office to discuss their concerns regarding a provisional mark (i.e. a mark that has not been approved and confirmed by an Examination Board) including where they feel that this has been incorrectly recorded. Where such a concern arises, the Course Leader or Deputy Head of School (Quality Assurance) will undertake such actions as to check the provisional assessment outcome and notify the student of their findings. Students should note that marking errors (e.g. ‘slips’ such as transposition or arithmetic errors) may be rectified prior to an Examination Board if an error is acknowledged by the academic school.
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4.2 Once the student’s marks have been ratified (i.e. confirmed by the Course Examination Board), if students have any queries relating to their results, they have up to 14 calendar days from the day that their results are released to them to contact their School Office via the school appeals email (for example: nameofschool.appeals@brighton.ac.uk). Students should state clearly why they have a concern and what they expect the outcome to be from their enquiry.

4.3 Once their email has been received, the School Office will forward the email to the appropriate Course Leader (or their nominee), copying in the Deputy Head of School (Quality Assurance), for resolution within 5 working days. The Course Leader (or nominee) will consider the case and make a recommendation to the Chair of the Examination Board copying in the school appeals mailbox and the Deputy Head of School (Quality Assurance).

4.4 Where the recommendation is straightforward, this can be approved by the Chair. Where there are more complex ramifications, the Examination Board or a sub-group thereof may be reconvened in accordance with GEAR [section E: 8].

4.5 Once the Chair of the Examination Board has confirmed the outcome, the School Office will update the student.

4.6 Where enquiries received are in fact complaints the School Office will redirect the student as appropriate.

4.7 Students should be advised that if they require support or assistance in progressing their concern, they may contact the Students’ Union Support Service (bsusupportservice@brighton.ac.uk) for advice at any time during Academic School Review process or the appeals process.

4.8 Where the student has indicated that they wish the Students’ Union to be kept informed, the School Office will inform the Students’ Union of the outcome.
5 Appeals Process

5.1 A student may submit an appeal within 21 calendar days of the results being released to the student.

5.2 No appeal received outside this time will be accepted and will be rejected by the Appeals Office unless the student is able to provide good reason for why evidence supporting their appeal is not immediately available. In this instance, the appeal will be kept open on file for a further 14 calendar days at the end of which, should no additional information be received, the appeal will be considered closed.

5.3 An appeal must be submitted using the Appeal Stage 1 Form to the University’s Appeals Team via the email academicappeals@brighton.ac.uk.

5.4 Once the appeal has been received, an acknowledgement will be sent to the student confirming receipt of their appeal within 2 working days.

5.5 The Appeals Office will:

5.5.1 Contact the student’s academic school to notify them that an appeal has been received and to request other supporting documentation, for example, details of the structure of the course and impacts for the student’s progression either way depending on the decision made.

5.5.2 The student’s academic school will review the appeal and, after considering any other supporting documentation and in accordance with these regulations, will make a recommendation to the Appeals Office regarding the most appropriate outcome.

5.6 Based on the information provided, the Appeals Office will do one of the following:
5.6.1 Reject the appeal (see section 6)

5.6.2 Uphold the appeal (see section 7)

5.6.3 Submit an appeal submitted via an Appeal Outcome Review Stage 2 Form for review by an Appeals Panel (see section 8)

5.6.4 Review the appeal and, where appeals received are in fact a complaint these will be redirected to the appropriate committee or panel and the student informed by email.

5.7 Appeals received via the Appeal Outcome Review Stage 2 Form will be automatically referred to an Appeals Panel for review.

6 Appeal rejected

6.1 Where an incomplete form is submitted, or the reason for appeal does not fall within the accepted grounds for appeal as noted in Section 1.2, or where the appeal has been submitted out of time, the Appeals Office will notify the student by email within 14 calendar days after acknowledgement of the appeal that the appeal is rejected.

6.2 Where the student has indicated that they wish the Students' Union to be kept informed, the Appeals Office will also inform the Students' Union of the outcome.

6.3 Where an appeal is rejected, the student may request a review of the decision via the Appeal Outcome Review Stage 2 Form.

7 Appeal upheld

7.1 The Appeals Office will have the authority to determine whether the appeal is upheld.
7.2 Where the appeal is upheld the Appeals Office will have the authority to require an examination board to review the original decision.

7.3 The examination board must review the decision within 14 calendar days and inform the Appeals Office and student within five working days of the outcome.

7.4 Where the student has indicated that they wish the Students' Union to be kept informed, the Appeals Office will also inform the Students' Union of the outcome.

