

University Centre Colchester Regulations for Students on University of Essex Programmes

2021/22

Academic Appeals Procedures

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Procedures for dealing with an appeal by an undergraduate or postgraduate student who is enrolled on a programme leading to an award of the University of Essex against substantive decisions of an Examination Board.

1 Ground for a Making an Academic Appeal

- 1.1 A student who wishes to appeal against the decision of a Board of Examiners must do so within 10 working days of their publication by submitting an **Academic Appeal Form**, stating fully and precisely the grounds for appeal.
- 1.2 The appeal form is available from the University Centre Colchester (UCC) Academic Services office (HE103), or the UCC Student Portal and is also printed below with guidance notes.
- 1.3 If a student can show that circumstances beyond their control prevented this time limit being adhered to and that an injustice would result from adhering to it, the Dean of Higher Education or their nominee may extend the time limit in which an appeal may be lodged.
- 1.4 The main legitimate grounds for appeal are the following:
- a) there is new evidence, which for good reason was not previously available to the Board of Examiners, which might have materially affected the outcome;
 - b) the board of Examiners did not follow the University's procedures which disadvantaged the student's case;
 - c) there is evidence of prejudice and/or bias during the consideration of the student's progress by the Board of Examiners.
- 1.5 The following are not considered legitimate grounds for appeal, but may be submitted to UCC Academic Services and will be considered by the Dean of Partnerships (or their nominee):
- i. Requests to repeat a year of study in full or to repeat failed modules part-time, where this offer was not made by the Board of Examiners.
 - ii. Requests to undertake reassessment, repeat the year or to repeat failed modules part-time, after the student has been withdrawn by the Board of Examiners solely due to the student's complete non-engagement with their examinations or required assessment.
- Such requests will be considered exceptionally by the Deputy Dean of Partnerships, whose decision will be final.
- 1.6 The following are not considered valid grounds on which to appeal, and any appeals based exclusively on one or more of these grounds will be rejected automatically:
- a) Disagreement with a mark or grade and/or appeals against the academic judgment of internal or external examiners. Coursework and examinations cannot be

remarked, except in cases of procedural irregularities;

- b) Any initial mark or informal assessment of the student's work by a member of staff that is not the final mark approved by the Board of Examiners;
 - c) The retrospective reporting of extenuating circumstances which a student might reasonably have been expected to disclose to the Board of Examiners before their meeting;
 - d) Appeals against the judgment of the Board of Examiners in assessing the significance of extenuating circumstances, and whether and to what extent they affected academic performance;
 - e) Marginal failure to attain a higher class of degree;
 - f) Appeals where the grounds of complaint concern the inadequacy of teaching or other arrangements during the period of study; such complaints must be raised, in writing, normally before the examination board meets.
 - g) Appeals where the student has not understood or complied with the Rules of Assessment properly, including:
 - i. Not attending scheduled examinations (or equivalent);
 - ii. Not notifying University Centre Colchester of any planned absences as scheduled examinations (or equivalent);
 - iii. Not undertaking any reassessment that was previously instructed.
- 1.7 The form must be returned to the UCC Academic Services either on email address uccacademicservices@colchester.ac.uk or in person to room HE103. An acknowledgement receipt of the appeal will be sent within five working days.

2 Processing of an Academic Appeal

- 2.1 Upon receipt of an Academic Appeal form UCC Academic Services will review the appeal, determining if it has been submitted on-time and that it meets the valid grounds for appeal (section 4.1). UCC Academic Services will acknowledge receipt within 5 working days.
- 2.2 If the appeal is found to be on-time and valid then the form, along with section B and C, will be forwarded to the Student Progress Team at the University of Essex (appeals@essex.ac.uk) copied to the Partnerships Team and considered by an Appeals Officer.

The appeal may be forwarded for review by the Student Progress Team to the Dean of Partnerships at the University, or nominee, for the following reasons:

- requests to repeat the year or, repeat module part-time, instead of taking summer reassessment;
- for reinstatement following withdrawal (due to not engaging with their

reassessment or after missing their exams);

- to ratify a simple correction by Chair's action (such as the calculation of the student mark is incorrect or capped in error).

