

# **ACADEMIC APPEALS PROCEDURE**



***Notes:***

- i. This Procedure may be used only when there are eligible grounds for doing so and may not be used simply because a student is dissatisfied with the outcome of his or her assessment or other decision concerning their academic position or progress.
- ii. This Procedure is available to students registered on programmes of study at the Institute.
- iii. An appeal which questions the academic or professional judgement of those charged with the responsibility for assessing a student's academic performance or professional competence will not be permitted.
- iv. A student may submit an appeal only on his or her own behalf; an appeal submitted by a third party will not be accepted unless accompanied by written authorisation from the student.
- v. A student thinking of appealing should discuss the matter with his or her tutor or the Student Office before doing so in order to better understand the reason for the result or decision against which they wish to appeal. A formal appeal should only be submitted if a student remains dissatisfied once informal avenues have been exhausted.
- vi. The Institute reserves the right to postpone considering, dealing with and/or responding to an academic appeal when the student is pursuing legal proceedings against the Institute.
- vii. All appeals will be dealt with in confidence with the proviso that enquiries will have to be made to investigate the matters that are the subject of the appeal.

## Scope

This Procedure may be used by students who wish to appeal against a final decision of an Examination Board or equivalent body which affects a student's academic status or progress in the Institute, including (but not limited to) the following:

- a. a decision that the student be expelled from the Institute or be excluded from his or her programme, or course, of study on grounds of unsatisfactory progress or failure to meet academic or professional requirements, or arising from unsatisfactory attendance.
- b. a requirement that the student interrupt his or her studies on grounds of unsatisfactory progress or failure to meet academic or professional requirements.
- c. the result of a formal assessment or the award of a particular degree classification.
- d. a decision not to allow the student to interrupt his or her studies.

## Grounds for Appeal

An appeal may be made only on grounds alleging:

- a. that there exists or existed circumstances affecting the student's performance of which, for a credible and compelling reason, the Examination Board or equivalent body may not have been made aware when the decision was taken and which might have had a material effect on the decision [*Note: if students wish to appeal on such grounds, they must give credible and compelling reasons with supporting documentation explaining why this information was not made available prior to the decision being made*].
- b. that there had been a material administrative error or procedural irregularity in the assessment process or in putting into effect the regulations for the programme of study of such a nature as to cause significant doubt whether the decision might have been different if the error or irregularity had not occurred.

- c. that there is evidence of prejudice or bias or lack of proper assessment on the part of one or more of the examiners.
- d. that the supervision or training of the student in respect of research for a dissertation or thesis or equivalent work was unsatisfactory to the point that his or her performance was seriously affected *[Note: if students wish to appeal on such grounds but the supervisory concerns arose significantly before the assessment result against which they are appealing, and without it having been raised in writing with the Institute before the appeal, the student must provide credible and compelling reasons for only raising these concerns at appeal]*.

An appeal which questions the academic or professional judgement of those charged with the responsibility for assessing a student's academic performance or professional competence will not be permitted.

## **Formal Procedure**

If a student remains dissatisfied with the result or decision once informal avenues have been exhausted and believes there are valid grounds for appeal, he/she may invoke the formal appeal procedure. The student may seek advice and guidance in preparing the appeal from the Student Office, or from his or her Tutor.

A formal appeal may be submitted in writing to the Student Office within 20 working days of notification of the result or decision. The student should submit with the appeal any relevant supporting evidence, e.g., emails and other correspondence that he or she wishes to be considered in the appeal. Such evidence should normally be contemporaneous, and capable of verification. All evidence should be written in English or, if not, certifiably translated.

On receipt of the formal appeal, a member of staff in the Student Office will initially consider whether the appeal is made on one or more of the grounds specified above and if it has been submitted in the timeframe specified above. If this test fails, the student will be notified within ten working days of the appeal being received that the appeal is not eligible, with reasons given. There

will be no opportunity for the student to appeal against this decision within the Institute and the student will be issued with a Completion of Procedures Letter.

