

The London Interdisciplinary School

Academic Appeals Procedure

Introduction

This Procedure describes how students may appeal the results of formally assessed work at the School, or appeal decisions of the Extraordinary Reasonable Adjustments Panel (see the School's Examination and Assessment Regulations).

Principles

The School's Academic Appeals Procedure has been developed in line with The Office of the Independent Adjudicator's (OIA) *Good Practice Framework: Handling Complaints and Academic Appeals*, and is underpinned by the OIA's principles of accessibility, clarity, fairness, proportionality, independence, confidentiality, timeliness, and improving the student experience. These principles also underpin our Student Complaints Procedure, which is separate and distinct. A student raising a complaint can seek guidance from the School as to whether it falls into the Complaints or Academic Appeals category; where a complaint spans both categories, the school will advise on which issues will be dealt with under its student complaints process, and which will be dealt with under its academic appeals process. Guidance on the Complaints and Appeals Procedures for students can be sought from personal tutors, the Student Experience Department, and the Head of Quality.

There is a separate Complaints and Appeals Procedure for applicants.

Policies

Extraordinary Mitigating Circumstances

The School operates an inclusive assessment model, where it will ensure that examinations and assessments can be sat at multiple, spaced sittings, to limit the need for deferrals on the basis of mitigating circumstances. All students will be allowed to draw on 100% extra time during the examination. In the case of coursework, the submission deadlines will be set within a range of weeks to allow for later submissions, again to limit the need for deferrals. Students will be advised to attend the earliest examination sittings and to submit coursework at the beginning of the submission period, in order to allow contingency for unforeseen circumstances arising (e.g., illness) that would mean that their sitting or submission would be delayed. It is the responsibility of students to manage their examination sittings and assessment submissions so that they allow for contingency for being ill or having other good cause for missing an examination sitting or being delayed in submitting coursework. Students will not be penalised for sitting in later examination sittings, drawing on extra examination time, or submitting work at the end of the submission window.

Where Extraordinary Mitigating Circumstances impair a student's ability to prepare for or sit/submit an examination/assessment even in spite of the multiple sittings arranged or the extended deadline for coursework, the student may apply to the Learning Director, or their nominee, for an Extraordinary Deferral. These applications are not dealt with under the Academic Appeals Procedure but under the Extraordinary Deferrals Procedure outlined in the School's Examinations and Assessments Regulations.

Where a student has already sat an examination or submitted an assessment and believe that their performance has been adversely affected by unforeseen circumstances outside their control that they were unable to anticipate by noon on the working day before the final examination window or assessment deadline, they may submit an appeal via the Academic Appeals Procedure on the grounds of Extraordinary Mitigating Circumstances, supported by documentary evidence as to why the information was not submitted 12pm on the working day before the assessment submission or examination. For the appeal to be valid, the student must demonstrate that they have made reasonable contingency efforts to protect against last-minute emergency given the multiple examination sittings and the extended coursework submission deadline.

Students who experience any unforeseen or unavoidable incidents during an examination must notify the invigilator before leaving the venue; the invigilator will then log the incident in their report. Students will be required to seek medical attention on the day of examination if they feel their performance was adversely affected by illness.

Students may not make an appeal on the grounds of Extraordinary Mitigating Circumstances as a result of technical or other problems (such as computer failure) unless the problem was with a LIS machine or an external server.

Appealing Assessment Results

The School is confident that its assessment processes are robust. The School uses a rigorous approach to marking, as set out in its Marking and Moderation Policy, comprising a five-stage process consisting of: standardisation; marking; moderation; assessment leader sign-off; and external examiner sign-off. Marking is only carried out with reference to a student's unique candidate number for all exams and most other equivalent assessments, to ensure anonymity of the students being assessed; however, completely anonymous marking may not be possible for some assessments (e.g., presentations and class participation). All assessed work is marked and audited in line with the School's Assessment Framework, and the standard of marking is moderated by External Examiners, who are senior academics from other UK universities.

Given the above, provided assessment procedures have been followed and there is no new, Extraordinary Mitigating Circumstance that arose immediately before or during the last examination sitting or final stages of the assessment submission window and that adversely affected the student's performance, there is no provision for an assessment to be remarked once the final mark has been confirmed by an external examiner. Students may not appeal on the grounds of academic judgment; this means that they cannot request for an assessment to be re-marked if they disagree with the mark awarded. Students may however request an administrative mark check for results under specific circumstances; this verifies that the published mark is consistent with the mark awarded by the relevant academic department.

