



## ACADEMIC APPEALS POLICY AND PROCEDURE

Audience	Policy	Version and Date	Next Review Due	External Reference Points:
External (Student VLE)	Academic Appeals Policy and Procedure	V-05, November 2018	November 2020	UKQC Chapter B9 Academic appeals and student complaints  Office of the Independent Adjudicator (OIA): The good practice framework for handling complaints and academic appeals  Enquiries and appeals about Pearson vocational qualifications and end point assessment policy

### **AIMS**

An academic appeal is a request for a review of an Assessment and Progression Board decision in relation to assessment or progression for any given student. This policy outlines fair, accessible and timely procedures to enable registered students to appeal against decisions of the Assessment and Progression Board.

The procedures described in this policy apply to students of HND Programmes awarded by Pearson.

### **POLICY:**

1. The College keeps students informed of their rights to request Academic Appeals, both through internal and external means, as well as the timeframe within which to do so.
2. Students will not be disadvantaged as a result of bringing an academic appeal.
3. All appeals are considered by someone who is impartial, who was not involved with processes leading to the appeal claim. This impartiality is assured throughout the process.
4. As far as possible, within the effective operation of the process, confidentiality of the student and the proceedings will be maintained by staff members involved.
5. For students who have completed the course and received an award certificate, this implies the closure of any action/appeal within the College's procedure.
6. Academic appeals are not valid where they relate solely and directly to claims concerning academic judgement.
7. Group appeals against decisions are acceptable, provided that all students within the group are affected by the same set of circumstances.
8. The Registrar will report to the Academic Board after the end of each academic year on the activity and outcomes of academic appeals made during that year.

### **GROUNDS FOR APPEAL**

An appeal can only be brought on one or more of the following grounds:

- there existed mitigating circumstances affecting the student's performance of



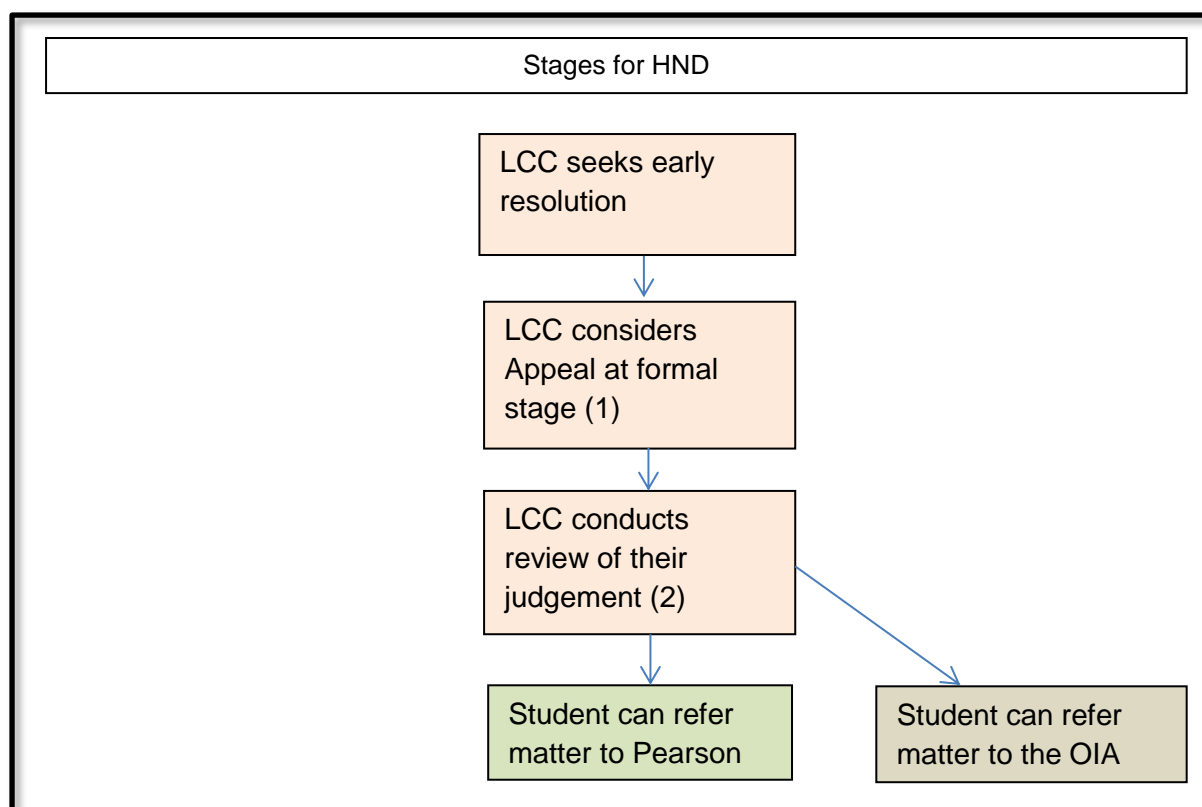
which the assessors were not aware when their decision was taken, and which could not reasonably have been presented to the assessors;

- there was an administrative error or procedural irregularity or other inadequacy in the conduct of the assessors or processing of marks or grades of such a nature as to cause doubt as to whether the result might have been different had there not been such an error.

## PROCEDURE

The Appeals process consists of multiple stages, which allow students to escalate their Appeal to higher authorities if they are dissatisfied with the initial result.

The process is outlined in the figure below, indicating where responsibility for completing the stage lies.



### Early Resolution

LCC provides students with the opportunity to seek clarification of assessment decisions following the publication of results. This can provide an opportunity to manage the student's expectations before he or she decides whether to submit a formal appeal.

