

# ONCAMPUS Academic Appeals Policy

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## Introduction

*Definition: An academic appeal is an appeal against the decision of an academic provider, typically with regards to procedures not being followed, errors made or bias in the marking or process of awarding marks.*

The appeals process is available to an individual who is, or has been, registered and enrolled as an ONCAMPUS student. If a student is no longer enrolled with ONCAMPUS, the appeal must be about events that occurred during their enrolment period and made within the required timescale.

In summary, students have the right to appeal to the Academic Appeals Committee (which typically includes the Chief and Deputy Academic Officers) for a review of the following decisions:

- a) Appeal against the conditions imposed on progression to the next stage of a programme. This includes appeals against a requirement to take reassessments.
- b) Appeal against a decision that a student cannot progress to the next stage of a taught course (i.e. their current programme of study is terminated).

- c) Appeal against a classification decision.
- d) Appeal against a decision not to award the qualification for which a student is registered.

An appeal may only be submitted in relation to the final decision of an Examination Board. Appeals regarding provisional marks will not be considered. Appeals will only be accepted if submitted **within one calendar month** of the student receiving notification of the decision they wish to appeal against. Only written cases, made using the Appeal form and presented clearly and comprehensibly will be accepted.

### **Grounds for Appeal**

It is a student's responsibility to establish their case and only claims of one of the following circumstances will be considered as grounds for appeal:

- a) That parts of the documented assessment procedure were not applied and that this procedural irregularity which has disadvantaged the student was significant enough to have materially affected the decision/recommendation made, rendering it unsound.
- b) That the decision-making body took a decision which no reasonable person would find comprehensible. Disagreement with the decision does not make it manifestly unreasonable. To apply this ground, you must provide substantive argumentation as to why no reasonable person could have arrived at the decision that was made.
- c) That prejudice or bias on the part of one or more of the Examiners took place and can be proven (evidence must accompany the submission).

The following circumstances will **not** be considered grounds for appeal:

- Perceived shortcomings in tuition, supervision or support not previously raised with the Centre. Students should use ONCAMPUS's Complaints Policy to address these issues as they arise.
- An appeal may not be made to question the academic judgement of a Board of Examiners or individual, and the student will not be permitted to argue the academic merits of their work where they believe the result is unfair.
- An Appeal may not be made against the actual mark awarded for a piece of assessed work, which is a matter of academic judgement, except where the case rests on a

claim of procedural irregularity. If a student wishes to have clarification about a mark received for an individual assessment or module, they are advised to contact their Centre Head/Director directly. This may involve the student having access to, and discussing, marked unseen examination papers in the presence of academic staff. Errors in calculating or recording marks on the basis of which the original decision was made cannot be submitted as grounds for appeal, unless these errors have been identified by the student and brought to the Centre's attention but are not accepted by the Centre.

- Examiners have discretion to take into consideration extenuating circumstances, which are usually personal or medical. Any consideration of medical issues will only be undertaken with permission given in writing by the student. The extent of any discretion exercised by the examiners in relation to the student's extenuating circumstances is not a ground of appeal; that is, an appeal may not be based on a claim that the examiners should have made more (or any) allowance for the student's extenuating circumstances. The only ground on which an appeal may be considered in relation to decisions about extenuating circumstances is that information provided by the student was not considered by the examiners at all.

### **Procedure for Appeal**

If a student believes they have grounds for submitting an academic appeal, they must complete the Academic Appeals Student Form (found on Moodle) and return this to the Central Academic Team at: [academicteam@oncampus.global](mailto:academicteam@oncampus.global), along with all supporting evidence. The Central Academic Team will acknowledge receipt of the completed form within 5 working days and keep the student informed, in writing, of progress and of the final outcome.

If it is clear the circumstances claimed by the student do not constitute sufficient grounds for an appeal, the case is rejected immediately. This could include instances where, but is not limited to:

- the student has provided no substantial, relevant evidence of a procedural irregularity or of prejudice.
- the procedural irregularity claimed by the student clearly could not have affected the decision against which the appeal is being made to an extent that would have led to a different decision.
- no substantive reasons have been provided for regarding the decision as manifestly unreasonable.

