

Academic Appeals Policy and Procedure

Appeals Policy

Introduction

1. This Academic Appeals Policy and Procedure has been developed in accordance with the principles established by “Chapter B9: Academic Appeals and Student Complaints” of the UK Quality Code for Higher Education; and the “Good Practice Framework: handling student complaints and academic appeals” developed by the Office of the Independent Adjudicator (OIA).

Definition

2. For the purposes of this Policy, an academic appeal is defined as “a request from a student for a reconsideration of a decision made by an Assessment Board, Progression Board or Award Board (hereafter termed ‘Assessment Board’) regarding their assessment, progression or award.”
3. Examples of decisions against which appeals can be made include, but are not limited to: results of summative assessments; award classifications; decisions about awarding of APL; termination of a student’s registration on academic grounds; outcomes of academic misconduct procedures.
4. A formal appeal may only be made against a published assessment result which has been confirmed by an Assessment Board.

Scope

5. This Policy applies to all students who are registered on a higher education programme with Metanoia Institute, except, in certain circumstances, students registered on postgraduate research degrees jointly delivered with Middlesex University (see point 5 below).
6. Research degree students who wish to appeal an assessment decision relating to an element of their programme taught at level 7 (‘Part 1’ of the programme) must use this Policy; research degree students who wish to appeal an assessment decision relating to an element of their programme taught at level 8 (‘Part 2’ of the programme) must use the [Middlesex University Appeal Regulations and Procedures](#).
7. Former students of Metanoia Institute may submit an appeal provided that they are within the timeframe for submitting a formal appeal, as set out below.

Timings

8. Any formal appeal under stage 2 of the Appeals Procedure must be submitted within one month of the formal assessment result or decision being communicated to the student.
9. The Institute endeavours to complete any internal consideration of an appeal within 90 calendar days.

Disability

10. The Institute will provide reasonable adjustments to students with declared disabilities, who are using this Policy and Procedure. This may include, but is not limited to: extensions to deadlines; assistance with submitting an appeal; providing documentation in alternative formats.

Related policies and procedures

11. This Academic Appeals Policy and Procedure interacts with a number of other documents:
 - Middlesex University Regulations
 - Middlesex University Appeal Regulations and Procedures
 - Metanoia Institute Complaints Policy and Procedure

Appeals Procedure

Stage 1: Informal resolution

12. At times, students may be unsure how a particular assessment result or decision is arrived at. In the first instance, students should seek to discuss their concerns with their tutor or Programme Leader, who can give more extensive feedback and explain how the assessment decision was reached.

Stage 2: Formal appeal

13. Students may only submit a formal appeal if they have attempted to resolve the matter informally as outlined under point 12.
14. Any formal appeal must be submitted within one month of the formal assessment result or decision being communicated to the student; and it must be submitted on the Appeals Form and be accompanied by supporting evidence.
15. An appeal must be submitted on one of the following grounds:
 - 15.1. That the student had extenuating circumstances which the student was unable, or unwilling, to disclose at the time of the assessment, which materially impacted on the student's ability to complete the assessment, and for which the student can provide evidence;
 - OR
 - 15.2. That there has been an administrative error in the conduct of the assessment or the Assessment Board, which significantly impacted the outcome of the assessment or the decision by the Assessment Board;
 - OR
 - 15.3. That the assessment or the Assessment Board were not conducted in line with published regulations or policies, and that this significantly impacted the outcome of the assessment or the decision by the Assessment Board.
16. Appellants may not challenge the academic judgement of examiners and appeals made on this basis will be rejected. Academic judgement is defined as any judgment that is made about a matter where only the opinion of an academic expert is sufficient.
17. Upon receipt of a formal appeal, the Quality Manager will consider whether the appeal can be accepted for consideration under the provision of this Procedure, e.g. whether it has

been submitted on time; whether it meets the grounds of appeal; whether evidence has been provided.