Students may challenge their assessment or examination results on either or both of the following grounds:

- The examination board did not follow correct procedure, such that there is reasonable doubt that the decision would have been the same if the board had followed the correct procedure;
- An Extraordinary Mitigating Circumstance arose either immediately before or during the last exam sitting or in the final stages of the assessment submission window that affected the assessment outcome. Specifically, this Extraordinary Mitigating Circumstance must have occurred after 12pm on the working day before the final examination sitting or the final assessment submission deadline, and the student must demonstrate that they have made reasonable contingency efforts to protect against last-minute emergency given the multiple examination sittings and the extended coursework submission deadline. It should be noted that the hurdle for a valid appeal on the grounds of Extraordinary Mitigating Circumstances is high, given the inclusive assessment provisions of the School, the responsibilities of the student to make contingency for last-minute emergencies by sitting examinations or submitting coursework as early as possible, and given the provisions of the Extraordinary Deferral Procedure.

A candidate may only appeal against an unconfirmed result of a module or assessment element, published under the authority of the Learning Director; or the unconfirmed result on the completion of a designated stage in a programme, published under the authority of the Learning Director. Only appeals against unconfirmed results will be permissible. Results that have been ratified by the School's Academic Board cannot be subject to a permissible appeal.

Appeals must be submitted in line the School's Academic Appeals Procedure detailed below.

Procedure

The School's Academic Appeals Procedure follows an escalating three-stage approach: (1) Opportunity for student to seek clarification; (2) Initial consideration of the appeal; (3) Formal determination of the appeal by the Academic Appeals Board.

(1) Opportunity for student to seek clarification

Opportunity for a student to seek clarification of an assessment decision and to discuss their concerns with a nominated member of staff (i.e., Head of relevant module), at a “Results Surgery” following the issuing of results:

- Staff explains how assessment was marked and moderated and provides assurance that marks were recorded correctly;
- Student receives a written outcome where appropriate.

(2) Initial consideration of appeal

Lodging of an appeal

The appeal must be lodged by the student with the Head of Quality in writing (either by letter or by email) within 15 working days of the publication of results or date of the written confirmation of the decision of the Board of Examinations. In this letter or email, the student must set out the basis for the appeal and enclose any relevant evidence. An appeal lodged after 15 working days will only be considered where the applicant is able to prove to the satisfaction of the Head of Quality that they were mentally or physically incapable of lodging an appeal within the prescribed time limit. Late appeals must be accompanied by authoritative and objective evidence (e.g., a medical note) which confirms that the student was incapable of submitting an appeal within the prescribed time limit. The Head of Quality may, at her/his complete discretion, extend the period within which an appeal may be lodged.

The written appeal submitted to the Head of Quality must include:

- The student’s full name, unique candidate number and signature of the student;
- The result or decision for which the appeal is made;
- Grounds of appeal;
- Evidence in support of the appeal, and a list of any other person with relevant information;
- Where an appeal relates to an Extraordinary Mitigating Circumstances, an explanation of these circumstances must be submitted, including an explanation of why the Extraordinary Mitigating Circumstance was not disclosed before 12pm of the working day before the last examination sitting or final assessment submission deadline, and a description of how this adversely affected the student’s assessment performance. These explanations must be supported by documentary evidence. The student must also describe any contingency efforts on their part to take the examination in an earlier sitting or to submit their coursework earlier in the coursework submission window.

From the date that an appeal is lodged, a stay shall be placed on any action or decision being appealed.

Pending outcome of the appeal, and where they have the right, the student may attend the School and undertake classes, learning and assessment activities.

Initial consideration

The Head of Quality will issue the student with an acknowledgment of receipt of the appeal; this should be kept by the student as evidence that their appeal has been successfully lodged.

The Head of Quality will determine within ten working days of receipt of the appeal whether the information presented by the student constitutes a case that satisfies the threshold conditions for a valid appeal. In order to constitute a case, any appeal must be submitted correctly and within the specified time limit, with all the required information and evidence and clearly identifying the grounds of appeal. The threshold conditions for a valid appeal are that it has evidence and grounds which are reasonably arguable that (a) the Examination Board did not follow the correct procedure, and/or (b) an Extraordinary Mitigating Circumstance arose either immediately before or during the last exam sitting or in the final stages of the assessment submission window that affected the assessment outcome—specifically, it arose after 12pm on the working day before the last examination sitting or the final assessment submission deadline—and that the student made reasonable contingency efforts to protect against last-minute emergency given the multiple examination sittings and the extended coursework submission deadline.