2.3 If an Academic Appeal form is found to be late and/or invalid the student will be sent an initial review outcome email. Following receipt of the initial review outcome email, the student would be able to request for the appeal to be passed onto the University for review.

3 The Appeals Officer dismisses the appeal

3.1 If the Appeals Officer decides that there are not sufficient prima facie grounds for putting the case to the Board of Examiners, the UoE Student Progress Team will inform the student in writing, stating the reasons for the decision. The communication of this decision shall, in such cases, constitute the formal dismissal of the appeal.

3.2 If a student is dissatisfied with the outcome of the appeal, they may request an internal review on the following grounds:

- a) Procedural irregularity in the appeal process;
- b) Consideration of whether the outcome was reasonable given all the circumstances;
- c) That new material evidence is now available which the student was unable, for valid reasons, to provide earlier in the process.

3.3 The review stage will not normally consider the issues afresh or involve further investigation.

3.4 Internal Reviews would be undertaken by the Pro-Vice Chancellor of Education, or their nominee, and be administered by the Student Progress Team.

3.5 In order to request a review of an appeal, student must complete a Request a Review Form and submit it to UCC Academic Services within twenty working days, who passes the request to the UoE Student Progress Team for processing.

3.6 If the Pro-Vice Chancellor upholds the request for a review then the case will be referred to an alternate Appeals Officer for consideration.

3.7 Students may request a Completion of Procedures (COP) letter either at the point the Appeals Officer dismisses their case or following conclusion of the 'Internal Review'. Receipt of a COP letter following the Appeals Officer's initial decision would remove the right of a student also requesting an 'Internal Review' as this would signal the end of formal procedures.

4 The Appeals Officer upholds the appeal

4.1 If the Appeals Officer decides there are sufficient grounds for putting the case to the Board of Examiners, they will forward it, together with their written comments, to UCC Academic Services who will forward to the Head of School. The UoE Student Progress

Team will inform the student, and will subsequently inform the student when the Board of Examiners will meet to reconsider the case. On receipt of the appeal and the Appeals Officer's comments, the Deputy Dean of Partnerships shall cause the Board of Examiners to reconvene. The Deputy Dean of Partnerships will put before the Board the student's submission, the Appeals Officer's comments and any material relevant to the original assessment. The Deputy Dean of Partnerships will then formally ask the Board to review its decision. The Appeals Officer will have the right to attend and to address the meeting of the Board of Examiners.

- 4.2 If the Appeals Officer decides to uphold an appeal by a student on the grounds of extenuating circumstances of which the Board of Examiners was unaware and of which the student could not reasonably have been expected to inform the Board of Examiners in advance, the Appeals Officer will decide whether it is appropriate to ask the Deputy Dean of Partnerships to reconvene the Board of Examiners. If it is the Appeals Officer's view that the likely outcome of such a meeting would be that the Board of Examiners would decide either that the extenuating circumstances should be carried forward to the next year's Board, or that the extenuating circumstances would not have a material effect on the results, then the Appeals Officer will not ask the Deputy Dean of Partnerships to reconvene the Board. However they will ensure that the Deputy Dean of Partnerships is fully apprised of the extenuating circumstances so that they can be placed before the Board of Examiners in the student's next year.
- 4.3 In causing a Board of Examiners to reconvene, the Deputy Dean of Partnerships may, at his or her discretion, consult by telephone or in writing any internal or external examiner who is unable to attend the reconvened meeting of the Board.
- 4.4 If, following review of its decision, the Board of Examiners is satisfied that there is no reason to amend its original decision the Deputy Dean of Partnerships will so inform the UoE Academic Registrar via the UoE Student Progress Team in writing, giving the Board's reasons for reaffirming its original decision and its comments, if any, on the grounds for appeal stated by the student.
- 4.5 If, following review of its decision, the Board of Examiners concludes that its original decision was wholly or partly incorrect to the extent that it decides on a new outcome; the Deputy Dean of Partnerships will so inform the UoE Academic Registrar via the UoE Student Progress Team in writing and advise them of the amended mark or classification.
- 4.6 The decision of the Board of Examiners following review will be communicated in writing to the student and UCC Academic Services by the UoE Student Progress Team on behalf of the UoE Academic Registrar stating the grounds for the decision. The communication of the decision shall in all cases constitute the formal conclusion of action taken in accordance with these procedures.

