



University
Centre
Somerset

Part of Bridgwater & Taunton College

HIGHER EDUCATION ACADEMIC APPEALS POLICY

Relevant to students studying Higher National Certificates (HNC), Higher National Diplomas (HND) with Pearson or an Open University validated award.

Students enrolled with any other partner university should refer to that university's policy.

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1. POLICY STATEMENT

1.1. Definition and overview of academic appeals

An academic appeal is defined as a request for a review of a decision of an academic body charged with decisions on student progression, assessment and awards (normally the Award Board, as well as those involved with HE Admissions, an Extenuating Circumstances Panel or an Academic Misconduct Panel of Investigation). Appeals may be made by individuals only; they may not be lodged by a representative, a parent or any other third party (unless it can be shown that there are good grounds why the student cannot make the appeal him/herself as detailed later in 'How to lodge an appeal').

Where an academic appeal better fits or also fits with the HE Complaints Policy and Procedure, it is possible for the appeal or complaint to be reclassified (at whatever stage they may have reached) and processed under the most relevant regulation or procedure if this is likely to lead to a more appropriate outcome for the person(s) appealing or complaining.

1.2 Aims

UCS aims, through this process to produce outcomes to academic appeals raised by higher education students that are fair, timely and respect academic standards.

1.3 Scope

This policy and procedure relates to appeals against the decision of an Award Board and appeals against other academic decisions, such as HE Admissions, Extenuating Circumstances or Academic Misconduct. It is relevant to higher education students studying a Higher National Certificate (HNC) Higher National Diploma (HND) validated directly by Pearson (as opposed to being validated by a partner university) or any course validated by The Open University. The policy is not relevant to higher education students studying with any other partner university who should refer to the website of their validating university for the policy they should follow: [Student regulations, policies and procedures - University of Plymouth](#); [Policies - Structure and governance | UWE Bristol](#); [Academic policies A-Z - Oxford Brookes University](#)

This policy and procedure is operated by members of staff at University Centre Somerset (UCS), within Bridgwater & Taunton College, involved with academic appeals to ensure due process is observed and followed in such cases.

For further guidance in relation to what constitutes an academic appeal or an administrative appeal, reference should be made to the OU Handbook for Validated Awards Appendix 1 ('Student Complaints and Appeals Procedure'), Section 2 ('Your rights and responsibilities as a student').

1.4. Purpose

The purpose of this policy is to provide a definitive transparent policy and clear, detailed procedural guidance on HE academic appeals for staff and students.

1.5. Review and evaluation

This policy will be reviewed regularly by the HE Team in line with the latest professional and sector guidance available to ensure it remains robust and relevant to external expectations.

The operation of the policy is evaluated as part of the on-going quality improvement and enhancement approaches by University Centre Somerset. Evaluative comments will be included, as appropriate, within the annual Self Evaluation Document presented to the UCS Senate. Should this process identify a need to amend this policy, such changes will be made and submitted to the Senior Management Team Policy Review Group for approval. Approved policies will be provided to the Senate who oversee Higher Education at UCS. Lessons learnt from Appeals are also disseminated to the wider staff as appropriate, for example at CPD sessions or the February HE Conference.

2. Key Principles

2.1. Principles of the academic appeals process

The key principles of this academic appeals process are that academic standards cannot be compromised in any way, this means that:

- There can be no appeal against academic judgement
- Administrative needs must be secondary to ensuring justice and fairness in the decision-making process
- Decisions are reached based on only the evidence available to the panel
- This procedure is time-bound, meaning there are deadlines by which appeals must be raised by students and responded to by UCS
- Appeals will be handled in confidence with only staff who need to know being made aware
- Students will not be disadvantaged if they raise an appeal.
- A student can withdraw their appeal without prejudice.

2.2. Eligibility

These appeals procedures are relevant for students who are currently enrolled or who have recently completed a named award, wishing to appeal against a decision taken by the UCS Award Boards operating for Higher Nationals or Open University awards in the following instances:

- Students who have recently completed their programme (up to 6 months after completion) but who wish to appeal against the result or students who are dissatisfied with the award of an exit qualification approved by UCS (appeals in this instance should be lodged within 10 working days of receiving the final results notification, in normal circumstances).
- Students who are prevented from continuing with their studies part-way through a level of study or part of a programme.
- Students who fail to qualify to proceed to the next stage of their programme at the end of a level, end of a part or end of a year.

- Where the implications of the progression decision taken by Award Boards may have a significant impact on the student's overall result (e.g. capping of grades or marks).

In the case of applicants applying for entry to Higher Education at University Centre Somerset, those who applied but did not become an enrolled student may also use this policy and procedure.

2.3. Equality and Diversity

When implementing the appeals procedure, those responsible for doing so must have regard to operating the process fairly, without discrimination and to ensure equality of opportunity for any student affected. Reasonable adjustments will be made to accommodate students' needs during the appeal process. Due consideration to the College's **Equality and Diversity Policy** must be given.

3. POINTS OF REFERENCE

3.1. Related information

This procedure should be read with reference to:

- OU Handbook for Validated Awards
- UCS HE Assessment Policy
- Open University / UCS Academic Regulations
- Pearson Higher Nationals Centre Guide to Quality Assurance and Assessment
- UCS HE Admissions Policy
- UCS HE Extenuating Circumstances Policy
- UCS HE Academic Misconduct Policy
- Equality and Diversity Policy

3.2. The UK Quality Code for Higher Education

This procedure has been written to reflect the guidance given in the UK Quality Code for Higher Education published by the QAA: [Quality Code \(qaa.ac.uk\)](http://qaa.ac.uk) and in particular the Expectations and Practices as well as Advice and Guidance in relation to Concerns, Complaints and Appeals: [Concerns, Complaints and Appeals \(qaa.ac.uk\)](http://qaa.ac.uk)

In addition to meeting the Expectations, although not mandatory, this policy also aims to reflect the 'Guiding Principles' set out in the Advice and Guidance published by the QAA, referenced above.

