

Progress and Appeals Procedures for UoE Taught Programmes of Study 2018-19

To Whom do these Procedures apply?

These procedures apply to all students on taught programmes of study, including the following: students on undergraduate courses; students on University of Essex foundation-year courses taught on campus or away; students on postgraduate taught courses; students studying abroad as part of their degrees.

Immigration Status

These procedures focus exclusively on Academic progress and appeals; staff involved in consideration of progress matters or appeals should not consider immigration status. However, all outcomes in relation to a student's continued registration at the University are subject to his or her having met the terms of their immigration status where applicable. The immigration status is a secondary decision but may mean that a student cannot legally accept the decision that has been confirmed as part of the Progress and Appeals Procedures. Where an immigration status is questioned by the evidence being considered by the progress procedures process then the secretary to a panel or, where being considered at a preliminary stage, the department should seek advice from the Compliance Manager or Head of International Services and who will confirm either that (a) there is no issue to consider or (b) refer the matter to the Academic Registrar who shall review the case and advise the Registrar in accordance with 7.22-7.28 in the *General Regulations, Academic Conduct*.

EXTENUATING CIRCUMSTANCES

- a. Extenuating circumstances are formally defined as: 'circumstances beyond the student's control which cause the student to perform less well in his or her coursework or examinations than he or she might otherwise have been expected to do (on the basis of other work). In general, extenuating circumstances will be of a medical or personal nature affecting the student for any significant period of time and/or during the examination period.
- b. As a result of the policy on the late submission of coursework, the University-wide *Extenuating Submission of Coursework Policy* will be applied in cases where students are unable to submit coursework by the deadline as a result of acceptable extenuating circumstances. Extenuating circumstances in relation to the late submission of coursework are formally defined as: the inability to submit work by the deadline (or to attend the in-class test/presentation) due to circumstances beyond the student's control, of a medical, practical or personal nature which affects the student for the period *immediately preceding* the time of the deadline. Genuine emergencies and circumstances which could not reasonably have been expected will be accepted as extenuating.' Full details of the policy can be found at <https://www.southessex.ac.uk/higher-education/higher-education-policies>

- c. At the time of examination entry the Notes to Students will remind students of the policy for submitting an Extenuating Circumstances Form, about extenuating circumstances which may have affected work during the year. Students should be warned that failure to submit an Extenuating Circumstances Form may mean that the circumstances may not be taken into account by the examiners.
- d. If a student informs a member of staff that extenuating circumstances have affected a piece of coursework he or she is submitting, the member of staff should tell the student to submit an Extenuating Circumstances Form, failing which the extenuating circumstances may not be taken into account by the examiners.

PROCEDURE FOR APPEALS AGAINST THE DECISIONS OF BOARD OF EXAMINERS FOR ALL TAUGHT PROGRAMMES

- a. A student who wishes to appeal against the decision of a Board of Examiners must do so within ten working days of the publication of their results by submitting an Academic Appeal Form, stating fully and precisely the grounds for appeal.
- b. If the student can show that circumstances beyond his or her control prevented this time limit being adhered to and that injustice would result from adhering to it, the Appeals officer or nominee may extend the time limit in which an appeal may be lodged, normally up to the period of twenty working days from the date on which the notification of the decision was sent.
- c. Students are strongly encouraged to contact HE Support for advice and guidance before completing the form.
- d. Any other staff of the College who receives an academic appeal from a student concerning his/her result shall forward it to the appeals@southessex.ac.uk
- e. The Appeals officer or nominee, will acknowledge receipt of the appeal within three working days.

The Appeals Officer dismisses the appeal

- f. If the Appeals Officer decides that there are not sufficient prima facie grounds for putting the case to Dean or Deputy Dean of Partnerships then the Appeals Officer or nominee will inform the student in writing, stating the reasons for the decision. The communication of this decision shall, in such cases, constitute the formal dismissal of the appeal.
- g. If a student is dissatisfied with the outcome of the appeal, s/he may request a review on the following grounds:
 - i. procedural irregularity in the appeals process
 - ii. consideration of whether the outcome was reasonable given all the circumstances
 - iii. that new material evidence is now available which the student was unable, for valid reasons, to provide earlier in the process.
- h. The review stage will not normally consider the issues afresh or involve further investigation.

i. In order to request a review of an appeal, students must complete a Request for Review Form

