

Nottingham Trent University

Quality Handbook

Part E: Regulations

Section 17B: Academic Appeals Process

Contents

1.	Principles	2
2.	What is an Academic Appeal?	3
3.	Scope – who is covered by this process?	3
4.	Key stages of the Academic Appeals Process	4
5.	Request for Reconsideration	4
6.	Academic Appeal	6
7.	Office of the Independent Adjudicator (OIA).....	9
8.	Validation service collaborative arrangements	10
9.	Final year awards	10
10.	Evidence	11
11.	Frivolous or vexatious appeals	11
12.	Protocol on confidentiality	12
13.	Advice and support for students.....	13
14.	Reporting	13

1. Principles

This Process is designed to ensure that Academic Appeals are treated fairly and seriously.

1.1 Principles of fairness include:

- a. avoiding potential bias by ensuring independent consideration at each stage of the process;
- b. giving reasons for actions taken and decisions made by the University;
- c. operating reasonable timescales for both submissions to and responses from the University;
- d. providing an opportunity for both the student and the University to be equally heard and have equal access to documentation where matters proceed to a hearing, and
- e. Setting out a clear process for how the university will manage Academic Appeals.

- 1.2 The University will ensure that students with protected characteristics, as defined under the Equality Act 2010, are treated fairly and without discrimination.
- 1.3 If there are concerns regarding the student's wellbeing, any notifications and communications to the student will be managed appropriately, such as a personal conversation.
- 1.4 Students appealing in good faith will not be disadvantaged as a result of making a submission under this Process.
- 1.5 It is not the policy of the University to adjust marks, grades or degree classifications where a submission by a student is upheld at any stage of this Process (unless correcting marks entered in error), but to provide circumstances in which a student can demonstrate their academic ability unhindered.
- 1.6 The University reserves the right to transfer an appeal to another procedure if we feel it could be more appropriately addressed through a different University process, for example the Student Complaints Procedure.
- 1.7 The University reserves the right to not respond to each individual point raised, if appropriate, points will be grouped together when providing a response.
- 1.8 The University considers that students will normally be able to meet the timescales in communicating with the University, including by electronic means, unless affected by circumstances beyond their reasonable control.
- 1.9 The University will reasonably endeavour to comply with the timescales prescribed within this Process. Where the University is unable to do so, it will notify the student of any adjusted timescale or deadline.
- 1.10 Freedom of speech and expression is at the heart of what universities are for, where the freedom to express ideas and debate opinions within the law is a fundamental principle. The application of this policy will therefore be undertaken in

accordance with this principle. More information on the University's approach to Freedom of Speech and Academic Freedom can be found in its [Code of Practice](#).

2. What is an Academic Appeal?

An academic appeal is a request by a student to review the decision of a Board of Examiners.

- 2.1 An academic appeal relates to the outcome of an assessment, a decision about progression or a degree classification.
- 2.2 The following are not considered to be legitimate grounds for an academic appeal:
 - a. where a student questions the exercise of academic judgement, that is, the decision made by academic staff on the quality of the work itself or the criteria being applied. A student cannot appeal simply because they believe they ought to have received a higher grade.
 - b. where a student disagrees with the outcome of a Notification of Extenuating Circumstances.
 - c. where students wish to express dissatisfaction about the University's action, inaction or standards of service which should be dealt with under the [Student Complaints](#) Procedure (see QH Section 17E).
 - d. frivolous, vexatious or mischievous appeals
- 2.3 Where an academic appeal involves multiple issues, which do not fall neatly into the category of Academic Appeal (e.g. because it also covers issues that fall within the remit of Complaint or other procedures), these matters may be considered together. Depending on the individual circumstances, the University reserves the right to either suspend one procedure pending the outcome of the other, or decide not to pursue a procedure in favour of the other.

3. Scope – who is covered by this process?

The academic appeals process applies to all students of the University with the exception of those named in the explanatory notes below.