The Core Practice is: 'The provider has fair and transparent procedures for handling complaints and appeals which are accessible to all students'.

The Common Practice is: 'The provider reviews its core practices for quality regularly and uses the outcomes to drive improvement and enhancement.'

4. APPEALS PROCEDURE

4.1. Grounds for appealing the result of an Award Board

The experience and knowledge of a student, the student's performance and whether he/she has reached the required academic standard, and an awareness of best practice in higher education are combined to allow an assessor to make an academic judgement on the ability of a student.

Reference should be made to the Academic Regulations of the relevant Awarding Organisation. Where there is any doubt, the Academic Regulation take precedence over this policy. Where there are no specific instructions for the grounds of appeal for an Awarding Organisation, the following will apply.

Academic appeals which question academic judgement, without sufficient grounds or valid supporting evidence, shall not be considered.

UCS shall only consider academic appeals to the outcome of an Award Board, which are based on one or more of the following grounds and on no other basis, providing there is evidence that is deemed sufficient and valid to support the claim:

- Where the student provides written evidence in support of a claim that performance in the assessment was adversely affected by extenuating circumstances which the student was unable or, for valid reasons, unwilling to divulge before the Award Board reached its decision; or
- Where there is prima facie evidence, whether provided by the student or otherwise, that:
 - (i) there has been a material administrative error; or
 - (ii) the examinations or other assessments were not conducted in accordance with the regulations for the programme and/or special arrangements formally agreed; or
 - (iii) some other material irregularity relevant to the Award Board's decision has occurred.

Disagreement with the academic judgement of an Award Board cannot constitute grounds for an appeal.

4.2. Grounds for appeal against an HE Admissions decision

Academic appeals which question academic judgement, without sufficient grounds or valid supporting evidence, shall not be considered.

UCS shall only consider academic appeals to an HE Admissions decision, which are based on one or more of the following grounds and on no other basis, providing there is evidence that is deemed sufficient and valid to support the claim:

- There is evidence of a material or administrative error in arriving at the decision
- The HE Admissions Policy was not followed, in a manner that could have resulted in a different decision if it had been properly followed
- The HE Admissions decision failed to take into account all qualifications held by the applicant, for which certificated evidence was supplied or has subsequently been provided
- If applicable, the RPL Policy was not followed, in a manner that could have resulted in a different decision if it had been properly followed.

4.3. Grounds for appeal against the decision of an Extenuating Circumstances Panel

Academic appeals which question academic judgement, without sufficient grounds or valid supporting evidence, shall not be considered.

UCS shall only consider academic appeals to the decision of an Extenuating Circumstances Panel which are based on one or more of the following grounds and on no other basis, providing there is evidence that is deemed sufficient and valid to support the claim:

- There is evidence to suggest that the Extenuating Circumstances Policy was not followed, in a manner that could have resulted in a different decision if it had been properly followed
- There was an administrative error or some other irregularity in the consideration of the request.
- The decision of the Extenuating Circumstances Panel failed to take into account the evidence of Extenuating Circumstances provided
- New material evidence is available which the student was unable, for good reason, to provide earlier in the process

4.4. Grounds for appeal against the decision of an Academic Misconduct Panel of Investigation, following confirmation of this decision by an Award Board.

Academic appeals which question academic judgement, without sufficient grounds or valid supporting evidence, shall not be considered.

You have the right to appeal the decision of a Panel of Investigation, after it has been confirmed by the Award Board.

Refer to section 4.1 for the grounds for appeal against the decision of an Award Board.

4.5. Appeals process

4.5.1. Submission of an appeal

Students studying with a partner university

For students studying under collaborative arrangements with one of UCS university partners other than OU or Pearson, appeals against academic decisions must be made through the university partner institution's appeals procedure. Details of where these can be found are located in the appendices of this document.

Timescales

For an appeal relating to an Award Board decision: Following the notification of the Award Board decision, students must inform the HE Team (HE@btc.ac.uk) that they wish to appeal in order for the appeal to be considered prior to the start of the next academic year. The deadline is ten working days from release of the transcript. UCS reserves the right not to consider or to defer consideration of appeals submitted beyond this deadline in line with current workloads and demands. Appeals submitted outside of the deadline must have good reason for being late, for which the student can provide appropriate evidence. UCS will not normally consider academic appeals made more than 6 months after the publication of results and only in exceptional circumstances.

For an appeal against an HE Admissions decision, or an Extenuating Circumstances (EC) Panel decision, appeals should be made within ten working days of the decision email. Appeals should be emailed to the HE Team HE@btc.ac.uk.

If an appeal is upheld, the matter will be referred back to an appropriate Panel to be reconsidered, taking account of the opinion and findings of the Appeals Panel. The Appeal Panel will decide who will constitute the Panel to which the matter will be referred, depending on the nature of the appeal.

The relevant Panel will communicate the outcome of their reconsideration to you by email.

You may not subsequently appeal the decision made following reconsideration of your claim and you will be deemed to have completed University Centre Somerset's internal procedures. If you remain dissatisfied, you may refer the case to your awarding organisation (OU, Oxford Brookes University or Pearson). For guidance on this, please contact the HE Team: HE@btc.ac.uk who can assist you in checking the relevant university or Awarding Organisation regulations for handling such a review.

