



ACADEMIC APPEALS REGULATIONS AND PROCEDURES

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Enhancement, 2023-24 Edition

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Technical updates of this document are undertaken on an annual basis to reflect changes to the University's organisational and management structures and to incorporate earlier, approved amendments to related policies, procedures and regulations

This document relates to the current year. If you become aware of any previous versions that are available on line please notify SEO@bolton.ac.uk so that action can be taken to remove the document(s).

REGULATIONS FOR THE REVIEW OF DECISIONS OF ASSESSMENT BOARDS (ACADEMIC APPEALS)

1. Scope and definition

- 1.1 These regulations apply to taught and research programmes delivered at the University, distance learning programmes and programmes delivered through collaborative arrangements. These procedures should not be used to challenge a decision pertaining to cases of academic misconduct in taught programmes or research degrees, procedures for which are published separately.
- 1.2 This Procedure may be used by students who wish to appeal against a final decision of an Assessment Board or equivalent body (such as the Board of Studies for Research Degrees) which affects a student's academic status or progress in the University. This includes the following:
- a) the mark awarded for any unit of assessment;
 - b) the overall outcome of a module or programme of study;
 - c) failure at any stage of a programme of study;
 - d) a requirement that the student interrupt his or her studies on grounds of unsatisfactory progress or failure to meet academic or professional requirements;
 - e) a decision that the student be expelled from the University or be withdrawn from his or her programme of study on the grounds of unsatisfactory progress or failure to meet academic or professional requirements, or arising from poor attendance;
 - f) a decision not to allow a student to progress from Masters level to a Doctoral degree;
 - g) a decision not to allow resubmission of a thesis for a Research Degree;
 - h) the outcomes of the implementation of the *Policy and Procedures for Investigating and Resolving Allegations of Misconduct in Research (Postgraduate Research Degree Regulations Annex 7)*.
- 1.3 Throughout this regulation, use of the term 'Assessment Board' shall be interpreted as any body constituted by the University and/or a partner institution which is empowered to make decisions about student progress and awards.

2. Grounds for submitting an Academic Appeal

- 2.1 Students or recent graduates may submit an Academic Appeal on the following grounds:
- a) that circumstances affected the appellant's performance of which, for good reason, the Assessment Board or equivalent body (including assessors at the viva voce examination) may not have been made aware when the decision was taken and which might have had a material effect on the decision [*Note: if students wish to appeal on such grounds, they must give credible and compelling reasons with*

supporting documentation why this information was not made available prior to the decision being made.);

- b) that there was a material administrative error or procedural irregularity in the assessment process or in putting into effect the regulations for the programme of study of such a nature as to cause significant doubt whether the decision might have been different if the error or irregularity had not occurred;
- c) that there is evidence of prejudice or bias or lack of proper assessment on the part of one or more of the examiners;

Additionally, for Research Degree candidates;

- d) the supervision or training of the appellant in respect of research for a thesis or equivalent work was unsatisfactory to the point that his or her performance was seriously affected [*Note: if students wish to appeal on such grounds but the supervisory concerns arose significantly before the assessment result against which they are appealing, and without it having been raised under 'Cause for Concern Procedures' (paragraph 11.17) of the Code of Practice for Research Students and Supervisors before the appeal, the student must provide credible and compelling reasons for only raising these concerns at appeal.*]

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

3. **Submitting an Academic Appeal**

- 3.1 Students should submit Academic Appeals on the template forms provided by the University and by the deadline for Academic Appeals advertised by the University. Academic Appeals that are submitted after the published deadline will not normally be considered. It should be noted that the deadlines advertised by the University are for decisions taken at the most recent set of Assessment Boards; aspects of an appeal submitted about previous Assessment Board decisions will not normally be considered. It is recognised that research degree candidates do not work to the same fixed academic calendar and so for those candidates, the deadline for submitting an appeal is 14 working days after the event giving the grounds for appeal. A 14 working day deadline will also apply to students who are appealing against a decision taken to withdraw them for non-attendance.
- 3.2 Students should submit documentary evidence in support of their Academic Appeal. This should normally be submitted with their Academic Appeal submission. However, where this is not possible due to circumstances outside of the student's control, the Academic Appeal should be submitted prior to the published deadline together with a clear statement that evidence has been requested by the student.
- 3.3 Appeals should be submitted by email to the Standards and Enhancement Office with all supporting official evidence which corresponds to the dates of the assessments

(e.g. a letter from a medical professional, a legal professional, or your employer, a medical or death certificate, an official report). As well as evidence of circumstances, students MUST provide evidence of your assessment deadline (e.g. copies of assessment briefs, Module Guides, Moodle screenshots, examination timetable or email communication from your Module Tutor/s).

