

Academic Appeals Procedure

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Effective from: 1 February 2021



Date	Supersedes	Description of Change
1 February 2021	2019 Version 1.2	Minor changes to job titles.
1 February 2021	2019 Version 1.1	Minor changes to timescales.
1 August 2019	2018 Version	General update.

Document Owner	Approved By	Date Approved	Review Frequency
Head of Governance Services.	Senate Regulations and Special Cases Committee.	20 January 2021.	Every three years.

Note: In exceptional circumstances, and subject to approval by the Chair of the Senate Regulations and Special Cases Committee, responsibilities assigned to Schools, Heads, of School, School Officers or School Committees in these Regulations may be assumed by the College, Head of College, College Officers or College Committees respectively, as appropriate.

Academic Appeals Procedure

This procedure applies to students on all taught programmes and on postgraduate research programmes.



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Introduction

1. This Procedure describes how a student can:
 - Appeal against the decision made by a Board of Examiners.
 - Request a review of the outcome of an Appeal.

Where the issues raised affect a number of students, those students can submit an Appeal as a group.

This procedure does not allow students to question the academic judgement of examiners. For example, students cannot question a mark given for coursework simply on the basis that they believe that the mark was too low.

2. This Procedure does not apply to decisions reached under University procedures that have their own appeal process (e.g. disciplinary procedures, or the Academic Integrity and Suitability /Fitness to Practise procedures).
3. This Procedure must be read in conjunction with the:
 - Code of Practice for Complaints and Appeals
 - Regulations for Taught Programmes
 - Regulations for Postgraduate Certificate in Education (PGCE)
 - Regulations for Postgraduate Research Programmes
4. In this Procedure, Board of Examiners is used as a general term that includes school Boards of Examiners, Boards of Examiners for postgraduate research degrees and Senate Examination Boards.
5. In this Procedure, the Head of Governance Services, the Chairs of Boards of Examiners and the Pro Vice-Chancellor (Education and Student Experience) can delegate their responsibilities to a nominee.
6. In this Procedure, the term 'assessments' is used for all forms of assessment that contribute to module marks. Assessments include unseen written examination, set projects, coursework assignments, research projects and theses.
7. At any stage in this Procedure, staff involved with an Appeal may determine that it is appropriate to attempt to address the concerns by way of mediation. Such mediation can only be pursued with the agreement of all parties to the Appeal. The process of mediation represents a "stepping-aside" from the Procedure in an attempt to reach an acceptable resolution. The Procedure will be suspended for the duration of the mediation. A successful mediation will result in an agreed way forward being established between all parties and a record of the agreement reached will be retained. If mediation is not successful, the Procedure must resume from where it was 'suspended'.

8. Students, their representatives and staff members must act reasonably and fairly towards each other, and treat the processes themselves with respect. Students must note that the University has a responsibility to protect its staff against unacceptable behaviour.
9. This Procedure consists of two distinct processes:
 - i. Appeal against the decision of a Board of Examiners.
 - ii. Review of the outcome of an Appeal.

Reviews are only allowed after the Appeal procedure has been completed.

10. Any student can submit an Appeal, including:
 - Students who have not been allowed to:
 - Return to complete their course.
 - Return to full-time study on their current programmes but have been permitted to register as part-time or external candidates.
 - Proceed to the research project stage of a taught postgraduate programme.
 - Proceed to the research project stage of professional doctorate.
 - Complete the postgraduate research degree programme for which they are enrolled.
 - Complete a postgraduate research degree programme but have been permitted to register on an alternative research programme.
 - Students who have completed their periods of study and have been examined for:
 - Initial degrees, Foundation Degrees, Higher Education Certificates or Diplomas, or Higher National Certificates or Diplomas (HNC/HND).
 - Taught Master's degree, Postgraduate Diploma, Postgraduate Certificate or Postgraduate Certificate in Education (PGCE).
 - Postgraduate research programmes including Master's by Research, MPhil, PhD and Professional Doctorates.
 - PhD by Published works.

Appeal

11. Appeals must be based on one of the following grounds:
 - i. Arithmetical or other errors of fact that affect the student's result.
 - ii. Special circumstances that could have had an adverse effect on the student's academic performance. If the circumstances were not reported to the Boards of Examiners before its meeting, the student must explain why the circumstances were not made known. Where a student could have reported special circumstances to the Boards of Examiners prior to its meeting, those circumstances cannot subsequently be cited as grounds for Appeal.
 - iii. Defects or irregularities in the conduct of the assessments or in written instructions or in advice relating to the assessments, and which might, in the student's opinion, have had an adverse effect on academic performance.
12. Students should not submit more than one Appeal. Students should only submit a second Appeal if, when their studies are completed, they wish to appeal on grounds that were not included previously.