If you are still dissatisfied, you will be issued with a Completion of Procedures letter by the Awarding Organisation/university that carries out the final review, which will

enable you to refer your case to the Office of the Independent Adjudicator (www.oiahe.org.uk) who will decide if it is a case that they are prepared to consider or not.

If you wish to claim for extenuating circumstances for a taught module after the formal publication of results at the end of the year, this will be dealt with as an appeal against the decision of an Award Board. In this case, students must submit their appeal by the deadline specified when the results are published. To submit an appeal students should email the HE Team at HE@btc.ac.uk and provide any supporting evidence. Any academic appeal against the decision of an Award Board which is raised based on extenuating circumstances, must contain a valid reason to explain why information could not have been submitted at the time.

UCS will aim to complete the Academic Appeals process within 20 working days of receiving the appeal and all supporting evidence the student wishes to share. If the student delays submission of evidence, the latest date of communication may be used to initiate the 20-working day turnaround. UCS may require longer than 20 working days in some circumstances but the reasons for this and the projected revised timeframe will be communicated to the student by the HE Team if this is the case.

How to lodge an appeal

All appeals against academic decisions must be made in (electronic) writing and directed to the Higher Education (HE) Team, via he@btc.ac.uk. Further information about, or clarification of, these procedures is also available from the HE Team. Appeals may be made by individuals only; they may not be lodged by a representative, a parent or any other third party unless there are shown to be good grounds why the student cannot make the appeal themselves. Examples of such grounds given here are not exhaustive, only indicative; the student has incapacitating disability, since writing the appeal has been involved in an accident and is unable to proceed with submitting the appeal, the individual is out of the country or unable to access technology/post the documentation. Essentially there must be genuine extenuating circumstances that can be proven if needed.

Content of an academic appeal

Academic appeals will need to include the following:

- The grounds on which the appeal is based.
- The desired outcome from the point of view of the student. The desired outcome must be permissible within the current regulations.
- Evidence to support the claims being made in the appeal

In addition, appeals related to the decision of an Award Board should also include:

- Full documentation to substantiate any exceptional circumstances or claims (for example: medical/health certificate, death certificate, letter of support from a support service at UCS). Such evidence provided must be dated, must indicate how the circumstances affected the academic performance, must be relevant to

the affected assessment and must provide a compelling reason to account for why the student did not raise the circumstances in accordance with the Policy on Extenuating Circumstances affecting assessment. The absence of such documentation may be prejudicial to the success of the appeal.

- Where an appeal is made on the grounds of new evidence/extenuating circumstances, the candidate shall be expected to provide evidence to demonstrate that they were incapable of determining whether or not they were fit to undertake or prepare the assessment and thereby unable to submit evidence of their extenuating circumstances to UCS at the appropriate time.

4.5.2. Confirmation of procedural regularity

Prior to the consideration of any appeal, the HE Team shall establish that the mechanism followed by those involved in the decision was appropriate and in line with the relevant policy and procedure. For example, that an Award Board was both properly constituted and that its business was conducted in the proper manner (i.e. in accordance with the Operating Procedures for Award Boards, the HE Assessment Policy and Academic Regulations). Where meetings have not been properly conducted, the HE Team shall make arrangements for the reconsideration of all decisions which may have been affected.

4.5.3. Initial filtering of appeals

All submitted academic appeals shall be filtered by the HE Team, in discussion with the relevant curriculum team.

Appeals which are not based on the grounds listed previously, or where there is no evidence to support the appeal, the submission may be rejected.

The following shall **not** be considered grounds for appeal against the decision of an Award Board:

- Questioning the academic or professional judgement of the assessors;
- A student's disappointment with a result where grades have been accurately recorded, assessment regulations correctly followed and where no evidence of material irregularity exists;
- Where extenuating circumstances were made known to UCS and such circumstances were fully considered;
- Where the student failed to submit evidence of their extenuating circumstances to UCS in accordance with the regulations; and/or
- Where the evidence presented does not support the notion that the student was incapable of determining whether or not they were fit to undertake or prepare the assessment.

The following shall **not** be considered grounds for appeal against the decision of those making HE Admissions decisions:

- Questioning the academic or professional judgement of the decision maker to assess whether the qualifications and experience provided by the applicant were sufficient to enable entry to the course/qualification

Candidates whose appeal has been rejected following the initial filtering process shall be informed by the HE Team within 10 working days of the date of the receipt of the

appeal or receipt of any evidence in support of the appeal that may have been requested.

If the HE Team decides that there is sufficient and eligible evidence for a case, the appeal shall be referred to the Academic Appeals Panel for consideration.

The HE Team shall then confirm the constitution of the Academic Appeals Panel based on the guidelines given in the Terms of Reference of the Senate and its sub-committees, as the Appeal Panel is a sub-committee. UCS staff are able to access these Terms of Reference by contacting the HE Team via email on HE@btc.ac.uk.

4.5.4. Academic Appeals Panel

A member of the central HE Team shall serve as Secretary to the Academic Appeals Panel and will co-ordinate the panel. The panel will be constituted as set out in the 'Academic Appeals Panel' section of the Terms of Reference of the Senate and its Sub-committees. This document, approved by the UCS Senate, is held by the central HE Team and can be viewed on request.

The outcomes of successful academic appeals are reported to the relevant Award Board. A summary of academic appeals and any lessons learnt are reported to the Senate which is the Senior Academic Authority for Higher Education at UCS.