The Appeals Officer upholds the appeal

j. If the Appeals Officer decides there are sufficient prima facie grounds for putting the case as a consult the Dean or a Formal appeal, he/she will forward it, together with his/her written comments, to the relevant Dean or Deputy Dean of Partnerships. On receipt of the appeal and the Appeals Officer's comments, Dean or Deputy Dean of Partnerships shall cause the Board of Examiners responsible for the assessment against which the student has appealed to reconvene and put before the Board the student's submission, the Appeals Officer's comments and any material relevant to the original assessment. The Dean or Deputy Dean of Partnerships will then formally ask the Board to review its decision. The Appeals Officer will have the right to attend and to address the meeting of the Board of Examiners.

k. If the Appeals Officer decides to uphold an appeal by a Second Year student on the grounds of extenuating circumstances of which the Board of Examiners was unaware and of which the student could not reasonably have been expected to inform the Board of Examiners in advance, the Appeals Officer will decide whether it is appropriate to ask the Dean or Deputy Dean of Partnerships to reconvene the Board of Examiners. If it is the Appeals Officer's view that the likely outcome of such a meeting would be that the Board of Examiners would decide either that the extenuating circumstances should be carried forward to the final year Board, or that the extenuating circumstances would not have a material effect on the results, then the Appeals Officer will not ask the Dean or Deputy Dean of Partnerships to reconvene the Board. However s/he will ensure that the Executive Dean or his/her deputy is fully apprised of the extenuating circumstances so that they can be placed before the Board of Examiners in the student's final year.

l. In causing a Board of Examiners to reconvene, the Executive Dean or his/her deputy/Chair may, at his or her discretion, consult by telephone or in writing any internal or external examiner who is unable to attend the reconvened meeting of the Board.

m. If, following review of its decision, the Board of Examiners is satisfied that there is no reason to amend its original decision the Dean or Deputy Dean of Partnerships will so inform the Appeals officer in writing, giving the Board's reasons for reaffirming its original decision and its comments, if any, on the grounds for appeal stated by the student.

n. If, following review of its decision, the Board of Examiners concludes that its original decision was wholly or partly incorrect to the extent that it decides on a new outcome, the Dean or Deputy Dean of Partnerships/Chair will so inform the Appeals Officer in writing and advise him/her of any amended mark or classification.

o. The decision of the Board of Examiners following review will be communicated in writing to the student by the Appeals officer stating the grounds for the decision. The communication of the decision shall in all cases constitute the formal conclusion of action taken in accordance with these procedures.

Formal Appeals

p. The main legitimate grounds for appeal are the following:

- (i) Extenuating circumstances of which the Board of Examiners was unaware and of which the student could not reasonably have been expected to inform the Board of Examiners in advance, of such a nature as to cause reasonable doubt as to whether the result might have been different had they not occurred.
- (ii) Procedural irregularities in the conduct of the Board of Examiners (including alleged administrative error) of such a nature as to cause reasonable doubt as to whether the result might have been different had they not occurred.

q. The following are not considered legitimate grounds on which to appeal, and any appeals based exclusively on one or more of these grounds will be rejected automatically:

- (ii) disagreement with a mark or grade and/or appeals against the academic judgement of internal or external examiners. Coursework and examinations cannot be remarked, except in cases of procedural irregularities.
- (iii) any provisional mark or informal assessment of the student's work by a member of staff that is not the final mark approved by the Board of Examiners.
- (iv) the retrospective reporting of extenuating circumstances which a student might reasonably have been expected to disclose to the Board of Examiners before their meeting.
- (v) appeals against the judgement of the Board of Examiners in assessing the significance of extenuating circumstances, and whether and to what extent they affected academic performance.
- (vi) marginal failure to attain a higher class of degree.(vi)appeals where the grounds of complaint concern the inadequacy of teaching or other arrangements during the period of study; such complaints must be raised, in writing, before the examination board meets.

r. The Academic Registrar or nominee will refer to the Appeals Officer any appeal that meets the criteria stated above (g and h).

s. Any such appeal will be considered by the Appeals Officer, who may consult such persons as he/she thinks fit, including the student who has lodged the appeal, in arriving at a decision as to whether or not the appeal is well-founded.

t. The Appeals Officer will conduct the investigation as quickly as possible but, particularly during the summer vacation, there may be unavoidable delays. The Academic Registrar or nominee will write to the student within 30 days of receipt about the progress of the appeal and will let the student know when he or she can expect to receive a decision.

All Appeals

u. The Office of the Independent Adjudicator for Higher Education (OIA) provides an independent scheme for the review of student complaints or appeals. When the University's internal procedures for dealing with complaints and appeals have been exhausted, the University will issue a Completion of Procedures letter. Students wishing to avail themselves of the opportunity of an independent review by the OIA must submit their application to the OIA within twelvemonths of the issue of the Completion of Procedures letter. Full details of the scheme are available on request and will be enclosed with the Completion of Procedures