Student Appeals Policy

1. Scope and Purpose

1.1 This policy addresses where you may wish to appeal a decision made by a formal board or panel that is considering your individual academic circumstances. It includes:

i An **academic appeal** where you request a review of a decision made by the Assessment Board about your progress, assessment or award.

ii An **academic misconduct appeal** where you request the review of a decision made by an Academic Integrity Panel about the findings or penalty.

iii An **extenuating circumstances** appeal where you request a review of a decision made about your Extenuating Circumstances application.

iv An appeal regarding an **application to study or an application for Recognition of Prior Learning (RPL)**. In these circumstances, an appeal would only be considered if it relates to new and relevant information becoming available.

v An appeal against a decision to suspend or withdraw your registration through the **Student Engagement with Learning** or **Support to Study** policies.

vi A **reasonable adjustment** appeal with respect to an individual assessment component or module within a programme, not to the programme itself.

2. Principles

2.1 The Policy is based on the following principles:

i Each appeal will be managed fairly, consistently and transparently

ii There will be clear criteria against which an appeal can be made

iii Timescales for submitting and processing an appeal will be made clear and Walbrook will update you about any delay and the reason behind it

iv We will take a flexible and logical approach to crossovers between an appeal and a complaint

v Walbrook will ensure that any agreed reasonable adjustments requested by you are accommodated into the appeals process.

vi We will not accept frivolous or vexatious appeals and will act under the Student Misconduct and Disciplinary Policy if these occur.

2.2 You will have recourse to the Office of the Independent Adjudicator if you are dissatisfied with the way in which we have managed an appeal within Walbrook.

2.3 The principles set out above will apply to Higher Education provision delivered solely by Walbrook or through collaborative provision.

3. Appeal criteria

3.1 The criteria for an academic appeal are as follows:

i There was an administrative error or other irregularity in the conduct of an assessment or processing of marks, grades or classification of award that has not already been addressed by Walbrook.

ii You were affected by extenuating circumstances which, for good reason, could not have been brought to the attention of the Assessment Board at the time of its original decision making.

iii Bias or a reasonable perception of bias in the assessment. That is, if you believe your work has not been impartially assessed on its merits, for example because you had previously made a complaint about one of the markers.

3.2 The criteria for all other appeals are as follows:

i The policy or procedure was not followed correctly or fairly by Walbrook

ii New and relevant information or evidence is now available which, for good reason, could not have been brought to the attention of the relevant Panel at the time of its original decision making.

iii An appeal cannot be made in the following circumstances:

iv Where marks are provisional and have not yet been considered by an Assessment Board.

v If an award classification falls just below the boundary of the next highest classification or a module has been failed by one or two marks. The General and Academic Regulations are clear about the basis upon which marks and awards are made. You can seek advice from the Student Support team if you want to understand more about how marks are calculated.

vi If you are generally unhappy with a decision made by a Board or Panel.

3.3 In general, our appeal process doesn't cover issues that are based on academic judgment. In other words, you can't appeal just because you disagree with an academic decision or opinion — the appeal process can't change or overrule normal academic decisions.

4. Student Support

4.1 This document is designed to be as clear as possible to explain how the appeals process works. Further support and guidance are available from Student Support and advice is available from the Quality, Policy and Regulation team for staff who are managing the process.

5. Crossover of an appeal and a complaint

5.1 Issues raised in an appeal may cross over with matters that would more usually be considered as a complaint. Walbrook takes a flexible and individual approach to these situations to work through the most efficient and appropriate approach to manage a case and to align with relevant policies. This may mean that all issues are dealt with as one case, or that we separate them out and consider them through separate relevant policies.

5.2 Walbrook will take a similarly flexible approach if you submit an appeal and already have a separate case (e.g. a complaint) underway.

5.3 We will always inform you of the approach we plan to take to case management where there is a crossover of issues or where there is more than one case underway.

6. Group Appeals

6.1 You may decide to submit a group appeal where you and several peers are affected by the same issue.

6.2 Where you submit a group appeal, Walbrook will either correspond with each member of the group separately or may require the group to nominate a representative with whom we will communicate. When considering joining a group appeal, you should always ensure that you are seeking the same outcome before deciding to be part of the group. If you are seeking a different outcome, or if there is a possibility that you may be seeking a different outcome, you should submit an individual appeal.

7. Submitting an appeal

7.1 You will need to submit an appeal by completing the Appeals form with your supporting evidence within 14 calendar days of the decision (e.g. from the Assessment Board) being communicated by Walbrook, and Walbrook will acknowledge receipt of the submission within 5 calendar days of receipt. Appeals submitted beyond 14 calendar days will normally only be accepted in exceptional circumstances which will need to be explained.

7.2 Walbrook expects you to provide genuine and authentic evidence to support your appeal submission. We will apply the Student Misconduct and Disciplinary Policy if you provide us with supporting information that is not genuine.

7.3 Walbrook would normally expect you to submit an appeal directly. We will only accept an appeal written on your behalf (e.g. by a family member) in exceptional circumstances

where, for example, you have significant poor health. In those circumstances, we would require you to provide your permission in writing. We would subsequently:

i Copy all correspondence to you unless you have specifically asked for this not to happen.

ii Expect you to engage in the appeals process so that there can be full consideration of the issues raised, including Walbrook meeting with you as needs be.

iii Consider if there needs to be an extension to the timescale for processing the appeal, for example, if you are in significant poor health. Such extension will normally only take place if there is evidence that you are receiving support for your circumstances.