4.5.4.1. Procedures for consideration of cases

All documentation relevant to the case, including the appeal submission, supporting documentation and where relevant, comments from the Chair of the Award Board, and a copy of the relevant student record shall be supplied to members of the Academic Appeal Panel within a reasonable timescale.

A copy of all relevant documentation shall also be provided to the student submitting the appeal for information, normally accompanying the outcome of the appeal.

The views of the students shall be made known to the Appeals Panel through the information supplied on the appeals proforma and any supporting documentation.

In exceptional circumstances and with the permission of the Chair, students may be permitted to make representation directly to the Appeal Panel.

4.5.4.2. Powers of the Academic Appeals Panel

The Academic Appeals Panel will identify the grounds on which it is asking the relevant panel, decision maker(s) or Award Board, to reconsider its decision if it decides that there are reasonable grounds to do so.

In relation to an appeal against the decision of an Award Board: the Academic Appeal Panel shall consider:

- whether all eligible work was properly submitted for assessment and taken into account by the Award Board;
- whether there is evidence of an administrative or computational error of such a nature to cause reasonable doubt as to whether the Award Board would have reached the same conclusion if that error had not been made;
- whether there is evidence of defects or irregularities in the conduct of the assessment or in written instructions, or in advice relating thereto to cause reasonable doubt as to whether the Award Board would have reached the same conclusion if that defect or irregularity had not been made and the student has provided a compelling reason for not bringing to the attention of UCS these defects or irregularities;
- whether details of relevant extenuating circumstances affecting the student's conduct or performance were submitted to UCS in accordance with the regulations;
- whether details of relevant extenuating circumstances affecting the student's conduct or performance were fully considered in reaching the decision;
- whether evidence provided by the student supports the notion that he/she was incapable of determining whether or not they were fit to undertake or prepare the assessment and therefore provides a compelling reason for non-disclosure;
- whether the relevant extenuating circumstances have any bearing on the case;
- whether there is evidence of prejudice or of bias or of inadequate assessment on the part of one or more of the assessors;
- whether the decision of the Award Board was such that no body of reasonable people could have arrived at that decision.

Possible outcomes of the Appeals Panel in relation to decisions of an Award Board

If the Academic Appeals Panel is satisfied on the above issues, it may take one of the following courses of action:

- In light of the extenuating circumstances, and with due consideration to the wishes of Chair of the Award Board concerned, uphold the appeal and amend the decision of the Award Board.
- In light of the circumstances, uphold the appeal and request the work is re-marked by the original or alternative assessor and is then re-considered by the next Award Board or via Chair's Action as appropriate.
- If it is found that all the circumstances of a student's case were known to, and had been taken into account by UCS, or that such extenuating circumstances were not relevant to the case and that such a body had been properly constituted, the Academic Appeal Panel may reject the appeal and therefore confirm the decision of the Award Board.
- If it is found that the evidence does not support the notion that the student was incapable of determining whether or not he/she was fit to undertake or prepare for assessment and thereby does not constitute a compelling reason for not disclosing the circumstances at the appropriate time, the Academic

Appeal Panel may reject the appeal and therefore confirm the decision of the Award Board.

- In appropriate cases the Academic Appeal Panel could require students to suspend studies where it is deemed that advising the student to withdraw is inappropriate.
- If the panel requires further information before it can determine an outcome, the Chair may adjourn consideration of the case pending receipt of the additional information.
- Other courses of action may be taken as appropriate.

In the case of International students sponsored by the College further study based on academic decision taken by an Appeal Panel of the Award Board shall be conditional upon holding a valid student visa (Tier 4).

The Appeal Panel may set as a condition of any outcome, the requirement that a student provide evidence to UCS to demonstrate their fitness or otherwise to continue with their studies.

4.5.4.3. Notification of the outcome of an appeal

The HE Team shall normally inform the student, in writing (via pdf letter within an email), of the outcome of the appeal as soon as practically possible following the Academic Appeal Panel, this shall not normally be more than five working days after receipt of the appeal. The letter from the HE Team shall contain details of the findings of the Academic Appeal Panel and give a brief summary of the reasons for any decisions taken. A summary of the outcome will be recorded by the HE Team in the relevant minutes of the Award Board.

UCS shall notify the relevant authorities (UK Border Agency/Student Loans Company) of any student who is intending to withdraw from UCS, following confirmation by an Academic Appeal Panel, of the original academic decision. The student is responsible for notifying their employer/sponsor and confirming arrangements for their loan if applicable.

4.6. Status of a student during the Appeals process

During the academic year

A student who submits an appeal part way through the level, year or part, may continue provisionally until such time as a decision has been reached. This is to ensure that a student whose appeal may subsequently be upheld is not academically disadvantaged.

At the end of a level, year, stage or period of enrolment

A student who submits an appeal against an Award Board decision at the end of a level, year or stage of study shall not be permitted to progress to the next level, year or stage until such time as a decision has been reached. However, at the discretion of UCS, a student may be permitted to informally attend teaching at the next level or stage while an appeal is pending. Such students shall not be regarded as fully enrolled on the next level or stage and UCS will not be liable for any expenses incurred during this informal

attendance. Decisions taken by the Academic Appeals Panel will be made in the best academic interests of the student irrespective of any periods of informal attendance.

Students who continue with their studies shall be informed that, pending the outcome of any appeal, he/she may be required to withdraw from the programme or UCS.

A student who is deemed to be eligible for an award and who subsequently submits an academic appeal shall normally be permitted to graduate. However, an award will not be issued until the outcome of the Appeal is known.