If the appeal is shown to have been made on one or more of the grounds set out above, then the Student Office will obtain comments on the appeal from the Dean, Professors, Associate Professors or other appropriate person. The student will be sent a copy of the comments obtained by the Student Office and invited to submit a response usually within five working days. The appeal will then be considered by the Dean (or his/her nominee) and the Student Office. *[Note: in situations where the Dean was party to the original decision against which the student is appealing, his or her role in considering the appeal will be taken by the Managing Director or another senior academic member of staff in the Institute].*

If, at any time during these enquiries, the Institute decides, on the basis of the information contained in the appeal, to reconsider the matter about which the appeal has been made and to substitute an alternative outcome, the student will be notified accordingly, the appeal procedure will cease and the student will be issued with a Completion of Procedures Letter.

The Student Office, having considered the formal appeal, may determine that:

- a. the appeal does not have substance, in which event the student will be informed of this decision in writing, normally within 30 working days of the appeal having been received. The student will be given reasons for the decision. If the student believes that their appeal has not been dealt with properly and fairly, he/she has the right to request a review of the handling of their appeal.
- b. the appeal has identified relevant matters that were not known to those making the original decision or that there had been procedural or administrative errors which might have affected that decision, in which event the case will be referred back to the original Examination Board or equivalent body for reconsideration taking into account any new information, or any guidance and/or recommendations, from the Student Office. The Student Office should normally inform the student of their

findings within 30 working days of the appeal having been received. The reconvened Examination Board or equivalent body will have the power to confirm or alter its original decision. Where the original decision is confirmed, the student will be given reasons for that decision. There will be no opportunity for the student to appeal against the decision of the reconvened Examination Board or equivalent body and the student will be issued with a Completion of Procedures Letter.

- c. the appeal has raised serious or complex matters which require further investigation and enquiry, in which event the case will be referred to an Appeal Panel.

Students whose appeal has been dismissed by the Institute as being without substance, can request a review if they believe that their appeal has not been handled properly or fairly or if the student has new evidence which they were unable (for credible and compelling reasons) to provide to the Institute. Requests for review, with reasons given, should be submitted in writing to the Dean within ten working days of receipt of the letter from the Institute informing them of the outcome. The Dean will review the documents relating to the case in order to determine whether the case has been handled properly and the decision is reasonable in the light of the available evidence or if any new evidence should be accepted. During the review, further information may be sought from the student and/or from others concerned. The student will be informed of the outcome of the review in writing, normally within 20 working days of the request for review having been received. The decision of the Dean will be final in the Institute.

## **Appeal Panel**

Appeals which are considered by the Student Office or by the Dean to raise serious or complex matters which require further investigation and enquiry will be referred to an Appeal Panel. The composition of the Appeal Panel will be as follows:

- The Dean
- A member of the Academic Advisory Board

- Two senior members of academic staff
- A student member (nominated by the Student Council)

For all the qualifications accredited by external or partner institutions the Appeal Panel will be composed also by two members of the external or partner institution.

The student will be given ten working days' notice of the date and time of the Appeal Panel meeting and will be invited to attend the meeting of the Appeal Panel to present his or her case. Where the student decides not to attend, the Panel may proceed in his or her absence.

The student will be sent copies of all documents to be made available to the Appeal Panel. The Appeal Panel is empowered to call members of staff with knowledge of the case to attend the meeting to give evidence. The student will be permitted to speak and to question any persons giving oral evidence to the Panel.

Having considered the evidence, the Appeal Panel may:

- a. reject the appeal, in which case the student will be given reasons for the decision. If the appeal is rejected, there is no further right of appeal within the Institute; or
- b. refer the appeal back to the original Examination Board or equivalent body for reconsideration considering any new information, or any guidance and/or recommendations, from the Appeal Panel. The reconvened Examination Board or equivalent body will have the power to confirm or alter its original decision; or
- c. revoke the original decision of the Examination Board or equivalent body and allow the student a further opportunity to satisfy the requirements for continuation on the programme; or
- d. direct that a fresh examination be held with new examiners; or direct that the student be given permission to resubmit the thesis for examination following revision.

The student will be informed of the Appeal Panel's decision, with reasons, within ten working days and will be issued with a Completion of Procedures Letter.

### **Conclusion of the Academic Appeals Procedure**

At the conclusion of the Procedure, students will be issued with a Completion of Procedures Letter. There are no other appeals procedures within the Institute beyond those detailed above.