



UCQ
UNIVERSITY
CENTRE QUAYSIDE

Appeals Procedure

For admissions & academic appeals

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Introduction

All University Centre Quayside (UCQ) staff have a responsibility to give full and active support to a student or applicant by ensuring the appeals procedure for both admission and academic appeals is known, understood and implemented.

Academic Appeals

The academic appeals procedure is intended to provide a formal means for reviewing a decision made on a student's academic progress or award and resolving the student's concerns in a fair and consistent manner. The Academic Council may consider all applications to intervene or alter the workings or procedures where it is felt that the workings or procedures contravene the principles of natural justice, reasonableness or fairness, when applied to the specific case referred to in the application.

Principles

A student's mark will not be lowered as a consequence of submitting an appeal. Further, the privacy and confidentiality of the student will be respected, and the disclosure of information provided by a student in the course of an appeal will be restricted to those individual officers directly involved in consideration of the appeal. The appeal will be considered in accordance with UCQ's Equality and Diversity Policy.

Grounds for academic appeals

A student may not appeal if their results are not as good as they had hoped or worse than they believe they deserve. Appeals which simply challenge the academic judgement of internal or external examiners or the Board of Examiners are not permitted. Those grounds for academic appeals which are permitted include:

Significant mitigating circumstances

There are circumstances that materially affected the student's performance, for which supporting evidence exists **and** these were not known to the Board of Examiners or other academic body at the time the decision was taken, **and** it was not reasonably practicable for the student to make them known prior to the decision being made.

Procedural irregularities

There were procedural irregularities in the conduct of examination or assessment procedures of such a nature as to create a reasonable possibility that the result may have been different if it had not occurred.

NB: Should there be an established case of procedural irregularity the staff involved shall be investigated directly by the Principal & CEO. All subsequent disciplinary procedures will be undertaken by the Principal & CEO in this case.

Prejudice or bias

There is evidence of prejudice or bias or lack of proper assessment on the part of one or more of the

markers.

Admission appeals

The appeals procedure for admissions is intended to provide a formal means for reviewing a decision made on an applicant's admission into University Centre Quayside. The Academic Council may consider all applications to intervene or alter the admissions decision where it is felt that the workings or procedures contravene the principles of natural justice, reasonableness or fairness, when applied to the specific case referred to in the application.

Principles

The privacy and confidentiality of the applicant will be respected, and the disclosure of information provided by an applicant in the course of an appeal will be restricted to those individual officers directly involved in consideration of the appeal. The appeal will be considered in accordance with UCQ's Equality and Diversity Policy.

Circumstances for admission appeals

An applicant may submit an appeal regarding an admission decision to the Academic Council based on one of the following circumstances:

1. There has been an irregularity in the conduct of the selection, which was material enough to affect the outcome of the application
2. If an applicant believes there was an irregularity in the processing of the admissions application, which may have affected the outcome of the admissions decision
3. If the decision has been made not to support the application on UKVI academic progression grounds and the applicant believes that the decision would be affected by additional information that was not available at the time of the initial decision

Deadlines for academic and admission appeals

An academic or admission appeal must be lodged within four working weeks of the decision of the relevant authoritative body the appeal relates to. An appeal lodged out of time will only be considered where the student is able to prove to the satisfaction of the Academic Council that he or she was mentally or physically incapable of lodging an appeal within the prescribed time limit.

Lodging an appeal

1. Procedure

For an appeal to be formally considered by the Academic Council the appeal must be made, in writing, on the prescribed form (appendix A) and submitted to the appeals officer (appeals@ucq.ac.uk). The information provided must include:

- the student's full name, student number and signature
- the result or decision for which the appeal is made

- the ground(s) of appeal
- evidence in support of the appeal
- list of any other person(s) who has (have) relevant information

2. Evidence

It is important that the student or applicant submits evidence to support their appeal. It is the appellant's responsibility to obtain the required evidence. UCQ will not contact doctors or others on the student's behalf. Evidence must be new and not already submitted and considered by the Board of Examiners or admissions body. The evidence must be objective and authoritative and if not provided in English, a certified English translation must be provided at the time of submission.