3.4 The Head of Standards and Enhancement (Taught Provision), or a nominee will normally acknowledge receipt of the Academic Appeal within five working days.

3.5 Students should note that submission of an appeal on the basis of degree classification prior to graduation may mean that their graduation will be delayed whilst the appeal is investigated and resolved. This may mean that they are unable to attend their originally scheduled graduation ceremony.

4. **Academic Appeals Process**

4.1 **SIFT:** On receipt of the Academic Appeal, the Standards and Enhancement Office will assess the application, its timeliness, the grounds and evidence supplied (“the sift”). An appeal will not be accepted if (1) it is submitted after the published deadline, without good reason, (2) if no valid potential grounds (see 2.1) are cited and/or (3) if no evidence is provided. If it is determined that there is a need for additional evidence, this may be requested at this point. Appeals submissions which have potential grounds (see 2.1) and are supported by evidence, will be taken forward for further consideration by a Stage 1 Panel.

4.2 **STAGE 1 PANEL:** Timely, straight-forward appeals which have evidenced and valid grounds, may be upheld by a Stage 1 Appeals Panel, together with a recommendation as to what adjustments should be made to the appellant’s profile. All other appeals identified by the Stage 1 Panel will be escalated to Stage 2 of the process for further investigation and/or consideration. A Stage 1 Panel will normally sit within thirty calendar days of the receipt of the full appeal information.

4.3 **STAGE 2 INVESTIGATION:** At Stage 2, the Head of Standards and Enhancement (or nominee) will investigate the appeal further and where necessary, seek out further evidence. A decision will be reached to either (1) Refer back to the Stage 1 Panel to uphold the appeal with a recommendation as to what adjustments should be made to the appellant’s profile or (2) Refer forward to a Stage 3 Panel.

4.4 **STAGE 3 PANEL:** A Stage 3 Panel will determine whether the appeal referred to them should be upheld, partially upheld, not upheld or in exceptional circumstances referred back to Stage 2 for further investigation.

4.5 **OUTCOME:** The Head of Standards and Enhancement (Taught Provision), or a nominee will notify the student of the Appeals Panel’s decision. The decision of the Appeals Panel will be reported to the Chair of the relevant Assessment Board (or equivalent body) for ratification.

5 Composition of Appeals Panels

- 5.1 A Stage 1 Appeals Panel will comprise at least two members of the Standards and Enhancement Office, as determined by the Head of Standards and Enhancement (Taught Provision) or nominee.
- 5.2 A Stage 3 Appeals Panel will comprise at least two members of academic staff drawn from a list kept by the Head of Standards and Enhancement (Taught Provision), as well as the Head of Standards and Enhancement (Taught Provision) or nominee to advise on regulatory and procedural matters.
- 5.3 Students will not normally be expected to attend an Appeals Panel, but their attendance may be requested if the Appeals Panel deem it necessary. If a student is unable or unwilling to attend, the appeal will still be considered in their absence.

6 Academic Appeals Outcomes – Research Degrees

- 6.1 Where an appeal from a research degree candidate is upheld and the proposed action is that the thesis or equivalent should be re-examined, the following procedures shall be followed:
 - a. The Board of Studies for Research Degrees shall appoint new examiners not fewer in number than those appointed for the original examination and, normally, not fewer than 2 external examiners;
 - b. The examiners shall be informed that they are to be, or have been, appointed to conduct a re-examination on appeal but shall not be given and information about the previous examination;
 - c. The examiners shall prepare independent reports on the thesis or equivalent before the candidate undertakes a viva voce examination and a joint report following the viva;
 - d. On completion of the re-examination the reports of the examiners appointed for the original examination and for the re-examination shall be submitted to the Board of Studies for Research Degrees and where there is disagreement it is the agreed recommendation of the examiners who conducted the re- examination that would be expected to prevail.