- 3.1 This procedure applies to all currently enrolled Nottingham Trent University students (including those studying on School-Based collaborative arrangements), except research degree students for whom a separate procedure applies.
- 3.2 **Third Party Appeals:** The University will only accept an appeal on your behalf from a Students' Union representative, a parent/guardian or other third party where the student has provided written authority for them to do so. Where consent is provided to and accepted by the University, all communications relating to this process will still be copied to the student to ensure they are informed. The University reserves the right not to engage with a third party if, in the view of the

Section 17B

University, they do not behave in an acceptable manner, communicate in an inappropriate way or attempt to disrupt the process.

Explanatory notes

- Research degree students are subject to Quality Handbook (QH) [Section 17F: Research Degrees Complaints and Appeals Procedure](#).
- Students studying for a Nottingham Trent University award at another institution under a validation service arrangement are referred to section 8 of this process.

4. Key stages of the Academic Appeals Process

The existence of this process does not preclude students from discussing any issues or concerns informally with the School.

- 4.1 There are two stages to the Academic Appeals Process:
 - a. Request for Reconsideration; and
 - b. Academic Appeal
- 4.2 Once a student has received their results, they may wish to make contact with their Course Leader, Personal Tutor or Subject Administrator to discuss their results in person. In cases where a simple error has been made, it may be most expedient to resolve this immediately via Board of Examiners Chair's Action, without the need to invoke this Process. If it is not possible to resolve the matter informally, the student may invoke this Process.

5. Request for Reconsideration

A student may submit a Request for Reconsideration (R4R) where they seek to appeal the decision of a Board of Examiners.

Permitted grounds for a Request for Reconsideration

- 5.1 Following the publication of results after a Board of Examiners meeting, a student may request a reconsideration of the decision of a Board of Examiners on the following grounds:
 - a. the student believes that there has been a material error or irregularity by the University in the assessment process;

- b. one or more of the constituent parts which have made up a student's final outcome are incorrect;
- c. the student has additional material information which could not have previously been made available through the Notification of Extenuating Circumstances (NEC) policy or to the Board of Examiners.

Request for Reconsideration Process

A request for reconsideration must be submitted in writing via the online appeals portal no later than ten working days from the date of publication of results.

- 5.2 An R4R must demonstrate that it meets the permitted grounds for appeal and provide supporting evidence. A submission will be rejected if both of these requirements are not met.
- 5.3 A student who has submitted an R4R will receive an immediate acknowledgement confirming receipt.
- 5.4 An R4R will be considered by a Reconsideration Panel (RP). Panel membership will be determined by the Executive Dean or Deputy Dean of the School and will comprise three independent academic colleagues who were not part of any NEC process and were not members of the relevant Board of Examiners or course team.
- 5.5 Where a student is unable to meet the ten working day submission timescale, they must explain in the submission why it is late, and provide appropriate evidence to corroborate this. The Reconsideration Panel (RP) will decide, on the basis of the explanation and evidence, whether to accept the R4R application for consideration. If the R4R is accepted for consideration it will be reviewed according to the process.
- 5.6 For practical purposes, the RP may be either a physical meeting or virtual meeting.
- 5.7 The RP will determine whether the R4R submission:
 - a. is made on the permitted grounds; and
 - b. appears to be substantiated by the evidence provided.
- 5.8 The RP may consult with the Course Leader, the Chair of the Board of Examiners, the Notification of Extenuating Circumstances Contact, the Notification of Extenuating Circumstances Panel or any other relevant persons it believes appropriate.
- 5.9 The decision of the RP, including reasons for that decision, will be communicated to the student (copy provided to the Course Leader) within **25 working days** of receipt of the R4R and supporting evidence. This time period will include any referral to, and subsequent decision of, a Board of Examiners.
- 5.10 The decision of the RP may include, but is not limited to, one of the following:
 - a. the submission is deemed not to have been made on one or more of the permitted grounds; or

