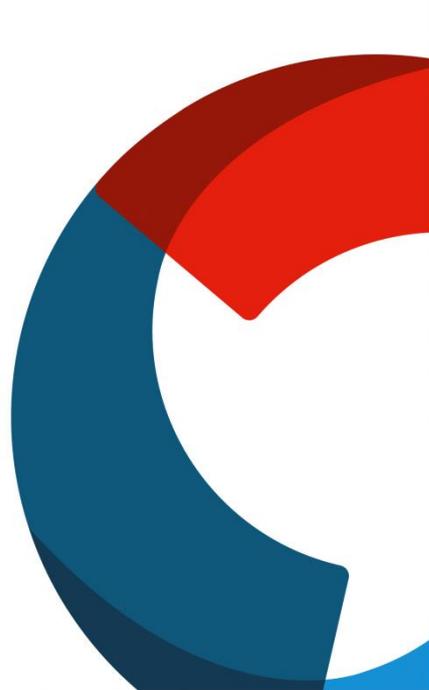


University of Sussex International Study Centre

Academic Appeals Procedure



Student Academic Appeals Procedure

An academic appeal where a student feels that an academic process has not been followed or where there is a grievance on academic grounds. Appeals against academic judgement will not be heard. Complaints are made against the standards of service you experience within the ISC.

Who can appeal?

All students have the right to appeal, however it is not possible to appeal against grades awarded on grounds of academic judgement. Appeals will only be considered on grounds of procedural irregularity or mitigating circumstances.

A student may not appeal before formal notification of the results is given. If a student intends to appeal against a progression decision, he or she will not normally be allowed to progress before the appeal is heard. Students should initiate the appeal on their own behalf. Exceptionally, where there are special circumstances, an appeal may be made on a student's behalf by his or her nominee.

What are the grounds of appeal?

All appeals against a decision of an assessment board must be made on at least one of the following grounds:

- procedural irregularities in the assessment process (including alleged administrative error which could have led the assessment board to reach a different conclusion to that which they might have reached had the error not been made);
- inadequate assessment, prejudice or bias on the part of the examiners; and /or medical, personal or other circumstances which affected a student's performance of which the examiners were unaware at the time of the assessment.
- Appeals against the exercise of academic judgment will not be heard. If you do not understand why you have received a lower mark than expected, you should contact the person responsible for the class and ask for feedback on your performance.

The guiding principles for an appeal hearing are: timeous decision making; openness and transparency of decision-making and proper recording of the reasons for the decision; the impartiality of the decision makers; the possibility of review and the availability of representation and the opportunity for both sides to have their views taken into account.

Failure to operate to the timescales defined in these procedures does not of itself constitute grounds for an appeal decision to be invalid.

Implications for progression

Where an appeal is pending, the appellant will normally be allowed to continue to attend classes subject to the agreement of the assessment board (or its nominee) in order not to prejudice his or her studies if the Appeals Committee upholds the appeal. However, should the Appeals Committee not uphold the appeal, the student may subsequently be

asked to leave the classes.

Where an appeal relating to the final modules is pending, the appellant will not normally be allowed to progress.

Stage 1: Academic Appeals to ISC Appeals Committee

Timing and format of appeals

All appeals, together with supporting documentary evidence, should normally be lodged in writing with the Head of Centre (HoC) within 10 working days.

Appeals should be addressed in the first instance to the HoC and delivered to the ISC Administration Office.

Appeals should be set out on the Student Appeals Form available from the ISC administration office. All supporting documentation must be securely attached. As well as setting out in full the grounds on which the appeal is founded, the appellant should state the outcome(s) sought (e.g. a further attempt at failed examinations).

Where an appeal is based on circumstances that the appellant might reasonably have been expected to have brought to the attention of the ISC before the meeting of the MAB or PAB, such as an ongoing medical or personal circumstance, the appellant should explain why these were not brought to the notice of the ISC at an earlier date.

An appeal submitted by the appropriate deadline will be heard within 30 working days of its receipt by the ISC Administration Office unless there are abnormal circumstances surrounding the case.

Procedure for the Hearing of Academic Appeals

The ISC will send out an acknowledgement within five working days of receipt of an appeal during the term and ten working days out with terms. Any unavoidable delays in addressing the appeal (e.g. the absence of the individual(s) required to provide a response) will be notified at as early a date as possible.