7 Review of Appeals Panel decision

- 7.1 The student may request a review of the decision of the Appeals Panel within a month of the date that the decision of the Appeals Panel was issued to them. A review may be requested on the following grounds:
 - (1) There was a procedural irregularity in the conduct of the Appeals Panel or the investigation that may render the original decision unsafe;
 - (2) New material evidence is now available which the student was unable, for valid reasons, to provide earlier in the process and which may have resulted in a different outcome;
 - (3) Consideration of whether the outcome was reasonable and appropriate in the circumstances.

- 7.2 The review process will not reconsider the issues raised in the appeal, nor will it normally result in a further investigation of the issues. The review will not normally consider any new issues raised by the student which are not related to those raised in the original appeal.
- 7.3 The request for a review should be submitted by email to the Standards and Enhancement Office. The Head of Standards and Enhancement (Taught Provision), or nominee will normally acknowledge receipt of the request for a review within five working days.
- 7.4 The Head of Standards and Enhancement (Taught Provision), or a nominee will assess the review request. Where there are potential grounds, a Review Officer will be appointed who has not had any previous involvement in the case in question.
- 7.5 The student may request that the Review Officer meet with a staff member of the Students' Union when reviewing the decision of an Appeals Panel. In such cases, the Review Officer may meet with the representative from the Students' Union, but the Review Officer's decision will be final.
- 7.6 The Review Officer will decide whether the request for a review fulfils one of the requirements set out in section 7.1. If the request is judged not to meet the requirements, the Review Officer will inform the Head of Standards and Enhancement (Taught Provision), who will write to the student to inform them of the Review Officer's finding.
- 7.7 If the Review Officer judges that the request does meet the requirements set out in section 6.1, they will consider the request and decide if and/or how the Appeals Panel decision should be amended. Exceptionally, the Review Officer may determine that further investigation is required before a final decision can be made. Details of the Review Officer's decision will be communicated to the Head of Standards and Enhancement (Taught Provision) who will then inform the student of the outcome. Should any amendment to the student's recorded assessment outcomes be required, the Chair of the relevant Assessment Board will also be informed.
- 7.8 The review stage completes the University's process. Following consideration of their request for a review, students will be provided with a Completion of Procedures letter which will inform them of how to take their appeal to the relevant public body.

8 Representation

- 8.1 Students are not usually invited to attend meetings with Review Officers or Appeals Panels. However, when they are invited to do so, they may wish to bring a friend. The friend may be a fellow student or a member of staff from the Students' Union, or, if the student has a disability, a support worker, but may not otherwise be external to the University. It should be noted that the friend is there to support the student, not to answer questions or put forward a case in their stead.

9 Adjustments to a student profile following a successful or partially upheld appeal

- 9.1 Successful appeals will not normally result in the award of additional marks for an assessment unless the Appeals Panel determines that the work submitted should be re-marked, in which case the mark may go up or down, depending upon the academic judgement of the assessors. Re-marking will follow standard University procedures and regulations.
- 9.2 In rare cases where a student has successfully appealed an assessment that they passed, the student will normally be given the choice to retain their original mark or undertake re-assessment. If re-assessment is undertaken, the mark for the re-assessed work shall stand, even if it is worse than the mark originally achieved.

APPEALS REGULATIONS AND PROCEDURES	
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Policy Owner (Group/Centre/Unit)	SEO
Person responsible for implementation (postholder)	Head of Academic Standards and Enhancement (Taught Provision), Investigating Officers, Secretary to Senate
Approving committee/board	Senate
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Reviewing committee	Senate
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Document history (e.g. rationale for and dates of previous amendments)	This was major re-write of the old appeals regulations, partly in response to an OIA consultation document. Feb 2017 – incorporated research degrees and the outcome of a pilot for an enhanced sift that had been run in the 2015-16 and 2016-17 academic years. July 2020 - technical updates incorporated May 2023 – in order to expedite decisions in the best interests of students, the procedure has been updated to incorporate speedier decision making whilst retaining a robust and proportionate process. This change has constituted a revision of the version to V5