- b. the submission is not deemed to be substantiated by the evidence presented;
or
 - c. the submission is deemed to be substantiated.
- 5.11 Where an R4R is substantiated on the basis of an identified error in the recording of a grade by the RP, the School will inform the student and the Chair of the Board of Examiners (the Chair). The Chair will arrange for the error to be corrected and for the student to receive a correct report of their achievement, within **five working days** of the decision of the RP being sent to the student.
- 5.12 Where an R4R is substantiated and has affected the final degree classification it will be referred to the Chair of the Board of Examiners. The Chair will either take Chair's Action in consultation with the (Chief) External Examiner to change the classification, or convene an exceptional meeting of the Board of Examiners to reconsider the case. The Chair will inform the student of the action that the University intends to take.
- 5.13 Where an R4R is substantiated on the grounds of evidence that was previously unavailable for disclosure through the NEC Policy or otherwise, the RP will report their findings in writing to the student and the Chair of the Board of Examiners. The Chair shall either take Chair's Action and amend the Board of Examiners' original decision or convene an exceptional meeting of the Board of Examiners to reconsider the case. The Chair will inform the student of the action that the University intends to take.
- 5.14 The School will record the R4R outcome on the student's file.
- 5.15 Any determination that the Board of Examiners should reconsider its original decision does not guarantee a change to that decision.

6. Academic Appeal

A student who is dissatisfied with the outcome of a Request for Reconsideration may submit an Academic Appeal.

Permitted grounds for an Academic Appeal

- 6.1 A student may appeal:
- a. the decision of the RP to reject the R4R;
 - b. the decision of the Board of Examiners, either through Chair's Action or a reconvened meeting, following a decision by the RP.
- 6.2 An Academic Appeal may only be made on the following grounds:
- a. the University failed materially to follow its procedures at an earlier stage within this Process; and/or
 - b. the student now has new material information which could not have previously been made available for consideration through the NEC Process, the Board of Examiners or R4R process.

- 6.3 A student may not submit an Academic Appeal until the R4R process has been completed.

Academic Appeals submission

An Academic Appeal must be submitted in writing via the online appeals portal no later than ten working days from the date of the final outcome of the R4R.

- 6.4 The Academic Appeal must be accompanied by evidence, including copies of all documentation submitted for consideration through the NEC policy (where applicable), and in support of the R4R, together with a copy of the RP's decision(s). A submission will be rejected if these requirements are not met.
- 6.5 Where a student submits an Academic Appeal on ground (a), they must indicate where they believe the University has failed materially to follow its procedures and provide evidence accordingly.
- 6.6 Where a student submits an Academic Appeal on ground (b), the submission should not be a repeat of the R4R submission; it must include relevant new material information which could not have previously been made available for consideration at an earlier stage in the process.
- 6.7 Where a student is unable to meet the submission timescale, they may seek an extension from the Academic Registrar or nominee. An extension will only be agreed if the Academic Registrar or nominee is satisfied with the reasons for the extension provided by the student. Non-agreed late submissions will be rejected as being out of time.
- 6.8 In exceptional circumstances, the Academic Registrar or nominee has the discretion to accept late submissions where the student did not seek an extension and has shown valid reasons for the late submission.

Consideration of the appeal

- 6.9 The appeal will be considered by the Appeal Investigator who will be the Academic Registrar or a nominee from within Academic Registry.
- 6.10 The Appeal Investigator will acknowledge an Academic Appeal within **five working days** of receipt.
- 6.11 The Appeal Investigator will consider the appeal to determine whether it falls within the permitted grounds and will communicate this decision, and the reasons for it, in writing to the student within **25 working days** of receipt.
- 6.12 The Appeal Investigator may consult appropriately during the investigation, including with the Chair of the RP.
- 6.13 If the Appeal Investigator requires further information or evidence from the student, they will give the student **five working days** to provide it during which time the Academic Appeal will be put on hold. The investigation will resume from the date of receipt of additional information or evidence and the days during which

the Academic Appeal was on hold will not count towards the 25 working days timescale.

- 6.14 If the Appeal Investigator decides that the Academic Appeal has not been made on any of the permitted grounds, this decision is final and there is no further right of appeal within the University's Academic Appeals Process.
- 6.15 If the Appeal Investigator considers that the Academic Appeal is submitted within the permitted grounds, they will either:
- a. refer the submission back to the relevant School for further consideration and action, and inform the student accordingly; or
 - b. convene an Academic Appeal Panel.
- 6.16 Where an Academic Appeal has been referred back to the relevant School for further consideration and action, and the subsequent outcome is that the appeal is upheld, the Chair of the Board of Examiners shall have discretion to take Chair's Action and amend the Board of Examiners' original decision (where appropriate).
- 6.17 Where the Academic Appeal has been referred back to the School and a final decision reached by the Chair of the Board of Examiners, the School will communicate the outcome to the student and Academic Registrar within **ten working days** of the referral.
- 6.18 Whether an Academic Appeal has been upheld or not upheld, the Appeal Investigator shall provide the student with a Completion of Procedures Letter.

