

# Academic Regulations - Academic Appeals

**Approved by:** *Academic Committee*

**Approval date:** *06/07/2022*

## Academic Appeals

### 1. Principle

- 1.1 An academic appeal is a way for students to ask the University to check whether it has properly followed the right policy or regulation and whether any deviation or irregularity has affected a decision.
- 1.2 These procedures apply to all current students registered on Regent's University London courses, with the exception of those students registered on collaborative courses where an alternative academic appeals procedure has been formally approved.
- 1.3 A student may appeal a decision of a University Panel following the ratification at the Progression and Finalist Board and the available grounds are:
  - A. There are reasonable grounds, supported by authoritative and objective evidence, to believe there has been an administrative or procedural error that may have affected the decision or recommendation to the student's disadvantage; or
  - B. The decision or recommendation in the case was clearly unreasonable; or
  - C. There exists or existed circumstances affecting the decision which, for good reason, the decision-makers may not have known about when taking the original decision.
- 1.4 The objective of this regulation is to establish the facts and come to a reasonable and just resolution, which is both relevant and proportionate.
- 1.5 No student will be disadvantaged for making appeals in good faith, and all reasonable appeals will be taken seriously and dealt with according to the agreed procedures. However, if it is established that appeals are frivolous or spurious, then they will not be considered reasonable, and the University may take disciplinary action.
- 1.6 The University will deal with all appeals confidentially so far it is able, and expects all parties involved to honour this approach.
- 1.7 Properly exercised academic judgement cannot be appealed. However, a student may request an administrative verification that the decision-maker followed the appropriate procedures.
- 1.8 Where possible, all appeals must contain independent, relevant and authoritative evidence, and signed by an independent third party.
- 1.9 The University may investigate evidence and has the right to call for independent or expert advice and make other such enquiries as it sees fit.
- 1.10 A student is advised and recommended to first raise a query or concern about an individual assessment or other academic decision with the relevant Director (Content) or Course Leader.
- 1.11 A student can seek advice and support from the Student Union or the Student Support & Welfare team.
- 1.12 Following initial consideration, the Academic Appeals procedure contains 2 stages:
  - A. Academic Appeals Panel
  - B. The Review Stage

## **2. Procedures**

- 2.1 If a student wishes to submit an academic appeal application, they must do so within 10 working days of the date of the decision in which they are appealing.
- 2.2 A late request will not normally be considered. However, the Head of Registry, or nominated representative retains the right to consider a request at their discretion where they deem there to be a credible explanation as to why the application was not made within the required timescales.
- 2.3 The application must be submitted in writing, the application must include:
  - A. A clear statement of the grounds for appeal;
  - B. All relevant evidence and details of the events in support of the application;
  - C. Details of whether internal resolution has been attempted and the outcome (if necessary);
  - D. A list of anyone who is known to have relevant information.
- 2.4 When an appeal application is received, there will be an initial assessment on whether the application meets the relevant grounds and basis as set out by these regulations. If it is determined that there are no grounds or the application has been submitted out of time (with no credible explanation), the application will be declined, and the student will be informed in no later than 5 working days of the decision.
- 2.5 If upon initial assessment it is determined that the application meets the grounds and criteria, as set out by these regulations, the application will be presented to the Academic Appeals Panel.

## **3. Academic Appeals Panel**

- 3.1 The Academic Appeals Panel will consist of a minimum of 3 people. Membership will vary according to the award level and location of provision. The Head of Registry (or nominated representative) will appoint panel members from a pool of appropriately trained academic and/or professional services staff. The Panel will consist of at least 2 academic members of staff, and the panel will not contain any member of staff previously involved in the decision which is the basis of the appeal.
- 3.2 Where an appeal involves an element of fitness to practice, normally, a suitability qualified person will be appointed as a member of the Panel.
- 3.3 The Academic Appeal Panel will normally consider appeals by written representation, a student may attend and should inform the Registry team of their wish to do so, noted in the appeal application.
- 3.4 If a student wishes to attend, normally via video conferencing, the student will be notified of the following:
  - A. Date, time and location of the Panel;
  - B. Membership of the Panel;
  - C. The right to submit a further statement;
  - D. The right to be accompanied by a friend or member of the Student Union.

- 3.5 The Chair's ruling is final on any point of procedure about the conduct of the hearing, upon receipt of advice from the Registry team.
- 3.6 The Academic Appeals Panel may make the following decisions:
- A. To decline the application (in whole or in part).
  - B. To uphold the appeal (in whole or in part).
  - C. To refer the application to be heard with the student in attendance. (Normally this is when the matter is complex, and the Panel wishes to hear from the student directly prior to making a determination).
- 3.7 Upholding the decision in whole or in part does not necessarily mean the original decision will be reversed or altered.
- 3.8 If the decision is upheld, in whole or in part, the decision may require to be returned for reconsideration by the original decision makers.
- 3.9 The student will be notified of the outcome within 5 working days of the Academic Appeal Panel date.

#### **4. The Review Stage**

- 4.1 If following the initial consideration and/or Academic Appeals Board decision the student feels that their appeal has not been resolved, they can request a review to be completed by the Head of Registry, or nominated representative. To do so a student should submit their application in writing, via the Hub, in no later than 10 working days of the outcome, explaining the basis of their dissatisfaction and the remedy they seek. Requests for review can only be made on the following grounds:
- A. That there exists evidence that could not reasonably have been made available at the earlier stages; or
  - B. That there exists evidence of a material procedural irregularity from the earlier stages; or
  - C. That there exists evidence that the judgement at the previous stage(s) did not meet the expectations of natural justice.

No new areas of appeal may be requested at this stage, but the student may submit further evidence (subject to point a).

- 4.2 The Head of Registry, or nominated representative, will consider the application and determine if the application meets the available grounds and basis. Where the review is rejected, the student will be provided with the outcome and completion of procedures letter which sets out their right to refer the matter to the Office of the Independent Adjudicator.
- 4.3 Where the application is deemed to meet the available grounds the Head of Registry, or nominated representative, will undertake the review or request the review to be completed by an appropriate member of staff.
- 4.4 The review will be restricted to the considerations to those matters identified as the grounds for review; the reviewer will not rehear the original appeal. The burden of proof will be on the student and the standard will be on the balance of probability.

- 4.5 The student will receive the outcome of the review and be provided with the basis of the conclusions reached. The student will also receive a completion of procedure letter which sets out their right to refer the matter to the Office of the Independent Adjudicator.