The Head of Quality will inform the student in writing that either:

- The appeal is rejected because it is not admissible (does not constitute a “case”, e.g., incorrectly submitted or submitted out of the time limit);
- The appeal is rejected because it does not meet the required grounds for an appeal;
- The appeal is rejected because it does not satisfy the threshold conditions for a valid appeal as defined above;
- That a case satisfying the threshold conditions for a valid appeal on the basis of procedural error and/or Extraordinary Mitigating Circumstances has been established, and the Academic Appeals Board will consider the appeal.

Where a student is notified that their appeal has been rejected, they shall be informed that they have the right to request a reconsideration of the decision by the Chief Executive, or nominee, within five working days. Such a review will only be undertaken where the student clearly states the reason why the Head of Quality’s decision is unsound. The Chief Executive or nominee’s decision will be final. Where the Chief Executive or nominee rejects the appeal, the student will be informed that the School’s internal appeal procedures have been exhausted. The student will then be provided with a Completion of Procedures letter, which will inform them of their right of further appeal to the Office of the Independent Adjudicator (OIA).

Where the student is notified that their case has been referred to the Academic Appeals Board for consideration (either by the Head of Quality or by the Chief Executive or nominee), they will be informed of:

- The date of the Academic Appeals Board meeting
- The timeline for receiving a written decision (within five working days of the Academic Appeals Board meeting);

- Any evidence submission requirements and deadlines for these;
- Rights to appeal the Academic Appeals Board decision.

(3) Academic Appeals Board

Where the Head of Quality or Chief Executive (or nominee) has determined a case should be referred to the Academic Appeals Board for consideration, the Chair shall convene the Academic Appeals Board.

The Academic Appeals Board is responsible for:

- Establishing whether the grounds for appeal are proven; and
- Determining whether this has altered the outcome of the investigation; and
- Deciding on appropriate remedial action.

The Academic Appeals Board will investigate the appeal, call for any relevant papers, take evidence, examine witnesses and conduct any other relevant enquiries. The student has a right to review any documentation considered by the Academic Appeals Board.

Where there is any doubt as to the admissibility of evidence, the Chair of the Academic Appeals Board shall make a decision as to its admissibility; this decision shall be final.

The Academic Appeals Board will consider the student's case and review it against the evidence. It will only reference the student's unique candidate number; it will not reference their name.

- The Academic Appeals Board will find either that:
- The appeal is dismissed and the student's results, or consequent action, should be processed as normal. In this case the student will be informed that the School's internal appeals procedures have been exhausted, and will be issued with a Completion of Procedures letter which will inform them of their right to take up their case with the OIA; *or*
- The appeal is upheld, in whole or in part, and the Academic Appeals Board stipulates or recommends to the Board of Examiners that specific actions be taken, for example:
- The voiding of the assessment and the opportunity for the student to sit the examination or submit the coursework as if for the first time;
- The waiving of late submission penalties;
- The determination that there is sufficient evidence of the achievement of the intended learning outcomes from other pieces of the assessment in the module(s) for an overall mark to be derived;
- The recognition of the accepted Extraordinary Mitigating Circumstances for the module(s) and recommendation that it is taken into account at the point of award and classification
- (Note that except where marks have been recorded incorrectly, a successful appeal will not result in any change in the marks); *or*

- The case should be (a) sent back to the same panel that made the original decision; or (b) sent to a freshly constituted new panel for a re-hearing.

The Head of Quality will inform the student of the decision in writing within five working days of the Academic Appeals Board meeting.

Where the decision of the Academic Appeals Board has affected the results of the student, a report shall be made by the Assessment Office to the relevant Board of Examiners.

A student may not be conferred an award until the appeals process is finalised.

Where a student is dissatisfied with the School's decision and has exhausted the School's internal appeals procedures, they may refer their complaint to the OIA, an independent body that deals with university student complaints in England and Wales. The student must make their application to the OIA within 12 months of the School's decision, and must enclose a Completion of Procedures letter with their application.

Monitoring and Review

The Head of Quality will report annually to the Academic Board on the cases that have been considered by the Academic Appeals Board and the actions taken, together with an assessment of the effectiveness of the Academic Appeals Procedure and any recommendations for changes.

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Related documents: (eg associated forms, underpinning processes, related policies or overarching policies)	Student Complaints and Appeals Procedure Applicant Complaints and Appeals Procedure Marking and Moderation Policy Examination Regulations and Procedure
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Version Control			
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1	Hannah Kohler	13/01/2019	Original draft