On receipt of the documentation, the HoC, will judge whether there are grounds for appeal (as indicated above). If not, the appellant will be informed in writing that the appeal will not be heard because there are no grounds, and will be advised of their right to appeal to the Regional Director.

If there are grounds for appeal, the ISC will send a copy of the appeal documentation to the relevant tutor or their nominee(s) to comment on the appeal. These individuals may consult colleagues or investigate the appeal as appropriate. In particular, they will wish to consult any colleague named in the appeal.

Where an appeal alleges inadequate assessment, bias or prejudice on the part of staff acting as an examiner, the ISC Administration Office will invite the HoC to comment. The HoC may consult colleagues or investigate the appeal as appropriate. In particular, he or she will wish to consult any colleague named in the appeal.

If the ISC is content at this stage to grant the appellant's desired outcome, the HoC or nominee will normally take the decision to grant the desired outcome on behalf of the ISC

Appeals Committee and the appellant will be notified by the ISC Administration office.

Where the course team do not consider that the desired outcome can be justified, the written appeal, together with the written comments of the tutor, or nominee, the HoC and/or those they have consulted, will be considered at the meeting of an ISC Appeals Committee.

Neither the Appellant nor the staff involved has a right to appear before the ISC Appeals Committee. The case at ISC level is judged on the basis of the written appeal received from the student and the written ISC staff response to the student's case.

Appeals Committees at ISC level will be set up taking care to ensure impartiality in membership with regard to the individual appeals under consideration. Anyone who has previously been involved in a particular case (in whatever capacity) cannot be involved in the decision-making process regarding the outcome of an appeal. To avoid the Head of Centre having a conflict of interests, as they chair the MABs, there is also a further opportunity for students to appeal to the Regional Director.

The ISC Appeals Committee should take care to consider and respond to all the grounds for appeal presented by the student and, if appropriate, explain why certain grounds were not considered on the basis of relevance.

The appellant will be informed in writing of the decision of the ISC Appeals Committee by the ISC Administration Office within seven working days of the decision being made. The Appellant will be provided with an explanation of the Appeals Committee's decision(s) and, if their appeal was not upheld, will be advised of their right to appeal to the Regional Director.

The ISC Administration Office will retain a record of formal appeals. All other copies of the appeal papers will be destroyed once the appeal process, including any appeal to the Regional Director, has run its course.

When an appeal points to procedural irregularities in the assessment process, appropriate recommendations to address these may be made to the tutor or nominee. If an appeal is not upheld the appellant has the right of appeal to the Regional Director. Such appeals should be addressed to the Regional Director, University of Strathclyde International Study Centre, 1 Billinton Way, Brighton, East Sussex BN4 4EF.

Stage 2: Regional Director Appeal

Grounds of appeal to the Regional Director

A student has the right of appeal to the Regional Director following an unsuccessful or only partially successful appeal to the ISC Appeals Committee. All such appeals must be made on at least one of the following grounds:

- new information which was not available, for good reason, at earlier stages;
- bias or prejudice on the part of those who dealt with the appeal at the ISC Appeals Committee;
- breach, by the ISC Appeals Committee of the procedure set out in the relevant regulations or in this procedure

Timing and format of appeals to the Regional Director

An appeal to the Regional Director may be lodged only after notification has been given of an unsuccessful appeal to the ISC Appeals Committee.

All appeals to the Regional Director, together with any supporting documentary evidence, must be lodged in writing with the Regional Director within a period of two weeks from the date on the letter informing the appellant of the outcome of the original appeal to the ISC. Appeals received after this two-week period will not be accepted without the prior agreement of the Regional Director, and in any event only where good reason is given for such an extension.

Appeals to the Regional Director should be set out in writing on the Regional Director Appeal Form and should be addressed to the Regional Director. As well as setting out in full the grounds on which the appeal is founded, the appellant should also state the outcome(s) sought (e.g. a further attempt at failed examinations).

The appeal to the Regional Director must be supported by copies of the student appeal form which was considered by the ISC Appeals Committee, the response received from the ISC Appeals Committee and all available and appropriate evidence (e.g. medical certificates). Copies of these may, if necessary, be obtained from the ISC Administration Office.