Reimbursement of Expenses

Regardless of the outcome, the student shall not be reimbursed for any expenses incurred in requesting an appeal.

5. WHAT HAPPENS IF THE STUDENT IS DISSATISFIED WITH THE OUTCOME OF THE ACADEMIC APPEALS PANEL?

If, upon receipt of the written outcome of the Academic Appeals Panel, the student is dissatisfied with the outcome decided by the Panel they have the option to continue with their appeal. How they do so depends on which awarding organisation they are associated with. For guidance, please contact the HE Team via HE@btc.ac.uk

Open University students

Students studying a course validated by The Open University: If you are still dissatisfied, following consideration of your appeal, you may submit a formal appeal to The Open University. The only grounds for appeal and the process for this final level academic appeal is detailed in the Open University Handbook for Validated Awards which can be found here: <https://www.somerset.ac.uk/about/policies-regulations/open-university/>

Students studying a Higher National Certificate (HNC) or Diploma (HND) with Pearson

Students studying a Higher National course approved by Pearson can move to the next stage of the UCS procedure, the 'Final Review'.

In cases where the outcome of the Academic Appeals Panel has amended the decision of the Award Board in their favour, students may not normally request a final review against that decision. Students may, however, request that the original decision be confirmed if they so wish.

6. FINAL REVIEW PROCEDURE (applicable only to Higher National, Pearson awards)

6.1. Grounds for Final Review

Where a student has been given a formal decision/outcome through the Academic Appeals Policy, the student may request a final review of the decision/outcome in accordance with this Final Review Procedure.

There are limited grounds for the instigation of a Final Review that require evidence to support the following:

- **Major procedural irregularities in the conduct of the Academic Appeals Procedure**, which are of such a nature as to cause reasonable doubt whether the party/parties concerned would have reached the same decision had they not occurred;
- **Exceptional personal circumstances which were not known to the party/parties concerned when the student's case was considered** and which can be shown to be relevant to the case. The student must show a compelling reason why such personal circumstances were not made known prior to the decision being made. Where a student could have reported exceptional personal circumstances prior to the decision being made, those circumstances cannot subsequently be cited as grounds for review;
- **The severity of the penalty**. Please note that in determining a review against a penalty, a lesser or greater penalty may be imposed, following consideration as to whether the original penalty imposed was fair and reasonable in the light of all the circumstances of the case, and the student's means and general personal circumstances.

6.2. Requesting a Final Review (for Higher National, Pearson Awards only)

Any requests for a final review must be made in writing to the HE Team via the email address he@btc.ac.uk **within 10 working days** of the date of the outcome of the Appeals Panel notification, by submitting the Final Review Request Form which can be found in the appendices of this document or from the HE Team. Requests for a final review received later than this will not normally be considered.

The HE Team shall acknowledge, in writing (normally via email to student's Bridgwater and Taunton College account), receipt of a request for a Final Review within 5 working days.

If a student requests a Final Review outside of the normal deadline of 10 working days the student should provide good reason, and supporting evidence, as to why they were not able to meet the deadline. It is at UCS's discretion, after due consideration of the information, whether to allow the case to progress to a final review or not.

If a student requests to progress to Final Review outside of the 10 working days and with no valid reason or evidence to support the request, the student can choose to either appeal directly to Pearson or may request UCS, (via the HE Team), to issue a Completion of Procedures (CoP) letter which means the student can take forward the appeal for consideration by the Office of the Independent Adjudicator (OIA) if they wish. Prior to issuing a CoP letter, the matter would be raised with Pearson, giving the option for Pearson to review the matter or to confirm that UCS should issue the CoP letter. The CoP letter will contain information regarding the status of the appeal with UCS and that UCS's procedures have not yet been exhausted as the timeframes have not been met by the student. Further information about the OIA is available later within this document.

6.3. The Final Review (for Higher National, Pearson Awards only)

The HE Team will nominate a lead reviewer to manage the Final Review in accordance with this Procedure, this would normally be a senior or middle manager involved with Higher Education but who has not been directly involved in the preceding Academic Appeals Panel. A member of the HE Team shall support the reviewer throughout the process.

The Final Review process should normally take no longer than 20 working days to complete once it has been initiated. If it is likely to take longer than this UCS will communicate the reasons and revised timescale to the student.

The reviewer will review the case based on the written evidence provided and will decide whether to:

- Investigate the final review and issues raised
- Seek to resolve the final review through mediation / alternative dispute resolution, with the aim of achieving an outcome that is satisfactory to all (where all parties agree to this and the process involved);
- Refer the request for a final review back to the Academic Appeals Panel where it appears that the student has not completed all stages of that procedure. The student will be copied into this referral. If the student remains dissatisfied with the outcome, the student can then re-activate the Final Review procedure;

Investigation / Determination of the final review

Where the reviewer carries out an investigation of the final review and issues raised, in the interests of transparency and fairness, the investigation will be conducted through a process of open correspondence, unless there are compelling reasons for any information or communications to remain confidential.

The reviewer may gather further evidence from either or both parties, or from other persons, and when satisfied that sufficient evidence has been gathered will review the case and may, at his, her discretion:

- 1) Dismiss the request for a final review. This decision shall be final.
- 2) Permit the request for a final review to proceed; and
 - (a) refer the case back to: the Chair of the Award Board or Chair of the Academic Appeals Panel. The decision of the Chair shall be final.
 - (b) refer the case to an Academic Appeals Panel to consider the case (in the case of a review against a filtered academic appeal that was deemed to have not met the grounds for appeal). The Appeal Panel shall be arranged in accordance with the Academic Appeals procedures. The decision of the Chair of the Panel shall be final.
 - (c) refer the case to an entirely new Academic Appeals Panel. The decision of the new Panel shall be final.
 - (d) refer the case to representative(s) of the Senate for guidance or for independent assessment and determination of the final review. The decision of the Senate representative(s) shall be final.
 - (e) in consultation with the relevant Chair, modify the severity of the penalty. This decision shall be final.

