

MANAGEMENT PROCEDURE



Somerset College

Curriculum/Service area	All Curriculum Areas		
Subject	Academic Appeals Procedure for Open University Students	Date	September 2012
		Revision/Issue	3 Issue 4
Procedure No.	SQP 3.16	Page 1 of 7	Next Review September 2015

Purpose - This document sets out the procedure to be followed in the event that an Open University (OU) student at Somerset College wishes to make an academic appeal.

Scope - This procedure is used by OU students who wish to make an academic appeal; for example, against an Admissions decision; Accreditation of Prior Experiential Learning (APEL); Accreditation of Prior Certificated Learning (APCL); the decision of an Award Assessment Board. This procedure can only be used if the grounds for appeal are applicable.

Responsibilities - The overall responsibility for the effective and efficient handling of an appeal lies with the **Principal & Chief Executive** who delegates this responsibility to the **Vice Principal Curriculum & Quality (VP C&Q)**. The VP C&Q is responsible for the control and monitoring of this procedure and for ensuring the appeal is handled in accordance with the QAA Code of Practice. The **Academic Appeals Committee** is responsible for considering the validity of an appeal. Where the appeal relates to the decision of an Award Assessment Board the **Academic Appeals Committee** is responsible for making the decision to bring this to the attention of the relevant **Award Assessment Board**. Acting under the authority of the **Academic Board** the **Academic Appeals Committee** also has the authority to annul decisions of the Award Assessment Board, (refer to point 6.3). The **Quality Improvement Coordinator** is responsible for ensuring the process is completed, the database is updated and reports are produced for the appropriate committees and the Open University.

Procedure -

1. Is this the right procedure to use?

- 1.1 In the first instance, the student must establish whether this appeals procedure is the most appropriate route. Refer to section 3.2.
- 1.2 A complaint is defined as 'the expression of a specific concern about the provision of a course/module or a programme of study, or a related academic service'. In which case, the student should refer to the College's Management Procedure 'Formal Customer Complaints Procedure.'

2. Appeals process - general

- 2.1 Somerset College will ensure that:
 - 2.1.1 This appeals procedure and that of the Open University are made public to all OU students, electronically and by other methods that are suitable to individuals needs who have a declared disability.
 - 2.1.2 All appeals will be handled in a timely manner in order to minimise the disruption to a student's progression on a programme of study and will be treated in the strictest confidence.

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- 2.1.3 OU students are dealt with in accordance with the College's Equality and Diversity policy statement No. 1f and the Safeguarding Children, Vulnerable Adults and Young People policy statement No. 1L.
- 2.1.4 Reasonable adjustments will be made to accommodate students needs during the appeal process; however, should a student choose not to reveal any medical or other problem, he/she will not normally be able to use that information as grounds for an appeal.
- 2.1.5 OU students will not be disadvantaged if they raise an appeal.
- 2.1.6 The appeal is adjudicated impartially, and staff dealing with the appeal do not act in any manner in which they have a material interest or any potential conflict of interest.
- 2.1.7 There is suitable briefing and support provided for all staff and students involved in handling or supporting the appeal.
- 2.1.8 A student can withdraw their appeal without prejudice.
- 2.1.9 Appeals will normally be dealt with by written correspondence.
- 2.1.10 Under the College's Data Protection policy statement No. 1c students may have access to information held on them.
- 2.1.11 During the process students will be kept informed of the progress made in relation to their appeal; they will be informed in writing of decisions and the outcome of the appeal.
- 2.1.12 The final decision of the appeal is upheld.

3. Grounds for Appeal against the decision of an Award Assessment Board for OU students

- 3.1 The Academic Appeals Committee will identify the grounds on which it is asking the Award Assessment Board to reconsider its decision if it decides that there are reasonable grounds for review.
- 3.2 The Open University is quite clear in that **No circumstances shall constitute grounds for an appeal against an Award Assessment Board decision apart from the following:**
- 3.2.1 that the Academic Appeals Committee is satisfied on the evidence produced by the candidate or any other person that:
- there has been a material administrative error
 - the assessments/examinations were not conducted in accordance with the current regulations for the programme or special arrangements formally agreed
 - some other material irregularity relevant to the assessments has occurred

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- ***in most exceptional circumstances*** the candidate has established to the satisfaction of the Academic Appeals Committee that performance in the assessment was adversely affected by illness or factors which the candidate was unable, or for valid reasons unwilling, to divulge before the Award Assessment Board reached their decision. The candidate's request must be supported by medical certificates or other documentary evidence acceptable to the Academic Appeals Committee.

3.3 Disagreement with the academic judgement of an Award Assessment Board in assessing the merits of an individual element of assessment cannot constitute grounds for an academic appeal.

3.4 The Award Assessment Board will reach decisions based on marks or grades and other information related to student performance, and students' disagreement with such decisions cannot constitute grounds for an appeal.

4. Appeal Process – initial request by a student

4.1 The student must submit their appeal to the Quality Improvement Coordinator and not to their tutor or programme administrator.