Academic Appeal Panel

Where a decision is taken to convene an Academic Appeal Panel, it will take place within 30 working days of the date of the decision.

- 6.19 The Academic Appeal Panel (AAP) membership will be decided by Academic Registry and will normally comprise:
- a. A Chair from outside the student's School;
 - b. a representative of Nottingham Trent Students' Union (NTSU); and
 - c. at least two other academic colleagues from Schools not connected with the student,
- 6.20 Academic Registry will coordinate the AAP and will send all parties an invitation to the panel meeting and provide all appropriate information at least **ten working days** before the date of the panel meeting.
- 6.21 The student is entitled to submit additional relevant documentary evidence or a statement in support of their Academic Appeal. This must be submitted at least **five working days** before the date of the meeting in order for this to be circulated to the AAP. Late evidence may be submitted only with the consent of the Chair.
- 6.22 The student is entitled to be accompanied to the AAP by one other person, as set out in section 14 below. The student must inform Academic Registry of the name

and capacity of any person accompanying them to the Panel meeting at least **five working days** in advance.

- 6.23 If the student is unable to attend the AAP without good reason, the Chair may take the decision to proceed with the student in absentia and on the information already supplied. If a documented acceptable reason for absence is received, the AAP date may be re-arranged, at the discretion of the Chair.
- 6.24 The Panel may reach any of the following three decisions:
- a. the Academic Appeal is rejected;
 - b. the Academic Appeal is upheld and the Board of Examiners will be asked to reconvene to reconsider its decision along with any additional recommendation made by the Panel;
 - c. there is evidence which raises doubts about the competence of, the standards and/or procedures applied by, the Board of Examiners. In such cases, the Panel will submit a recommendation to the Academic Board recommending, following advice from competent examiners, that the Academic Board annul the original decision of the Board of Examiners, substituting it with a decision of its own and request that the Academic Board authorise a full and proper investigation into the conduct of the Board of Examiners.
- 6.25 Academic Registry will notify the student and their School of the Panel's decision, with reasons, within **five working days** of the date of the AAP meeting.
- 6.26 The outcome of an AAP will be recorded on the student's file and will only be shared with those persons necessary to progress the outcome of the Academic Appeal or help support a satisfactory outcome within the student's School.
- 6.27 If the Board of Examiners is required to be reconvened, it will meet within **30 working days** of the decision of the AAP.
- 6.28 The decision of the AAP and any associated decision by the Board of Examiners shall be final. **This is the end of the University's internal Procedure.**

7. Office of the Independent Adjudicator (OIA)

In the event that a student is not satisfied with the outcome of the Academic Appeals Process, they may make a complaint to the OIA if they have been provided with a Completion of Procedures Letter.

- 7.1 In order to submit a complaint to the OIA, the student must first have completed the University's internal procedures.
- 7.2 At the conclusion of the University's internal procedures, the student will be issued with a Completion of Procedures letter as follows:
- a. Where an Academic Appeal is **not** upheld a Completion of Procedures Letter will automatically be sent to the student;

- b. Where an Academic Appeal is upheld or partially upheld the student is sent an outcome letter. A Completion of Procedures Letter will only be provided if requested by the student.
- 7.3 A complaint must be submitted to the OIA within **12 months** of the date of your Completion of Procedures Letter from the University and must be submitted using the OIA's form. The Completion of Procedures Letter must be included with the submission.

Further information can be found on the OIA's website at www.oiahe.org.uk.

8. Validation service collaborative arrangements

Students studying at a partner institution under a validation service arrangement must complete the partner's local appeals processes before they can raise an Academic Appeal with the University.