- (f) uphold the request for a final review, in full or in part, and confirm any action to be taken accordingly. This decision shall be final.

The decision made under the options above shall constitute the final decision of the request for Final Review, and the matter shall, therefore, be regarded as closed. In instances where Pearson students chose not to raise the matter as an appeal with Pearson, there will be no further discussion of the review once it has been concluded with the student or any other person. The reviewer will issue the student with a Completion of Procedures (CoP) letter via the HE Team. The CoP letter will enable the student to seek an external, independent, review of their academic appeal via the Office of the Independent Adjudicator (OIA). The OIA give specific guidance regarding their service and the support they can offer on their website as detailed in the next section.

Appealing to Pearson

Students studying a Higher National approved by Pearson have a right of final appeal to Pearson directly before they approach the Office of the Independent Adjudicator (OIA). This can only take place if:

- the UCS HE Academic Appeals procedure has been exhausted and
- if the student has reason to believe UCS has not followed the procedures it has in place to address academic appeals.

7. OFFICE OF THE INDEPENDENT ADJUDICATOR (OIA)

Purpose of the OIA

[The Office of the Independent Adjudicator for Higher Education \(OIA\)](#) operates an independent student complaints programme pursuant to the Higher Education Act 2004. All higher education institutions in England and Wales are required to comply with the Rules of the programme. The OIA is not a regulator; it handles individual complaints against higher education institutions and is a free service to students.

How to lodge a complaint with the OIA

Students who are dissatisfied with the outcome of their appeal may be able to complain to the OIA providing that their complaint is eligible under its Rules (these are on the [OIA website](#)).

Students will need to send to the OIA a Scheme Application Form within three months of the date of the Completion of Procedures letter (issued following UCS completing the appeals process and/or review of appeal). Information about how to apply is below

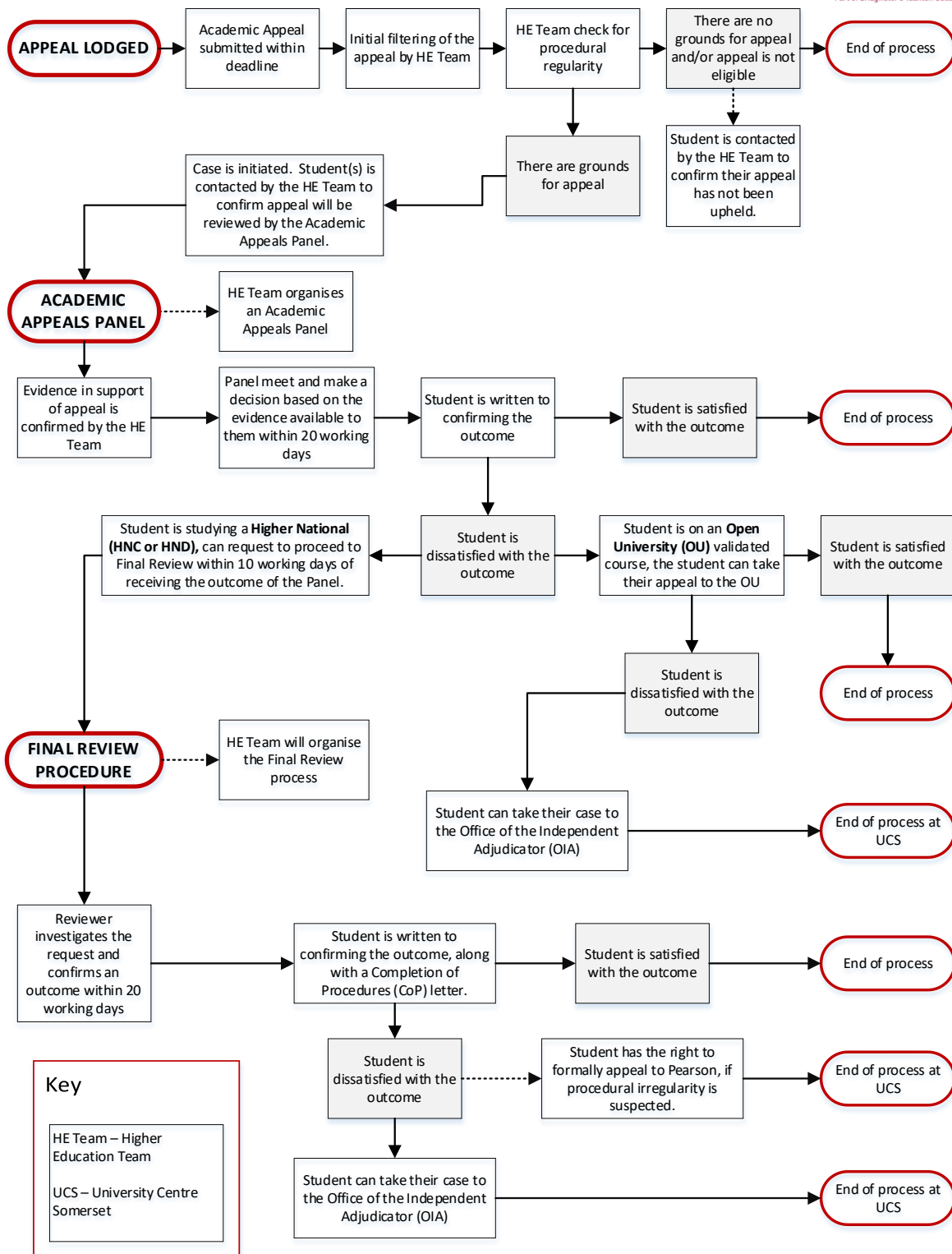
<https://www.oiahe.org.uk/students/how-to-complain-to-us/>