8 Stage 2 Review of appeal decision

8.1 An Appeals Panel will be convened to review appeal cases that are outside the remit of the Appeals Office to resolve or where an Appeal Outcome Review Stage 2 Form has been received. As a sub-committee of the Academic Board, the Appeals Panel will have the authority to make final decisions regarding the outcome for a student.

8.2 Appeals Panels (where Examination Boards fall in February, June or during the referral period) will be established and dates will be published on the University’s website. Where Examination Boards meet outside these times, Appeals Panels will be convened as required.

8.3 Appeals received for review will be sent to the next available Appeals Panel.

8.4 The Appeals Office will advise the student by email of the date that their appeal will be presented to the Appeals Panel.

8.5 Panels will usually consist of the following, and who have not been involved in the original decision:

- Chair;
- three (and no more than four) other members from a pool approved annually by Academic Board but who will not be from the same School as the appellant;
- the Students’ Union Vice-President (Academic Affairs) or other student
nominated by the Students’ Union;
- the Secretary of the Panel who will be a member of the Appeals Office and who can provide regulatory guidance or advice.

8.6 The Panel Chair may determine that other participants are required to attend to provide expert advice and guidance, this would typically include:

8.6.1 The Chair of the Examination Board (or nominee) which made the original decision to give expert advice or opinion on the original Examination Board decision and/or the potential outcomes of the appeal.

8.6.2 The Legal team where legal advice is required in which case the Deputy University Secretary may be invited to attend.

8.6.3 In exceptional cases, the student may also be invited to appear and make full representation of the facts, in which case the student may be accompanied by a companion within the University (staff or student) or a Students’ Union representative.

8.7 The Appeals Office will prepare and refer all relevant papers to the Panel for a final review.

8.8 The decision made by the Panel will be final and will be notified (with reasons for the decision and confirmation that the appeal is now closed) directly to the student by email, copied to the Appeals Office and home academic school.

8.9 Where the student has indicated that they wish the Students’ Union to be kept informed, the Appeals Office will inform the Students’ Union of the outcome.
What if the student is dissatisfied with their outcome?

9 If the student is dissatisfied with the outcome of their appeal, they may write to the Office of the Independent Adjudicator.

9.2 The student will receive a “completion of procedures” letter normally within 14 calendar days which will confirm that the academic appeal procedures are complete and that there is no further avenue of appeal available within the University. It will include a clear explanation of the reason for the decision and will advise the student of their right to submit a complaint to the Office of the Independent Adjudicator for Higher Education (“OIA”), the time limit for so doing, and that further advice and support may be obtained from the University of Brighton Students’ Union.

Additional notes on procedure

10.1 The academic appeals procedure is available to any student registered on a taught University of Brighton award including Partner Colleges and Brighton and Sussex Medical School awards.

10.2 Where a student has declared a disability to the University, the University will endeavour to ensure that information is available to them at all stages of the procedure in appropriate formats, and that any reasonable adjustments are made to the associated procedure to accommodate the student’s needs.

10.3 Appeals will be handled with an appropriate level of confidentiality, with information only released to those who need it for the purposes of investigating or responding to an appeal. No party will be told more than is strictly necessary in order to obtain the information required from them.
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10.4 Where a student wishes to appeal, independent advice and representation can be obtained from the Students' Union.

10.5 The University will correspond only with the student and not with a friend, family member, solicitor or other third party. Legal representation is not permitted.

10.6 A student whose appeal is under consideration, shall remain registered with the University until a decision is reached regarding their appeal.

10.7 References to any officeholder or member of specific staff in the University shall include any person authorised to act on their behalf (their “nominee”).

11 Monitoring and review of Academic Appeals and quality enhancement

11.1 The Chairs of Examination Boards will maintain a record of all stage 1 academic appeals; the Secretary to the Academic Board will maintain a record of all stage 2 academic appeals. The Academic Board will receive an annual report from the Secretary to the Academic Board on the outcome of all appeals for the academic year, with the expectation that appeals will be monitored, as far as possible, in accordance with the University’s Equality and Diversity Policy.

11.2 In the light of this report the Academic Board will, if necessary, consider appropriate recommendations for quality enhancement where consistent themes/issues from the report are identified.

11.3 The University provides appropriate support for staff dealing with academic appeals through its staff development framework. staffcentral provides staff with access to this academic appeals procedure and to other related policies and procedures.

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94 An annual report contains an anonymised analysis of academic appeals.