- 8.1 To submit a request for an Academic Appeal in relation to the partner institution, the student needs to provide:
 - a. Written consent for the University to request the details of the investigation from the partner institution; and
 - b. As much information as possible for the University to carry out the review.
- 8.2 The University's role in reviewing any Academic Appeal application is to ensure that the Centre has followed its own procedures correctly. Therefore, students of a validated partner are not permitted to request an Academic Appeal on ground (b).

9. Final year awards

A student with an ongoing R4R or Academic Appeal may attend their Graduation Ceremony, however they will not be presented with their certificate, which will be issued once the investigation has been closed.

- 9.1 If a student attends a graduation ceremony and has not submitted an R4R or appeal, the University will take the view that the student has accepted their award.
- 9.2 If in the unlikely event that a student attends Graduation and receives their Certificate but have an R4R/Appeal which is in progress or at a later date (but within the timeframe) submit an R4R/Appeal, if it is upheld and their classification changes, the student will be required to return their certificate (at their own cost) before a new certificate is issued.

10. Evidence

It is the responsibility of the student to substantiate an R4R or appeal with independent documentary evidence.

- 10.1 Scanned copies of original documents will be accepted; however, original hard copies may be requested at any time.
- 10.2 For details on examples of acceptable circumstances for consideration of either an R4R or Academic Appeal and of associated evidence that is normally required please refer to the NEC policy. The University considers each application for R4R or Academic Appeal on its own merits, as an individual case, and according to the relevant process. The examples provided are indicative and students should seek guidance from their School about the type of evidence required in their particular circumstances in case of doubt.
- 10.3 Students should not normally submit photographic evidence to support their submission, except where this is a photograph of a document or prescription.
- 10.4 It is expected that the supporting evidence is provided at time of submission. Where this is not possible, the student must indicate the type of evidence they intend to submit and the reason why it cannot be submitted at the time, with an indication of when the evidence will be submitted. **Additional evidence must be submitted within 5 working days of the submission.**
- 10.5 Acceptance of submissions without evidence, or delayed evidence is at the discretion of the RP or the Academic Registrar (or nominee). The student will be notified of the decision to accept the submission or otherwise. A lack of supporting evidence at the point of submission may lead to delays within the process or the submission being considered ineligible.
- 10.6 Where an R4R and/or Academic Appeal is submitted on grounds of the student having new material information which could not have previously been made available for consideration by the Notification of Extenuating Circumstances Contact or Panel, Board of Examiners or RP, the student must ensure that the evidence:
 - a. is genuinely new (i.e. it has not been considered in any form in any of the previous stages of the process);
 - b. is material to the original appeal (i.e. significant and relevant);
 - c. could not have been presented at an earlier stage in the appeals process for reasons beyond the student's control.

11. Frivolous or vexatious appeals

Students and third parties using this procedure are expected to act professionally, reasonably and fairly towards University staff, and, in particular,

to refrain from conduct which is abusive, rude or aggressive or otherwise requires action under the Student Code of Behaviour Procedure or termination of an appeal.

- 11.1 If we believe that an R4R/Appeal is frivolous or vexatious, we reserve the right to terminate our investigation of your R4R/Appeal. An R4R/Appeal will be deemed vexatious or frivolous if it is:
- a. Obsessive, harassing, or repetitive;
 - b. Insistent on pursuing non-meritorious appeals and/or unrealistic, unreasonable outcomes;
 - c. Insistent on pursuing what may be meritorious appeals in an unreasonable manner;
 - d. Designed to cause disruption or annoyance;
 - e. Demanding for redress which lacks any serious purpose or value;
 - f. Excessively long in length. A submission should be no more than 1000 words.
- 11.2 In instances where an R4R/Appeal is considered to be frivolous and/or vexatious, or where a student or third party continues to behave in a way that is considered to be unacceptable, the Executive Dean of a School or Head of Department (or nominated Deputy) will decide whether to terminate contact with the Student/Third Party. In exceptional circumstances, this may mean that consideration of the R4R/Appeal is also terminated, in which case the student will be issued with a Completion of Procedures Letter.