Where a case is rejected, the reasons for the decision will be conveyed by letter to the student and, where appropriate, other parties. This will not prevent the student from

submitting a revised case within one calendar month of receiving notification of the outcome of their appeal if they have new evidence to make known.

## **The Academic Appeals Process**

The Academic Appeals Committee acts with the full delegated authority of Academic Board. Where it is believed that there may be grounds, it will be referred to the Academic Appeals Committee for review. If a member of the Academic Appeals Committee has been personally involved in the student's case, whether at any stage of the appeal process or in circumstances relating to the subject of the appeal, they will take no further part in the appeal process.

Most cases of academic appeal can be resolved by the Academic Appeals Committee, however in more complex cases, it may be deemed necessary for a panel to be formed to review the grounds for appeal. If a panel is required, the following process will be followed:

### **Composition of the Panel**

The panel will comprise a minimum of three members, including:

- At least two members of Academic Board, one of whom shall act as Chair. Neither of them will have been involved in the original decision
- A third member of academic staff within ONCAMPUS

The Panel will be serviced by an administrator who is not a member but will be present throughout the proceedings to record the minutes.

Any member of the Committee who knows of any possible conflict of interest or who has been personally involved in the individual student's case at any prior stage will not be eligible to be a member of the panel for that case.

### **Circulation of information**

The Chair will circulate documentation for the appeal prior to the hearing to the panel members, the student and the Centre Head/Director (if appropriate). The documentation will comprise of the student's written case, comments from the Centre, any further information sought by the Chair and factual information about the student's academic profile.

### **Student attendance at the hearing**

The student will receive a written invitation (via email) at least 10 working days in advance

of the hearing. They will be asked to confirm their intention to attend, or not, in writing. The Chair will also inform the student of the names and status of the members of the Academic Appeals Committee for their hearing. The student should inform the Chair of any conflicts of interest, such as Committee members who have been involved in the original decision making or who are connected with the student's Centre. The student must submit any further written evidence they wish to bring in support of their case to the Chair in advance of the hearing.

While the hearing will take place even if the student does not wish to attend, the Committee regards it as very important to be able to hear the student's point of view expressed in their own words, hence their attendance is encouraged.

The student is entitled to have a person of their choosing attend the hearing with them (referred to here as "the friend"), and is permitted to have the person of their choosing speak on their behalf. The student should confirm the name and status of the person accompanying them in writing to the Chair no less than five working days before the hearing. The 'friend' may not be a solicitor or other legal representative.

#### **Staff attendance at the hearing**

The student's Centre Head/Director or nominee is required to attend the hearing. If the Centre Head/Director or nominee does not have the appropriate detailed knowledge, they must bring one or more members of staff i.e. the subject tutor, who is familiar with the student's academic profile and arrangements of the course.

#### **Absence of student or staff from the hearing**

If the student has indicated that they do not wish to attend the hearing, the Chair has a duty to ensure that members of the panel are fully aware of the case and all the evidence. If the student chooses not to attend, the friend may only attend in exceptional circumstances, at the discretion of the Chair.

If the student has indicated their intention to attend but is prevented from doing so for good reason and contacts the Chair before the meeting, the Chair will agree to defer consideration of the case and will agree alternative arrangements the hearing. The Chair will have discretion as to what constitutes "good reason". If the student has indicated their intention to attend, but fails to attend without reasonable explanation, the panel will consider the case in the student's absence.

If a member of staff has indicated their intention to be present, or has been required to attend, but is absent from the hearing, the Chair will have discretion as to whether the

hearing should proceed in their absence or should be deferred.

**Conclusion of hearing**

The decision, and any findings of fact, will be conveyed to the student and the other parties in writing, within two working days. If the appeal is upheld, the Chair will write to the Centre Head/Director or equivalent giving reasons for the panel's decision, including guidance on recommendations, if appropriate. A report on the outcome of the appeal will be made to Academic Board where appropriate. If a student is unsatisfied with the outcome of the appeal, they are able to engage with the awarding body for a further appeal.