An acknowledgement of receipt by the Regional Director will be sent out within ten working days. Any unavoidable delays in addressing the appeal (e.g. the absence of the individual(s) required to provide a response) will be notified at as early a date as possible.

Procedure for Regional Director Academic Appeals

On receipt of the documentation, the Regional Director will judge whether there are grounds for appeal (as indicated above). If not, the appellant will be informed in writing that the appeal will not be heard because there are no grounds.

If a relevant ground of appeal has, in the opinion of the Regional Director, been appropriately set out, a copy of the appeal documentation will be sent to HoC and the relevant tutor who will be asked for written comments and for any additional documents or other evidence that may be relevant. These should normally be returned to the Regional Director within ten working days.

If, as a result of additional information contained in the appeal to the Regional Director, the ISC is content at this stage to grant the appellant's desired outcome, the Regional Director will normally take the decision to grant the desired outcome and the appellant will be notified.

Where the ISC does not consider that the desired outcome can be justified, then the Regional Director will normally consider the appeal within thirty working days of the receipt of the appeal.

At least ten working days before the hearing is due the appellant will be notified in writing of the date, time, venue and other arrangements for the hearing. The appellant will also be provided with a copy of all written comments or evidence submitted by the ISC, and all other papers that it is intended should be presented to the Regional Director Appeal.

The appellant has the right (but is not required) to submit additional written material in response to these papers, responding to the comments of the ISC. Any such material must be submitted to the Regional Director not less than five working days before the hearing. The response will also be circulated to representatives from the ISC.

The appellant has the right of appearance at the hearing of the appeal, and the right to be accompanied and/or to be represented at the hearing by a person of their choice (subject to the agreement of that individual). The appellant must notify the Regional Director of the name of any individual who will be accompanying him or her to the meeting or representing him or her at the meeting.

The appellant will be given adequate opportunity to explain the ground(s) of appeal, and challenge or question the evidence presented by the ISC and will be afforded every reasonable opportunity to present the appeal.

A senior member of the ISC, and/or other relevant person(s), will normally be invited to attend the Regional Director Appeal hearing to provide information on matters such as practices, precedents, and academic requirements relating to the appellant's course of study. This individual/these individuals should not have been involved in the decision-making process regarding the outcome of the Faculty appeal, nor should they have been implicated in the appeal itself, nor so far as is practicable should they have been involved in the original decision.

The appellant, any accompanying person and/or representative and the ISC representative(s) will be admitted and remain present throughout the whole of the time that the Regional Director Appeal is receiving evidence. The guiding principles for the hearing will be those stated above.

The sequence during the hearing is as follows:

- The Regional Director Appeal convenes in private to clarify which issues arising out of the appeal papers members wish provisionally to raise with the parties before inviting the appellant, and the ISC representative to join the meeting;
- The appellant – or representative - is invited to speak to the salient aspects of the appeal;
- If the appellant wishes to introduce new grounds at the meeting, the Appeals Committee may exclude the appellant and ISC representative in order to discuss whether such new grounds can be admitted;
- The members of the Committee put questions to the appellant (or representative of the appellant) and, if necessary, the ISC representative(s);
- The ISC representative(s) is/are invited to make such comments as are considered necessary or appropriate;
- The appellant (or representative) is invited to sum up the appeal;
- The appellant, the representative and/or accompanying person and the ISC representative(s) are asked to leave the hearing while the Committee considers its decision;
- Once the Regional Director has reached a decision, the appellant, representative and/or accompanying person and the ISC representative(s) are invited back into the Hearing and the decision is communicated to them by the convener. If a decision cannot be made at this stage, an explanation should be given and a timescale for decision-making agreed

Normally the appellant will receive formal written notification of the Regional Director's findings and recommendations within ten working days of the date of the appeal being heard.

The appellant will be provided with an explanation of the Regional Director's decision
When an appeal indicates that there are procedural issues that need to be addressed, appropriate recommendations will be made to the ISC.

A record of all Regional Director appeals will be retained by the ISC. The ISC will collect equality and diversity data on appeals for monitoring purposes. This information will be held confidentially.