5 Office of the Intendent Adjudicator (OIA)

- 5.1 The Office of the Independent Adjudicator for Higher Education (OIA) provides an independent scheme for the review of student complaints or appeals. When the University's internal procedures for dealing with complaints and appeals have been exhausted, the University will issue a Completion of Procedures letter. Students wishing to avail themselves of the opportunity of an independent review by the OIA must submit their application to the OIA within twelve months of the issue of the Completion of Procedures letter. Full details of the scheme are available on request and will be enclosed with the Completion of Procedures.

ACADEMIC APPEAL FORM

For students studying on an Undergraduate or Postgraduate Taught Programme at a University of Essex Partner Institution appealing the decision of the Boards of Examiners

Section A – Please complete this form in full & send it to UCC Academic Services.

Before you complete this form please read the [Appeals Procedure and guidelines](#) online. Appeals must be submitted electronically within **ten working days** of the publication of your examination results.

Tier 4 students: Your Tier 4 immigration permission may be affected by the outcome of your appeal. Please contact our [International Services team](#) for further advice.

If you require any further information about the Appeals Procedure from the University of Essex, please contact the Student Progress Team via email at appeals@essex.ac.uk or by telephone on 01206 874000.

PRID	
Student ID / Registration Number	

Title	
First Name	
Surname	
Contact Telephone	
Contact Email <i>(please use University email address where possible)</i>	
Correspondence Address	

Course		
Year / Stage / Level of Study		
Do you hold a Tier 4 Visa?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

What is the decision against which you are appealing?

What outcome are you seeking?

Please mark an 'X' next to the grounds upon which your appeal is based.

Extenuating circumstances of which the Board of Examiners was unaware and of which the student could not reasonably have been expected to inform the Board of Examiners in advance	<input type="checkbox"/>
Procedural irregularities in the conduct of the Board of Examiners (including alleged administrative error) of such a nature as to cause reasonable doubt as to whether the result might have been different had they not occurred	<input type="checkbox"/>
Other (please read below)	<input type="checkbox"/>

Please note that the Appeals Officer will be referred any appeal that meets the criteria stated above. Other grounds will be considered on their merits, but the following are **not** considered legitimate grounds on which to appeal, and any appeals based exclusively on one or more of these grounds **will be rejected automatically**:

- (i) disagreement with a mark or grade and/or appeals against the academic judgement of internal or external examiners. Coursework and examinations cannot be remarked, except in cases of procedural irregularities;
- (ii) any provisional mark or informal assessment of the student's work by a member of staff that is not the final mark approved by the Board of Examiners;
- (iii) the retrospective reporting of extenuating circumstances which a student might reasonably have been expected to disclose to the Board of Examiners before their meeting;
- (iv) appeals against the judgement of the Board of Examiners in assessing the significance of extenuating circumstances, and whether and to what extent they affected academic performance;
- (v) marginal failure to attain a higher class of degree;
- (vi) appeals where the grounds of complaint concern the inadequacy of teaching or other arrangements during the period of study; such complaints must be raised, in writing, before the examination board meets.

Appeals Statement

Please give the reasons for your appeal and any other explanation/information that may be relevant.

Supporting Evidence

You should provide evidence to support your appeal. All evidence will be treated in the strictest of confidence and original documents will be returned to you.

Please note that failure to substantiate your appeal with evidence may result in your appeal being dismissed.

Appropriate evidence may include, but is not limited to:

- Medical certificate/hospital letter
- Death certificate/order of service
- Any relevant correspondence with the University or external organisations
- An evidence pro-forma from Student Support

Will you be providing evidence as part of your appeal?

Yes

No

If yes, please outline the evidence that you are providing as part of your appeal:

Please mark an 'X' if applicable:

I have had contact with Student Support about the matters discussed as part of this appeal and I give my permission for Student Support to release information held about me for the consideration of my appeal:

Signature:

Date:

If you send the form as an email attachment, please type 'submitted electronically' in the signature box