13. If a student appeals on the grounds of special circumstances, the student must state whether the circumstances were reported before the Board of Examiners. If a student provides evidence of special circumstances which were not reported before the meeting of the Board of Examiners, the student must explain why the circumstances were not reported.

Students may indicate that they wish the Appeal or elements within it (for example, a statement from a witness or medical evidence) to remain confidential. However, it may be necessary to ask staff involved with the student to comment on or respond to the statements made.

14. An Appeal must be submitted using Form A, within 20 working days, where practicably possible, of the date on which a student receives the decision of a Board of Examiners. Appeals submitted later than this may be accepted, if there are good reasons, at the discretion of the Head of Governance Services.

15. The Head of Governance Services must acknowledge receipt of the Appeal, within 5 working days, where practicably possible, informing the student of the action being taken.

16. The Head of Governance Services must ask the Chair of the Board of Examiners to consider the Appeal. The Chair must ensure that the application is considered within 10 working days, where practicably possible, of the date of the Appeal. Appeals by a student on a Joint Honours programme will be sent to the Chair of the Board of Examiners at which the student's overall result was approved.

17. When Appeals are sent to the Chair of a Senate Examination Board, the Chair must decide whether to nominate the Chair of the school Board of Examiners to consider the Appeal. If the nominated Chair of the school Board of Examiners decides that the decision of the Board of Examiners should be reconsidered, as under paragraph 18i, the case must be referred to the school Board of Examiners. The case should only be referred back to the Chair of the Senate Examination Board if the school Board of Examiners cannot reach a decision because it requires information from, or a decision by, another school.

18. The Chair of the Board of Examiners must choose one of the following options:

- i. Arrange for the decision of the Board of Examiners to be reconsidered.

This action is appropriate in one or more of the following cases:

- There has been an arithmetical or other factual error.
- Special circumstances reported by the student before the meeting of the Board of Examiners were not considered.
- The student, as part of the Appeal, has provided additional evidence of special circumstances which were previously considered by the Board of Examiners.
- The student, as part of the Appeal, has provided evidence of special circumstances which were not reported before the meeting of the Board of Examiners **and** the student has explained, to the satisfaction of the Chair, why the circumstances were not reported.
- The student has provided evidence of defects or irregularities in the conduct of the assessments or in written instructions or in advice relating to the assessments, of which the Board of Examiners had been unaware.

- ii. Conclude that there are no reasons why the Board of Examiners' decision should be reconsidered.

This action is appropriate in one or more of the following cases:

- The Board of Examiners has already reconsidered the student's results in response to an Appeal submitted before the student's studies were completed.
- The Appeal questions the academic judgement of the examiners.
- There has been no arithmetical or other factual error.
- Special circumstances provided by the student in the Appeal have already been considered.
- The student, as part of the Appeal, has provided evidence of special circumstances which were not reported before the meeting of the Boards of Examiners **but** the student has not explained, to the satisfaction of the Chair, why the circumstances were not reported.
- The Board of Examiners had taken into account evidence of defects or irregularities in the conduct of the assessments or in written instructions or in advice relating to the assessments.
- There is no evidence of defects or irregularities in the conduct of the assessments or in written instructions or in advice relating to the assessments.

19. The Chair of the Board of Examiners must confirm, using Form B, which option has been chosen, and the Head of Governance Services must inform the student. The Chair must inform the Head of Governance Services within 10 working days, where practicably possible, of the date of the Appeal. If option 18i has been chosen, the Chair of the Board of Examiners must notify the Head of Governance Services of the Board of Examiners' decision when Form B is returned.

20. When the decision of the Board of Examiners is communicated to the student, the Head of Governance Services must inform the student of the student's right to ask for a Review of the outcome of the Appeal.

Review

21. Reviews of the outcome of an Appeal will be conducted by the Pro Vice-Chancellor (Education and Student Experience).

22. Reviews can only be requested when the Appeal stage has been completed. Reviews submitted by ineligible students, or before the Appeal stage has been completed, will not be accepted and will be returned to the student.

23. Requests for a Review must be submitted in writing to the Head of Governance Services within 10 working days, where practicably possible, of the date on which the student receives the outcome of an Appeal. The Head of Governance Services will send the request to the Pro Vice-Chancellor (Education and Student Experience). Requests for a Review submitted later than this may be accepted, if there are good reasons, at the discretion of the Head of Governance Services.

24. The Head of Governance Services must acknowledge receipt of the request for a Review within 5 working days, where practicably possible.

25. Reviews will only be considered on the following grounds:

- i. Defects or irregularities in the conduct of the procedure used to consider the Appeal and where defects, irregularities or advice could have affected the decision.
- ii. Special circumstances that relate to the decision. The student must explain why such personal circumstances were not made known as part of the Appeal.