Students can discuss their results with their Personal Tutors, who can advise the student on how they might achieve a higher grade in a future assessment and provide guidance, and relevant forms, to make an Academic Appeal, should they wish to do so.

### Stage One: Formal Stage

Appeal must be received within 15 working days of Assessment and Progression Result
Decision to be issued to the student within 10 working days



A student wishing to make an appeal must do so by completing the Stage One Academic Appeal Form, which can be downloaded from the VLE or obtained from reception and should be submitted to the Registrar at LCC.

On receipt of an academic appeal, the Registrar will undertake an initial evaluation to check that the student's academic appeal was submitted under the correct procedures, that it falls within the grounds upon which an appeal may be made, that it was submitted within the deadline and is in the required format. This process may result in:

- the student being referred to a different procedure
- the appeal being rejected if it is not made for valid reasons, in which case the student shall receive a letter from the Registrar informing them of this outcome.
- the academic appeal proceeding to formal consideration

The decision will be communicated to the student in writing.

If the appeal is considered to be valid, then the Registrar may conduct the appeal review or nominate an appeal reviewer to investigate the claim. This will be a member of staff who has had no previous involvement in the matter.

The appeal reviewer is has authority to take the following courses of action-

- to investigate the appeal and request any supporting documents required
- to approve the validity of any appeal received following investigation
- to form an appeal panel in cases where additional impartial expertise is required to make a decision.
- to require the chair of the Assessment and Progression Board (or his/her nominated person) to review or revise its decision or process where grounds for appeal is found to have had material impact on the performance or progression of a student.

Neither a reviewer nor any academic appeal panel has the authority to set aside the decision of the assessors or recommend award.

A revised decision of an Assessment and Progression Board resulting from this process shall be final and may not be the subject to further appeal.

The outcome of the appeal will be communicated to the student in writing.

If the appeal is not upheld, the student will be informed of their right to request a review of Stage One, as well as instructions on how to do so and the time limits.

The review of Stage One for HND students will be the responsibility of LCC and shall be conducted according to the process described below.

### **Stage Two: Review Stage**

Must be made within 10 working days of Stage One outcome
Outcome issued to student within 15 working days of Panel

A student requesting for an appeal review panel to review the appeal decision, must complete the Stage Two Academic Appeal form and submit it to the Registrar within 10 workings days of receiving the Stage One outcome. The form can be obtained through the College reception or the VLE.



A request for a review may be on limited grounds, including but not confined to:

- a review of the procedures followed at the formal stage
- a consideration of whether the outcome was reasonable in all the circumstances
- new material evidence which the student was unable, for valid reasons, to provide earlier in the process.

If the request is deemed to be on reasonable grounds, then the registrar will refer it to an appeal panel. However, if the request is rejected, the student shall be issued a Completion of Procedures Letter and will be informed of their right to refer the matter to either Pearson or the OIA.

The appeal panel will comprise of members of the College who are independent of the case.

The student will be invited to provide a written statement and any additional evidence to the panel and will be invited to attend the panel meeting in person. They will be entitled to bring a companion.

The review will lead to one of the following outcomes:

1. to confirm that the chair of the Assessment and Progression Board (or his/her nominated person) will be required to review or revise their decision or process in respect of the student;
2. to accept the original decision of the Assessment and Progression Board and to issue a Completion of Procedures letter.
3. to inform the student that the review upheld the procedure and outcome of the previous investigation, but other factors have since been identified as leading to a requirement for revision of the Assessment and Progression Board's decision.

### **Investigation by Pearson**

Application must be made within 14 calendar days
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Pearson issues outcome within 30 calendar days
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Where an HND student remains dissatisfied following the outcome of LCC's investigation of the Appeal, they have the choice to either refer the matter to the Pearson Vocational Quality Standards team or to take their appeal direct to the OIA. The Completion of Procedures Letter issued will provide the detail of the two options available.

A student cannot appeal to Pearson or the OIA before receiving a COP letter informing them that they have exhausted the London Churchill College's internal Appeals process.

Students can refer to *Enquiries and appeals about Pearson vocational qualifications and end point assessment policy* for further information on how Pearson will process the appeal.

### **Completion of Procedures (COP) Letter**

The College must issue to the student within 28 days
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LCC will, under the OIA Scheme Rules, issue a Completion of Procedures Letter to an HND student promptly, and not later than 28 days after all of its internal processes have been completed.

The issue of a Completion of Procedures Letter serves the following main purposes:

- It confirms the date when the student completed the internal Appeal procedures;



- It clarifies the issues considered by LCC under those procedures;
- It establishes the timescale for bringing a complaint to the OIA;
- It advises the student of the possibility of bringing a complaint to the OIA.

#### **The Office of the Independent Adjudicator (OIA):**

Complaint must be received within 12 months of COP Letter

Generally confirms outcome within 90 days of receipt of complete complaint file

Once the College's appeal procedure has been exhausted and if the matter has not been resolved to the satisfaction of the student, they may put their case to the Office of the Independent Adjudicator (OIA) by completing the OIA Complaint Form.

The COP letter issued by the College will advise the students of where to obtain the OIA Complaint Form.

The OIA must receive the signed form within 12 months of the date of the COP letter, otherwise they will consider the complaint to be out of time.

Following the OIA process does not prevent the student from pursuing a complaint or appeal with Pearson. They may choose whichever route(s) that believe is the most appropriate although they cannot engage the two simultaneously.