7.4 You are not expected to engage a legal representative to act on your behalf or accompany you to any meeting. Legal representation at an academic appeal hearing would only be appropriate in very exceptional circumstances, and the involvement of a legal representative has potential to change the nature of the procedure or delay the process. However, where you request to use a legal representative, Walbrook will carefully consider whether it would be reasonable in the particular circumstances of the case.

7.5 The involvement of legal representatives may affect the timescales for handling your appeal, as additional correspondence or clarification may be required. In such cases, we will keep you informed and provide revised timescales where appropriate.

8. Process for considering an appeal

8.1 An appeal will be reviewed by the Designated Appeals Officer to check that it meets the criteria set out in this Policy and that relevant supporting information is provided. If you do not provide relevant supporting evidence with your submission we will follow this up with you. Making this request may delay the timeframe in which the rest of the process proceeds.

8.2 Walbrook will normally notify you within 14 calendar days of receiving the submission that:

i The appeal is rejected because it does not meet the criteria set out in this Policy.

ii That the appeal will move to the next stage.

8.3 Where an appeal moves to the next stage it will be considered in one of the following ways:

i Where there is evidence to show that there was an administrative error or other irregularity in the process of confirming your mark, this will be corrected. The Chair of the Assessment Board will approve the change, and the External Examiner will be notified. In these circumstances Walbrook will always check if any miscalculation has affected more than one student and will take necessary action.

ii If you present new extenuating circumstances or new information not previously available to the Assessment Board or relevant Panel for good reason, the Panel that

made the original decision will be asked to consider the new evidence and to determine if it makes a difference to the outcome.

iii The Complaints and Appeals Panel (CAP) will consider complex cases that are not possible to address in the ways set out above.

8.4 Walbrook will normally update you within 14 calendar days of the previous notification about the actions we have taken in relation to miscalculation of marks or consideration of extenuating circumstances/other information or will inform you if your case will be considered by CAP.

9. Complaints and Appeals Panel

9.1 The Designated Appeals Officer will investigate your case and gather any relevant information to go alongside your submission. All gathered information will be documented so that it is available to all members of the Panel and will be sent to you in advance of the case being heard by CAP for their review.

9.2 The composition of the Complaints and Appeals Panel is:

i Provost (Chair) or nominee

ii Nominee of Regulatory Compliance Working Group

iii Nominees of Academic Board x2

iv Designated Complaints and Appeals Officer

9.3 Panel members will have relevant experience and/or training provided by Walbrook. This is important so that colleagues are clear about their remit and the basis upon which decisions can be made.

9.4 You will be notified of the proposed date of your appeal being heard and will be invited to attend the hearing of your case. You may have a supporter accompany you to the hearing, which may or may not be a member of Walbrook staff. You must confirm with Walbrook the name of any supporter no later than seven calendar days before the date of the hearing. If you require any additional help or reasonable adjustments for the Complaints and Appeals Panel (CAP) meeting, you must inform Walbrook no later than seven calendar days before the date of the meeting.

9.5 The Complaints and Appeals Panel will consider the case and decide that either:

i Your appeal is upheld/partially upheld and will share the reasons why

ii Your appeal is rejected and will share the reasons why

iii Very exceptionally, further information may be required to inform a decision. You will be provided with details of what information is being sought and why and the timescale for providing a decision.

9.6 You will receive the decision of the Panel by email, including the reason for the decision, within 14 calendar days of the meeting.

9.7 Where an appeal is upheld, you will be informed of the action that Walbrook will take, including in relation to assessment where this is the substance of the appeal. The Complaints and Appeals Panel cannot make any adjustment to your original marks unless a mistake has been made in the original calculation.

10. Review of an appeal decision

10.1 You have the right to request a review of a decision that has not upheld your appeal. Review requests must be received within 14 calendar days of the written outcome of the appeal.

10.2 A review request must meet one or both of the following criteria:

i There is new evidence that, for good reason, could not have been provided at the time at which your appeal was considered originally

ii There is a significant procedural error in which your appeal was considered

iii Action taken or the solution provided by Walbrook in response to the appeal findings was unreasonable

10.3 No other reasons for a review request will be accepted, including where you may be generally disappointed with the decision that has been made.

10.4 A review request will be acknowledged within 14 calendar days of receipt. The review request will be considered by the Academic Board review group. The review group will be chaired by an individual who has no direct involvement with the appeal, and will either:

i Uphold the original decision if the request does not meet the criteria above

ii Refer the appeal back to the point of the process at which the alleged error occurred, or where the new evidence needs to be considered.

iii Exceptionally, (e.g. if any form of potential or actual bias has been identified) the reviewer can also recommend that a different individual or panel is appointed to take up the matter/s that need to be addressed.

10.5 This review process will be completed within 25 calendar days, and you will be notified of the outcome, along with information about the Office of the Independent Adjudicator.

10.6 This will be the end Walbrook's direct management of your appeal.

11. Office of the Independent Adjudicator

11.1 If you are dissatisfied with a decision that has been made by Walbrook on the outcome of your appeal or review request, you may contact the Office of the Independent Adjudicator

for Higher Education (OIA). The OIA is the body responsible for considering students' complaints once the internal procedures of Walbrook have been exhausted. The OIA has specific criteria against which a student can make a complaint; more information is published on the OIA website at www.oiahe.org.uk.

12. Reporting and Review

12.1 The number and nature of appeals will be recorded and reported annually to the Learning, Teaching and Quality Committee. This report will consider immediate actions that were taken to improve the student experience and will also consider if any further actions are required.

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