Appendices

Diagram of the HE Academic Appeals Process



Academic Appeals Procedure



University partner academic appeals information and responsibilities checklist

The table below gives an overview of the nature of partnership agreement between UCS and each of its university partners, the roles and responsibilities of each party and the location of their academic appeals procedures if relevant:

University Partner/ Awarding Body	Roles and responsibilities in accordance with Partnership Agreement		UCS's policy is used?	Location of HEI academic appeals policy information
	University Centre Somerset	University partner/Awarding Organisation		
University of Plymouth	To provide information on academic appeals procedures to students. To apply the University's academic appeals procedures.	To provide procedural information and support regarding the protocols for these processes. To manage academic appeals in accordance with their policy.	No	https://www.plymouth.ac.uk/student-life/your-studies/essential-information/complaints-appeals/appeal
Oxford Brookes University	To address academic appeals at the local stage in the first instance, in dialogue with the University.	The University retains overall responsibility for providing effective procedures for academic appeals.	No	https://www.brookes.ac.uk/students/sirt/academic-appeals/
University of the West of England (UWE)	UCS provides students with information about the UWE academic appeals processes.	Appeals are the responsibility of the University and their processes must be used by students wishing to lodge an academic appeal.	No	https://www.uwe.ac.uk/study/academic-information/academic-appeals
Pearson (Edexcel)	UCS is solely responsible for providing, managing and publishing appropriate and suitable processes for academic appeals.	Supplying up to date guidance on the expectations of procedures for appeals. Monitoring of the UCS approaches and impact on students/assessment outcomes through the External Examining process. Students can refer their unresolved appeal to Pearson after the UCS policy is exhausted, guidance given in this policy.	Yes	https://qualifications.pearson.com/content/dam/pdf/Support/policies-for-centres-learners-and-employees/Enquiries_and_Appeals_on_Pearson_Vocational_Qualifications.pdf
The Open University	UCS has local responsibility for ensuring the academic appeals process is available to OU students.	The UCS appeals procedure must be used by students wishing to lodge an academic appeal in the first instance. Students can move to the OU process once the UCS process has been exhausted.	Yes	http://www.somerset.ac.uk/about-us/wider-information-set/ see the 'Regulations for validated awards of The Open University' and the OU Handbook for Validated Awards



University
Centre
Somerset

Part of Bridgwater & Taunton College

A G E N D A

Standard agenda for HE Academic Appeals Panel Meeting

Date:

Time of meeting:

Place of meeting:

- | | | |
|---|---|-----------|
| 1 | Apologies (noting that there must be three members present) | Chair |
| 2 | Confirmation of documentation available to the Committee | Chair |
| 3 | Purpose of the Academic Appeals Panel | Chair |
| 4 | Consideration of the case(s) and evidence available | All |
| 5 | Outcomes of the Panel | Chair |
| 6 | Confirmation of process following the meeting | Secretary |

Academic Appeal Outcome Letter Template

PLEASE PRINT USING TAUNTON CAMPUS HEADED PAPER



University
Centre
Somerset

Part of Bridgwater & Taunton College

Date

Address

Sent by email to:

Re: Outcome of Academic Appeal

Course:

Module/Unit:

Dear

I acknowledge receipt of your academic appeal and am writing to confirm the outcome.

There are only certain grounds on which it is possible to make an academic appeal and these reasons are stated in the UCS HE Academic Appeals Policy which is available on the UCS website <https://www.somerset.ac.uk/about/policies-regulations/university-centre-somerset/>.

Your appeal **does / does not** meet the grounds for an academic appeal.

Explain the findings of the appeal. Confirm whether the appeal was upheld, partially upheld or not upheld.

Or

If it did not meet the criteria for an appeal but was appropriate to consider as a complaint instead of an appeal, then explain that it was investigated as a complaint. State the findings and whether or not the complaint was upheld or partially upheld.

Adjust the following sentences as appropriate but ensure that it is clear to students how they can take the matter further should they wish to do so.

I understand that this may not be the response that you wished for, but I hope that this letter has explained the situation to you.

If you are dissatisfied with the outcome of your appeal, please refer to section 5 of the UCS HE Academic Appeals Policy which sets out options which may be open to you to take this matter further should you wish to do so. Please note in the policy the grounds on which it is possible to make an academic appeal to your Awarding Organisation or the Office of the Independent Adjudicator.

Complaints (as opposed to academic appeals) are handled in line with the UCS HE Complaints Policy <https://www.somerset.ac.uk/about/policies-regulations/university-centre-somerset/>.

I wish you all the best for the future.

Yours sincerely

Name of Chair of the Panel/ Investigator or member of HE Team sending the letter

**THE HIGHER EDUCATION (HE) TEAM
University Centre Somerset
Part of Bridgwater and Taunton College
Tel: 01823 366536
Email: he@btc.ac.uk**

Final Review of Procedures – Request Form

This form is **only relevant to Higher National Pearson students**, to be used when requesting a final review against the final decisions of the Academic Appeals Panel following previous consideration of an academic appeal. You are advised to read the Final Review Procedures before completing this Form.

