

Academic Appeals

Procedure

1. Introduction

- 1.1 The Academic Appeals Procedure sets out the formal processes which must be followed to implement section 6.17 of the University Regulations for Study. It applies to all students enrolled for any Oxford Brookes award other than a research degree, including awards which are taught by a partner institution. The procedure also applies to students after their enrolment has ended, for two months after the publication of their final grades. Separate procedures apply to appeals made by research degree students.

2. Submission of an academic appeal

- 2.1 Students may only request an academic appeal against a decision about a grade or an outcome which has been formally agreed by an Examination Committee, and if they can demonstrate one or more of the following grounds:
- (a) there was an administrative error or procedural irregularity in the assessment process, which significantly impacted the assessment decision;
 - (b) the process of assessment was affected by bias;
 - (c) the student's performance in the assessment was affected by relevant exceptional circumstances, which for valid reasons were not made known to the examination committee prior to their meeting.
- 2.2 The following categories of appeal will not be considered:
- (a) appeals against informal results which have not yet been ratified by an Examination Committee
 - (b) appeals which are submitted more than two months after the publication of the Examination Committee decision that is being appealed, except where the student has provided evidence to demonstrate that they were unable to appeal at an earlier stage for good reasons beyond their control.
 - (c) appeals which amount to disagreement with academic judgment, for example in relation to the quality of submitted work
 - (d) appeals which are not substantiated by evidence, where no valid reason has been provided for this
 - (e) appeals against a result which has previously been the subject of an appeal, where the content of the appeal is substantially similar
 - (g) appeals which would be more appropriately considered under one of the University's other procedures, e.g. concerns that a student's performance was adversely affected by the quality of teaching, advice or guidance are appropriate for the Complaints Procedure

- (h) appeals based on the student being unaware of any of the University's available procedures, such as the Exceptional Circumstances Procedure
- (i) appeals which are frivolous or vexatious

- 2.3 To submit an academic appeal, a student should complete a Complaints and Appeals Form and submit it in accordance with the instructions on the form. It is the responsibility of the student to ensure that, at the point of submission, they raise all relevant issues and provide all relevant information and documentation which they wish to be considered. Issues, information and documentation which are submitted at a later date will not normally be considered and the Student Investigation and Resolution Team are not responsible for obtaining information on behalf of the student.
- 2.4 Academic Appeals should normally be submitted directly by the student themselves, and not by someone acting on their behalf. If there is good reason, for example if the student has a disability which makes it difficult for them to engage in the procedure, then they may apply to appoint a representative. They should do this by contacting the Student Investigation and Resolution Team, explaining why they need a representative, providing the name and contact details of who will represent them, and giving permission for the University to discuss all confidential matters with the representative.
- 2.5 If the Student Investigation and Resolution Team gives permission for a representative to handle the appeal on behalf of the student, they will normally correspond only with the representative about the complaint after that. They will usually accept information only via the representative and not from the student directly.
- 2.6 The University will make reasonable adjustments to these procedures where possible, when it is reasonable to do so to prevent any student from suffering a substantial disadvantage as a result of a disability. Those requiring reasonable adjustments are expected to inform the Student Investigation and Resolution Team and any appropriate adjustments will be discussed.

3 Initial evaluation

- 3.1 Upon receipt of the academic appeal, a member of the Student Investigation and Resolution Team will undertake an initial evaluation to check that the appeal:
- (a) has been submitted under the correct procedures,
 - (b) falls within the grounds upon which an appeal can be made,
 - (c) does not fall into one of the categories listed in paragraph 2.2, which will not be considered
- 3.2 If the criteria listed in paragraph 3.1 are met, then the appeal will proceed to a Level 1 investigation.
- 3.3 If it is decided at this stage that all or part of the appeal is not eligible, then the student will normally be informed of this within 10 working days of submission of the Complaints and Appeals Form.
- 3.4. If the student is dissatisfied with a decision that all or part of their appeal is not eligible, they may request a review within 10 working days of the date the decision was issued to them. Students must indicate why they feel the decision was not made in accordance with these procedures. Late requests will be considered only if evidence is provided to demonstrate that this could not have been made earlier.

3.5 The review will be carried out by a member of the Student Investigation and Resolution team, the reviewer will not have been involved with the initial decision. They will consider the reasons which the student has given about why they feel the eligibility decision is incorrect. They will normally send an outcome letter within 20 working days of the review request. If they uphold the original decision, they will issue a Completion of Procedures Letter. If they overturn the initial decision, the academic appeal will proceed to Level 1.

4 Level 1

4.1 The investigator will not normally meet with the student, instead making a decision on the basis of the evidence which has been provided to them. At their discretion, they may talk to key staff and the student and the student's academic department may be asked to comment on the academic appeal. They may also ask the student to submit further information, and set a deadline for this information to be provided.

4.2 The Level 1 outcome will normally be sent to the student within 20 working days from the referral to Level 1. If any aspect of the academic appeal has been found justified, then the outcome letter should explain what the University will do to put things right, and when this will be done.

4.3 If the student is dissatisfied with the Level 1 academic appeal outcome, they can request a Level 2 review of this decision, on one (or more) of the following grounds:

- (a) that the procedures were not properly followed during the Level 1 investigation;
- (b) that the outcome was one that no fair and reasonable person could have made on the basis of the evidence;
- (c) that there is new, relevant evidence which the student can demonstrate they were unable to provide earlier for reasons beyond their control

4.4 A Level 2 review request should be submitted in writing, within 10 working days of the issue of the Level 1 outcome, unless there is evidence to demonstrate why it could not reasonably have been submitted earlier. It should clearly state the student's grounds for review and any evidence to support this, as well as explaining what remedy the student is seeking.

4.5 If the student is dissatisfied with the Level 1 appeal outcome but does not meet any of the grounds for a Level 2 review set out in paragraph 4.3, they can request that the university issues a Completion of Procedures Letter.

5 Level 2

5.1 Normally two reviewers from the Student Investigation and Resolution Team, who have not previously been involved in considering the case, will be appointed to consider the Level 2 academic appeal. Both reviewers need to agree on the outcome. If the reviewers cannot agree then a third member of staff will be consulted, and the majority decision will form the outcome.

5.2 As this is a review, the reviewers will not normally consider the issues afresh or conduct a further investigation into the specific issues raised. If it is decided that one or more of the grounds for a Level 2 academic appeal have been met, then the reviewers have the authority to amend the Level 1 outcome.

5.3 The Level 2 outcome will normally be sent to the student within 20 working days of referral to level 2. If any aspect of the academic appeal has been found justified, then the

outcome letter should explain what the University will do to put things right, and when this will be done.

- 5.4 If the Level 2 academic appeal has been found not justified, then a Completion of Procedures Letter will be issued to the student.

6 Completion of procedures

- 6.1 A Completion of Procedures Letter will be automatically issued within 28 days in the following circumstances:
- (a) If the student's academic appeal was found ineligible and a review did not overturn that decision
 - (b) If the student is dissatisfied with the Level 1 outcome and has told the University that they do not meet the grounds for a Level 2 academic appeal
 - (c) If the student's academic appeal was considered at Level 2 and not justified.
 - (d) If the student's academic appeal was considered at Level 2 and was justified or partly justified but the student has stated that they are dissatisfied with all or parts of the outcome.
- 6.2 If a student has completed the University's internal appeal procedures, they are entitled to ask the [Office of the Independent Adjudicator for Higher Education](#) (OIA), to review their complaint about the outcome of the appeals process. The OIA will decide if the complaint is eligible under its rules. The complaint must be submitted to the OIA within 12 months of the date of the Completion of Procedures Letter.