18. The student will be informed within 10 working days whether their appeal is eligible for consideration. If the appeal is deemed not eligible, this will be the end of the internal appeals process and the student will be sent a Completion of Procedures Letter (see point 32).
19. If the appeal is deemed eligible, the Quality Manager will convene an Appeal Panel to consider the appeal. Such a panel will consist of one Faculty Head, one Programme Leader, and one other member of teaching staff, none of whom are personally acquainted with the appellant or have in any way been involved with the case previously. Where possible, the members of the panel will not all be part of the same programme team. The Quality Manager or nominee will act as Secretary to the Panel.
20. The Panel will be convened within 20 working days of the notification sent to the student as per point 18 of this Procedure.
21. The appellant will be given at least 10 working days' notice of the date and time of the Panel Hearing. The appellant is entitled to attend the Hearing, or submit a statement to the Panel in writing in advance of the Hearing. If the appellant attends in person, they are entitled to bring a companion. The companion must not have had any previous involvement in the case, and not have a vested interest in the outcome of the case. No party may normally be accompanied by a legal practitioner.
22. Both the appellant and the Panel may call witnesses to attend the Hearing. Both parties are entitled to question any witnesses during the Hearing.
23. At the end of the Hearing, the Panel will withdraw for private discussion to decide whether the appeal is upheld or not. If no unanimous decision can be reached, the Panel may come to a majority decision. The Panel may either reject or uphold the appeal.
24. The Secretary will endeavour to inform the appellant of the Hearing outcome as soon as possible and in any case no later than 5 working days after the Hearing.
25. If the Panel has upheld the appeal, it shall prepare a report for the Assessment Board or other relevant party which made the decision that is appealed against, to ask them to review their original decision. This report will set out the Panel's rationale for upholding the appeal, and any recommendations the Panel may wish to make.
26. The Assessment Board or other decision-making party will review its decision and report the outcome of this review to the appellant as soon as possible. Appellants should be aware that after review of the matter, the original decision may be re-affirmed.

Stage 3: Review

27. If a student is dissatisfied with the outcome of their appeal under Stage 2, they are entitled to request a review of their appeal. Students on programmes that are validated by Middlesex University should pursue any request for review with the University, under its [Appeal Regulations and Procedures](#). Students on programmes that are not validated, may request a review as set out in 28 to 31 of this Procedure.
28. Any request for review to the Institute must be submitted within 10 working days of the student being notified of the outcome of their appeal under Stage 2.

29. Any request for a review must be on one of the following grounds, and must be accompanied by evidence:

29.1. The appeal under Stage 2 was not considered in line with this Appeals Policy and Procedure;

OR

29.2 The appellant has new material evidence which they were unable, for valid reasons, to disclose at an earlier stage;

OR

29.3 The decision reached under Stage 2 is not reasonable or in accordance with the facts of the case.

30. Any request for review will be considered by the Head of Academic Quality, who may allow or dismiss it. If the request is allowed, the Head of Academic Quality may: (i) recommend that the case is re-heard under Stage 2 by a new Appeal Panel, which does not include any members that have previously been involved in the case; or (ii) amend the recommendations made by the Appeal Panel to the Assessment Board or other decision-making party.

31. The Head of Academic Quality will inform the student within 15 working days of the outcome of their request for review. The decision of the Head of Academic Quality will be final.

Office of the Independent Adjudicator (OIA)

32. Students on programmes validated by Middlesex University, who have exhausted the Institute's internal appeals procedure will receive a Completion of Procedures letter. If a student remains dissatisfied with the appeal outcome, they may lodge an external appeal with the Office of the Independent Adjudicator (OIA) within twelve months of receiving the Completion of Procedures letter.

33. Information and eligibility rules are available at: www.oiahe.org.uk or you can write to: Office of the Independent Adjudicator for Higher Education, Second floor, Abbey Gate, 57-75 Kings Road, Reading, RG1 3AB, United Kingdom enclosing a copy of the final decision of Metanoia Institute and stating the reasons for seeking redress from the OIAHE.

Appendix: Student Appeals Flowchart