4.2 In the first instance, the VP C&Q will make an initial assessment of the validity of the case and advise the student. The student then has the right to choose to take the matter further or not.

4.3 If feasible the appeal should be resolved informally at an early stage. If the matter cannot be resolved then the formal appeal process will be invoked.

4.4 Student's requesting a review of an Award Assessment Board's decision must state their case clearly in writing using the correct Appeals Proforma (SQF3.16) supported by as much evidence as possible and within the deadlines as stated in the Regulations.

5. Appeal Process – consideration by the academic appeals committee

5.1 The Academic Appeals Committee will consist of three members of the Academic Board or their representative and will normally include the VP C&Q or another senior manager. The Academic Appeals Committee must exclude any persons who have direct involvement with the student, the programme or the Award Assessment Board concerned.

5.2 After considering all of the evidence the Academic Appeals Committee will make a decision to either uphold or dismiss the appeal.

5.3 Where a decision in relation to an Award Assessment Board is upheld a recommendation will be made for reconsideration by the Award Assessment Board.

5.4 Where an appeal for another academic reason is upheld, the Academic Appeals Committee will inform the relevant parties and ensure that their decision is applied.

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6. Appeal Process for decisions made by the Award Assessment Board

- 6.1 The Award Assessment Board will consider the evidence and either agree to amend or confirm its original decision.
- 6.2 In cases where the Award Assessment Board agree to amend their decision but are uncertain about the most appropriate alternative recommendation, additional evidence of the student's performance will be sought. The additional evidence will either be through reassessment at the next opportunity, through a viva voce examination, or through another form of assessment which is appropriate to the student's circumstances and requirements of the programme.
- 6.3 In cases where the Award Assessment Board does not modify its decision after reconsideration, the Academic Appeals Committee may annul that decision if in its opinion due and proper account had not been taken of the relevant factors specified in the request. This could be where the student had produced satisfactory evidence to the Award Assessment Board that his/her performance had been affected by illness or another valid cause. In these circumstances the Academic Appeals Committee can make new arrangements for the assessment of the student.

7. Appeal Process – procedural irregularity

- 7.1 In cases where procedural irregularity has been established as a result of an appeal, the Academic Appeals Committee will be responsible for ensuring that appropriate follow-up action is taken and all procedural irregularities are discussed with The Open University.

8. Appeal Process – completion

- 8.1 On conclusion of the appeal, the VP C&Q will write a report of the findings to the student. The report will state the decisions made and the rationale behind these. The report will also advise the student that they may submit a formal appeal direct to the Open University if they remain dissatisfied with the decisions.
- 8.2 Included with the report will be a formal 'Completion of Procedures' letter which the College is obliged to do under the terms of its agreement with the Office of the Independent Adjudicator(OIA).
- 8.3 The VP C&Q will produce an annual report to the Open University providing an analysis of any academic appeals, including the nature and outcome of the cases.
- 8.4 The Open University may require a further report from the Academic Appeals Committee; this will be provided within the timescales set by the Open University.

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9. Reports

9.1 Reports will be produced in each semester, and presented to the Academic Board.

Formulation – This procedure was reviewed by the HE Quality & Development Manager, in consultation with appropriate academic staff, the Quality Improvement Coordinator and the Vice Principal Curriculum & Quality.

Documentation

- Appeal Proforma SQF3.16

Review - This management procedure will be reviewed within three (3) years of the approval date or as required in response to changes in college organisation or legislation.

Authorised by

Approved by

.....
HE Quality & Development Manager

.....
Vice Principal Curriculum & Quality

Date

Date



Form for submitting an Academic Appeal

Use this form if you wish to make an academic appeal
Registration number:
Name (in full):
Programme:
Level:
Address at which you can be contacted about your appeal:
Please let us know if your address changes while your appeal is ongoing.
Telephone number:
Email/Fax:
<u>About your academic appeal – state the reasons and rationale for making an appeal</u> <i>(if your appeal is about the decision of the Award Assessment Board, state the decision against which you are appealing e.g. requirement to re-take specified modules, degree classification etc):</i>
If your appeal relates to your results in particular modules, list the modules and module codes:
What are the grounds for your appeal (see Section 2 of the Appeal Regulations)

Please provide additional information to support your appeal. Provide as much information about your case as you can - this may help speed up the process (continue on a separate sheet if necessary). In particular tell us **why you believe you have grounds for appeal**:

and, **if you are appealing on the basis of extenuating circumstances, explain why you were unable to reveal these before the Award Assessment Board met (if this is your appeal)** (remember that these can only be considered as grounds for appeal in **exceptional** circumstances)

Please **attach** the evidence you have to support your case and any documents you are relying on (you may wish to consult the College's regulations on late coursework and extenuating circumstances for more information about acceptable evidence). Claims of extenuating circumstances must be accompanied by corroborating evidence.

Say what outcome you would wish your appeal to achieve.

Signed:

Date:

This form must be submitted to:
The Quality Improvement Coordinator
Somerset College
Wellington Road
Taunton
Somerset
TA1 5AX

Please note that appeals will normally be dealt with by written correspondence only.