12. Protocol on confidentiality

The University will handle academic appeals with an appropriate level of confidentiality, and will release information only to those who need it for the purposes of investigating or responding to it.

- 12.1 Information relevant to the investigation may be shared between other departments as necessary to progress the application or help support a satisfactory outcome in the student's School under the Student Privacy Notice.
- 12.2 Anyone submitting an academic appeal is expected to maintain confidentiality and avoid publishing to third parties, either on social media or by other means, any correspondence about the appeal between the student and the University or any other University correspondence which is part of the appeal.
- 12.3 Academic Registry will share the details of the appeal outcome with the relevant School/department.

13. Advice and support for students

Students are encouraged to seek support with the Academic Appeals process should they need it.

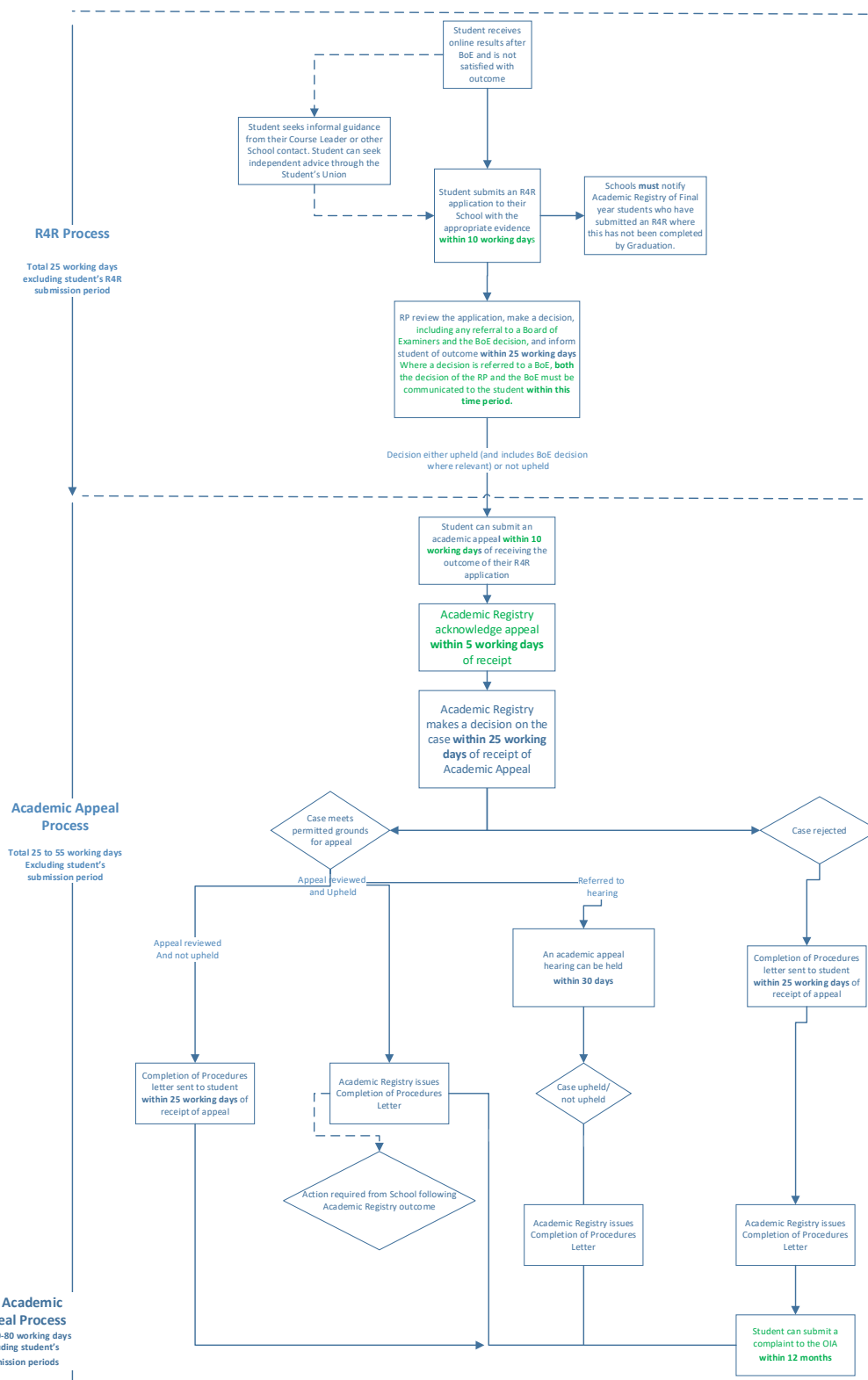
- 13.1 Where a student is invited to attend an Academic Appeal Panel, they may be accompanied by a companion for support. This person may be a fellow student, friend/partner, parent/carer, an NTSU Information Advice Service Adviser or mentor. The University does not normally permit students to be legally represented during the appeal process.
- 13.2 Students can seek independent advice from the Students' Union [Information and Advice Service](#).
- 13.3 Students may seek advice from academic or other members of staff at the University.
- 13.4 If a student is under 18 years of age and submits an academic appeal, the University will notify the parent/guardian that an appeal has been submitted and will keep them informed of progress unless the student expressly asks us not to.
- 13.5 NTU provides a number of support services. Students are encouraged to engage with these services and take up any appropriate support available. Students can:
 - a. find out what support is available from [Student Services](#)
 - b. [speak with a support adviser](#)
 - c. get support from the [NTSU advice centre](#).
- 13.6 The NTSU [peer-support system](#) offers support from students to students with similar experience, problems or conditions. It is free, confidential and independent from NTU.