Initial review

The Appeals Officer or nominee from the Academic Council will issue the appellant with a receipt (either electronic or printed) within 10 working days of the written application for appeal being submitted by the appellant. Should the appeal not meet the conditions of eligibility as set out below, the appellant will be notified in writing, along with their receipt.

Conditions of appeal eligibility

To meet the threshold conditions for an eligible appeal, the appeal must:

- have been made in writing on the appropriate form, and bear all of the information requested on the form
- identify the grounds of appeal
- have been received within the identified time limit
- have evidence and grounds which are reasonably arguable

Consideration of the appeal

Should the appeal meet the conditions of eligibility it will be submitted to the Academic Council for consideration. The Academic Council will appoint an investigating member, who has no conflict of interest with the appeal, who will review the evidence available, consider whether further information is required and generate a written report of the outcome.

The investigating member must reach a decision within four working weeks and inform the student orally and provide a copy of the written report with the identified outcome.

Outcome

The Academic Council member shall find either:

- that the appeal be dismissed, and the consequent action be implemented/processed as normal;
or
- uphold the appeal, in whole or in part, and stipulate specific actions to be taken

Action following appeal procedures

The appellant will be sent a written statement setting out the decision that has been made and the reasons for reaching that decision, together with any actions required by the appellant or UCQ to follow up and implement that decision. The written statement will also include details of any further right of appeal available to the student if they remain dissatisfied with the final outcome of the institution's procedures. This will include, where applicable, the right to appeal to The Open University.

Escalation to Awarding Organisation

If you remain unhappy after following our own internal appeals procedure, please contact the Awarding Organisation directly. Contact details of the Awarding Organisation can be found on their website. If you would like to confirm who your Awarding Organisation is, please contact the UCQ Student Services Team on 0191 275 5015 or review your Individual Learning Plan (ILP).

Should you address your appeal to the relevant Awarding Organisation and remain unhappy with the outcome you may then raise your appeal to the relevant qualification regulator. Either a representative of UCQ or the Awarding Organisation will be able to offer you guidance on the appropriate qualification regulator in each instance and provide contact details.

The following relates to appeals regarding publicly funded qualifications in Scotland only. Should you have undertaken a publicly funded qualification in Scotland, wish to make an appeal and you have exhausted the procedures of UCQ, the Awarding Organisation, and the relevant qualification regulator then you do have one final route of appeal. Please contact the Scottish Public Services Ombudsman (SPSO) directly, details can be located on their website: www.spsso.org.uk.

Appeals to The Open University

For those studying on the Chartered Manager Degree Apprenticeship the Awarding Organisation is The Open University. There shall be a final right of appeal to The Open University against a decision of the Academic Council only if the appeal meets the following criteria:

- the appeal relates only to a programme that has been validated by The Open University;
- all appropriate internal procedures at University Centre Quayside have been exhausted;
- there are reasonable grounds to believe that the UCQ's internal procedures and regulations for dealing with appeals were not implemented correctly or fairly.

For academic appeals, the final right of appeal to The Open University must also relate to either:

- progression from one stage of the programme to the next; or
- a final award;

Office of the Independent Adjudicator for Higher Education (OIA)

UCQ subscribes to the independent scheme for the review of student complaints. Once you have exhausted UCQ's internal procedures, if you are dissatisfied with the outcome you may be able to apply for a review of your appeal to the Office of the Independent Adjudicator for Higher Education (OIA) providing that the complaint that you take to the OIA is eligible under its Rules.

This complaints procedure aligns to the good practice frame work as published by the OIA in December 2016 (<http://www.oiahe.org.uk/media/96361/oia-good-practice-framework.pdf>).

Appendix A - UCQ Appeals Form

Applicant Appeal

Name of applicant: _____

Student No. (if applicable): _____

Applicant signature: _____

Relevant course/programme: _____

Date of decision: _____

Section 1: Result or decision for which the appeal is being made

Section 2: The ground(s) for appeal

Section 3: Evidence in support of the appeal

Section 4: Information of any other person(s) who has/have relevant information
