

Regulation XIV

Student Appeals against Programme Board or Review Board Decisions

(Version effective from 1 August 2020)

Grounds for Appeal

1. The grounds for appeal by a student against the decision of a Programme Board or Review Board shall be confined to one or more of the following circumstances:

- i. that there were serious circumstances affecting the student of which the Programme Board or Review Board was not made aware when it took its decision;
- ii. that there were procedural irregularities in the conduct of the assessment or of the Programme Board or Review Board;
- iii. that there is evidence of prejudice or bias against the student on the part of one or more of the Examiners which was not available at the Programme Board or Review Board.

Challenges to the academic judgement of the examiners will not be considered as grounds for appeal.

Appeals will only be considered where the student had good cause for not informing the Academic Registrar in writing of the circumstances by the deadline set for the submission of mitigating circumstances claims (see [Regulation XVII](#) and relevant guidance) or if the grounds for appeal arise out of the operation of the Programme or Review Board itself. The student will normally be expected to provide evidence of an independent, professional and contemporaneous nature in order to establish that they had good cause in this context.

Submission of Appeals

2. A student wishing to appeal against the decision of a Programme Board or Review Board must do so in writing to the Academic Registrar normally within 10 working days of the publication of the decision of the Programme Board or Review Board.

3. The letter of appeal should set out the grounds for, and nature of, the appeal. Evidence should be provided to support the appeal. The Academic Registrar may request further information or evidence from the student before initial consideration is given to the appeal.

4. For the purposes of this Regulation, the term "the Academic Registrar" should be interpreted as meaning "the Academic Registrar, or a nominee appointed by the Academic Registrar", and the term "the Pro-Vice-Chancellor (Education and Student Experience)" should be interpreted as meaning "the Pro-Vice-Chancellor (Education and Student Experience), or a nominee appointed by the Pro-Vice-Chancellor (Education and Student Experience)".

Consideration of Appeals

5. In considering the appeal, the Academic Registrar will refer to the student's marks, any mitigating circumstances form and the report from the relevant Programme or Review Board (if available).

6. The Academic Registrar shall take one of the following decisions:

- i. To dismiss the appeal, where in his/her opinion the case is not in accordance with the permitted grounds for appeals set out in paragraphs 1 (i) to (iii) above
- ii. To dismiss the appeal, where in his/her opinion, although the appeal may relate to one or more of the grounds for appeals set out in paragraphs 1 (i) to (iii) above, the student has not demonstrated good cause for the delay in drawing the matters concerned to the University's attention and/or it is

unlikely that further investigation will bring information to light which will demonstrate such good cause.

- iii. To dismiss the appeal, where in his/her opinion, although the appeal may relate to one or more of the grounds for appeals set out in paragraphs 1 (i) to (iii) above, the student has not provided sufficient evidence in support of the appeal and it is unlikely that further investigation will bring such evidence to light.
- iv. To refer the appeal for further consideration where, in the opinion of the Academic Registrar, the student has demonstrated good cause for the delay in drawing the matters concerned to the University's attention or it is possible that information relating to the student's case for good cause, or evidence in support of the appeal, may emerge through further investigation of the appeal.

The student shall be informed in writing of the decision of the Academic Registrar with reasons within five working days of receipt of the complete appeal documentation from the student.

7. Appeals that are not dismissed under paragraph 6 above shall be considered further in accordance with the following procedure.

- i. The Academic Registrar shall send the appeal documentation to the Chair of the Programme or Review Board or his/her nominee for written comment. The Academic Registrar may also seek written comments on the appeal documentation from other sources; for example from the Counselling and Disability Service where the appeal relates to a disability issue or from an independent occupational health physician where the appeal relates to the student's fitness to teach.
- ii. Where the report on the appeal from the Chair of the Programme Board indicates support for the outcome sought by the student, and where a decision to uphold the appeal would, in the judgement of the Academic Registrar, be consistent with the precedents established in other cases, the Academic Registrar may decide to uphold the appeal without recourse to the remaining provisions of this paragraph.
- iii. The report on the appeal from the Chair of the Board and any other reports obtained by the Academic Registrar shall be made available to the student for written comment if the student so wishes. The Academic Registrar may initiate further submissions from the Chair of the Board or from other sources, and from the student prior to sending the appeal documentation to the Pro-Vice-Chancellor (Education and Student Experience).
- iv. Where, having received the report on the appeal from the Chair of the Programme Board, any other reports, and any further written comments from the student, it is clear in the judgement of the Academic Registrar that a decision to dismiss the appeal would be appropriate and consistent with the precedents established in other cases, the Academic Registrar may decide to dismiss the appeal without recourse to the remaining provisions of this paragraph. The student shall be given the reasons for the Academic Registrar's decision in writing.
- v. Appeals that are not upheld or dismissed by the Academic Registrar in accordance with paragraphs 7(ii) or 7(iv) above shall be considered by the Pro Vice-Chancellor for Education and Student Experience.
- vi. The Pro-Vice-Chancellor (Education and Student Experience) shall decide in consultation with the Academic Registrar, on the basis of the evidence submitted by the student, the additional information referred to under paragraph 5 above, the report from the Chair of Board, any other reports obtained by the Academic Registrar, and the comments of the student, on the action to be taken. The Pro-Vice-Chancellor may ask the Academic Registrar to seek further information from the Chair of the Board and/or from other sources and/or from the student. Any further submissions from the Chair of the Board or from other sources shall be made available to the student for written comment if the student so wishes.
- vii. The Pro-Vice-Chancellor (Education and Student Experience) may take one of the following decisions, taking into account both the strength of the case for appeal and whether good cause has been established for the delay in drawing the matters concerned to the University's attention:
 - a. To dismiss the appeal in which case the student shall be given the reasons for the decision in writing. There shall be no further right of appeal against this decision;
 - b. To uphold the appeal where the report from the Chair of the Board supports the student's case, or the Chair of the Board is willing to accept the Pro-Vice-Chancellor (Education and Student Experience)'s recommendation;
- viii. The Pro-Vice-Chancellor (Education and Student Experience) shall normally convey his/her decision in writing to the student within a maximum of 40 working days of receipt of the complete appeal documentation from the student by the Academic Registrar.

8. Where the Academic Registrar has upheld the appeal under paragraph 7 (ii) above, or the Pro-Vice-Chancellor (Education and Student Experience) has upheld the appeal under paragraph 7 (vi) above, the case shall be referred back to the Programme or Review Board for reconsideration. The Programme or Review Board should also consider the possible effects on other students (who may or may not have appealed) and may review its decisions in respect of other students to ensure consistency and equity of treatment. The Academic Registrar or Pro-Vice-Chancellor (Education and Student Experience) may recommend that Senate appoint a new Programme or Review Board where the grounds for appeal are as set out in paragraph 1(iii) above.

9. A Programme or Review Board reconvened or appointed under paragraph 8 above should normally consider the case within a maximum of 20 working days, but further time may be required during vacation periods or if the attendance of an external examiner is required. The student shall normally be informed in writing of the decision of the Board within three working days.

10. Review under Ordinance XXXVIII

Decisions made by the Academic Registrar and the Pro-Vice-Chancellor (Education and Student Experience) under this Regulation will normally be final. Such decisions may be only be reviewed under Ordinance XXXVIII (Student Complaints Procedures) where a grievance is submitted on the grounds that there were procedural irregularities in the conduct of an appeal made under this Regulation.

11. Monitoring and Review

A report of the operation of this appeals procedure shall be presented to Senate on an annual basis. The report may include recommendations in relation to any point of general principle which arises during the consideration of a particular case.