14. Reporting

Academic Appeals data is reported annually to provide oversight of activity.

- 14.1 An Academic Appeals report is presented annually to the Academic Standards and Quality Committee (ASQC) detailing the numbers, types and outcomes of Academic Appeals in order to determine if additional action is required.
- 14.2 All Academic Appeals information is anonymised as far as is practically possible to avoid identification.

Appendix One: Academic Appeals workflow



17B

Section

Policy owner
Academic Registry

Change history			
<i>Version:</i>	<i>Approval date:</i>	<i>Implementation date:</i>	<i>Nature of significant revisions:</i>
Sept 2016	30.09.16	01.10.16	Routine updating
Sept 2017	12.09.17	01.10.17	Reviewed for clarity of language, no structural or policy changes Paragraph added relating to dual complaint/appeal submissions Clarified that students have 10 working days from the published date of electronic posting of results to submit an R4R and guidance added relating to late R4R submissions
Sept 2018	12.09.18	01.10.18	Clarification of responsibilities for informing students of the outcomes of academic appeals where these have been referred back to the School for further consideration and action.
Sept 2019	11.09.19	01.10.19	Clarification on information sharing between departments. Additional paragraph stating that all submissions must be accompanied by supporting evidence. Statement added making all staff responsible for potential Safeguarding issues and signposting to relevant services. Appendix 2 updated to include financial hardship. Also, that evidence submitted to support acute personal/emotional circumstances must confirm the circumstances affected the student at the time of assessment.
June 2020	01.06.20	01.06.20	Variations due to Coronavirus, including Request for Reassessment process, changes to evidence and reasons for appeal.
Sept 2020	16.09.20	01.10.20	June 2020 variations removed; however, the June 2020 version will be available on website for the duration of 20/21 academic year. Additional paragraph stating that the University may group individual points in R4Rs or complaints when responding. Appendix 6 added (as a temporary measure) to address COVID-19.
Oct 2020	20.10.20	21.10.20	Inclusion of Childcare Issues in Appendix 1. Appendix 6 rewritten for clarification of meaning.
April 2022	29.04.22	29.04.22	Updates to third party representation (see general principles)
Sept 2022	22.09.22	01.10.22	Full review and revision of Process resulting in restructuring and minor content changes.
Sept 2023	14.09.23	01.10.23	Minor content changes surrounding evidence submission and deadlines. Addition of 1.10 to address freedom of speech.

Equality Analysis		
<i>Version:</i>	<i>EA date:</i>	<i>Completed by:</i>
Sept 2015	09.02.16	CADQ
Sept 2016	01.09.16	CADQ
Sept 2017	01.09.17	Academic Registry