SECTION A - Personal Details

Name in Full	Student Number
Address	
Contact Telephone Number:	
Contact Email Address	
Programme of Study	Level and Year of Study

Decision you wish to be reviewed (*please give a short summary*):

SECTION B - Grounds for Review

Requests for final reviews should be based upon one or more of the following grounds, please indicate with a cross on which of the following grounds your review is based:

Irregularities in the conduct of the relevant procedures , which are of such a nature as to cause reasonable doubt whether the party/parties concerned would have reached the same decision had they not occurred.	
Exceptional personal circumstances which were not known to the party/parties concerned when the candidate's case was considered and which can be shown to be relevant to the case. (In reviews based on these grounds the candidate must show a compelling reason why such personal circumstances were not made known prior to the decision being made). Where a candidate could have reported exceptional personal circumstances prior to the decision being made, those circumstances cannot subsequently be cited as grounds for review.	
The severity of the penalty	

SECTION C - Additional Information

Please provide details as to why you are requesting a final review on one or more of the grounds mentioned above, including why you consider the final decision of UCS to be unsatisfactory to you. (Please continue on a separate sheet if required).

SECTION D - What would be the Preferred Outcome of your Final Review?

SECTION E – Evidence to Support your Request for Review

Please submit the following documents in support of your request for review:

- 1) A chronology listing in date order all letters, phone calls and meetings that are relevant to your final review request;
- 2) A copy of all relevant correspondence and other documentation. (Please ensure the information is complete and presented logically).

Please keep a copy of this form and the documents you send. Do not send original documents.

DECLARATION	
<p><i>I declare that, to the best of my knowledge, all the information I have supplied/attached with this form is true, accurate and complete and acknowledge that the submission of fraudulent information could lead to UCS taking disciplinary action.</i></p> <p><i>I give my consent for this information to be circulated to the relevant members of staff for the purpose of investigating my Final Review.</i></p>	
Signed	Date

Completion of proceedings - Letter Template

For use where the student is studying for a qualification awarded by an Ofqual-regulated external Awarding Organisation which is not a member of the OIA Scheme (for example an HNC or HND awarded by Pearson (Edexcel))

Dear [Name of complainant],

COMPLETION OF PROCEDURES LETTER

This letter confirms that the internal procedures of University Centre Somerset in relation to your academic appeal regarding [please describe] have been completed.

The issues that you raised in your academic appeal were [details]

The issue(s) that were considered in relation to your *complaint / appeal etc* was / were: [brief summary of the complaint etc].

The final decision of University Centre Somerset is [detail] because [reasons].

The procedures / regulations applied were*: [details and date as supplied to the OIA's electronic Regulations Bank].

University Centre Somerset, as part of Bridgwater & Taunton College subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome you may be able to apply for a review of your academic appeal to the Office of the Independent Adjudicator for Higher Education (OIA) provided that the complaint you take to the OIA is eligible under its Rules.

Should you decide to make a complaint to the OIA, your OIA Complaint Form **must be received by the OIA within 12 months** of the date of this letter, that is, it must be received by the OIA **on or before** [insert date - e.g. if the Completion of Procedures Letter is dated 9 December 2021, this date should be 9 December 2022].

[Include here any factors of which the provider is aware which mean that it is particularly important for the student to bring the complaint promptly.]

Guidance on submitting a complaint to the OIA can be found on the OIA's website

<https://www.oiahe.org.uk/students/how-to-complain-to-us/>

Please note that the OIA will normally only review issues that have been dealt with through the provider's internal procedures.

Your qualification is awarded by [name of awarding organisation], which has some responsibility for considering complaints about the overall quality or standards of your qualification. [name of awarding organisation] is not a member of the OIA Scheme.

In the event that you submit a complaint to the OIA, it will consider your complaint to identify whether it relates to: (1) an act or omission of University Centre Somerset relating to the service provided which falls within the OIA's remit; or (2) the overall quality or standards of the qualification itself. Complaints relating to the design, delivery of assessment, moderation and awarding of the qualification are likely to fall into (2). However, this will be for the OIA to determine.

If the OIA considers that your complaint relates to the overall quality or standards of the qualification itself, it will refer the complaint to [*name of awarding organisation*].

Yours sincerely,

[Authorised signatory]

REFERENCES

The following points of reference were considered in writing/reviewing this policy:

Office of Independent Adjudicator (OIA) for Higher Education. <http://www.oiahe.org.uk/>

Rules of the Scheme. Available from: [Our Rules - OIAHE](#)

Guidance on the Rules. Published April 2018. Available from: [Our Rules - OIAHE](#)

OIA Completion of Procedures Letters Guidance. Published January 2019. Available from: [Completions of Procedures Letter Guidance Note - OIAHE](#)

Quality Assurance Agency (QAA) UK Quality Code for Higher Education
UK Quality Code, Advice and Guidance: Concerns, Complaints and Appeals.
Publication Date: 29 Nov 2018. Available from <https://www.qaa.ac.uk/en/quality-code/advice-and-guidance/concerns-complaints-and-appeals>

OU Handbook for Validated Awards 2022-23. Available from: <https://www.open.ac.uk/about/validation-partnerships/about-ou-validation/ou-handbook-validated-awards>

OU/UCS Academic Regulations 2015 onwards (still in force in 2022-23)

Pearson BTEC Higher Nationals Centre Guide to Quality Assurance and Assessment 2021-22. Available from: <https://qualifications.pearson.com/content/dam/pdf/Support/Quality%20Assurance/btec-higher-nationals-centre-guide-to-quality-assurance-and-assessment.pdf>