26. The Head of Governance Services must send the request for a Review, and all documents provided by the Chair of the Board of Examiners in response to the student's Appeal, to the Pro Vice-Chancellor (Education and Student Experience).

27. The Pro Vice-Chancellor (Education and Student Experience) can request additional information from the student or the Board of Examiners. The Pro Vice-Chancellor (Education and Student Experience) must choose one of the following options:

- i. Confirm the outcome of the Appeal.

This action is appropriate in one or more of the following cases:

- There is no evidence of defects or irregularities in the conduct of the procedure used to consider the Appeal.
- The request for a Review introduces information which was known to, and could have been reported by, the student as part of the Appeal and the student has not given a satisfactory explanation why the information was not provided.

- ii. Ask the Board of Examiners to reconsider the Appeal.

This action is appropriate in one or more of the following cases:

- There is evidence of defects or irregularities in the conduct of the procedure used to consider the Appeal.
- There is evidence to demonstrate that special circumstances, communicated by the student as part of the Appeal were not considered by the Board of Examiners when the student's result was determined.
- The request for a Review introduces information which was known to, and could have been reported by, the student as part of the Appeal and the student has given a satisfactory explanation why the information was not provided.

The decision of the Board of Examiners must be sent by the Chair of the Board of Examiners to the Head of Governance Services within 10 working days, where practicably possible, of the date on which the matter is referred to the Chair.

- iii. Refer the request for a Review to the Senate Appeal Panel.

This action is appropriate if, in the opinion of the Pro Vice-Chancellor (Education and Student Experience), the complexity or other features of the Appeal require deliberation and a decision by the Senate Appeal Panel.

28. The Pro Vice-Chancellor (Education and Student Experience) must inform the Head of Governance Services in writing of which option has been chosen. The Head of Governance Services must inform the student and the Chair of the Board of Examiners which option has been chosen. If option 27i has been chosen, the Head

of Governance Services must inform the student of the student's right to submit a complaint to the Office of the Independent Adjudicator as described in paragraph 38. If option 27ii has been chosen, the Chair of the Board of Examiners must notify the Head of Governance Services of the Board of Examiners' decision within 10 working days, where practicably possible, of the date on which the Appeal has been referred to the Board of Examiners. The Head of Governance Services must then notify the student of the decision and of the student's right to submit a complaint to the Office of the Independent Adjudicator as described in paragraph 38. If option 27iii has been chosen the Head of Governance Services must inform the student that the Appeal has been referred to the Senate Appeal Panel and must convene a meeting of the Panel to consider the Appeal.

Senate Appeal Panel

29. The Senate Appeal Panel, as defined in the Regulations for Senate and its Sub-Committees, must be convened within 20 working days of the date on which the Head of Governance Services receives the Pro Vice-Chancellor's decision under option 27iii. Panels must be convened and must not consider the case based only on electronic communication.
30. Students must be informed in advance of the time, date and composition of the Appeal Panel and must be given an opportunity to appear before the Panel. Students may be accompanied at the meeting of the Board by one person of their own choice who may speak or conduct the case on their behalf. The person accompanying the student can be member of the academic or welfare or advisory staff, or a student or officer of the Students' Union. Student attendance by video conferencing is permitted, but the strength of the connection must be tested beforehand and a landline connection should be available as a back-up.
31. The school(s) concerned must send a member(s) of staff to attend the hearing and, at the invitation of the Chair of the Appeal Panel, to contribute to the hearing.
32. The Appeal Panel must base its decision on the evidence presented in the student's request for a Review, the response to the student's Appeal, and any further evidence submitted by the Pro Vice-Chancellor (Education and Student Experience).
33. The Appeal Panel must choose one of the following options:
 - i. Reject the request for a Review and conclude that no further action be taken.
 - ii. Request that the Board of Examiners reconsider its decision.

When considering requests by postgraduate research students, one of the following options can be chosen:

- Request that an entirely new Board of Examiners reconsider the decision of the original Board. The new Board of Examiners must conduct a *viva voce* examination if required under the regulations for the specific postgraduate research programme.
- Allow the student to re-write the thesis and to re-submit for re-examination by the original Board of Examiners within a specified time limit and without the payment of a resubmission fee.
- Allow the student to re-write the thesis and to re-submit for re-examination by an entirely new Board of Examiners within a specified time limit and without the payment of a resubmission fee.

In exceptional cases only, the Appeal Panel can specify the composition of the Board of Examiners.

Where the case is referred back to the Board of Examiners, the Appeal Panel may, where appropriate to the circumstances of the case, require an officer of the University to attend, as observer, the meeting of the Board of Examiners.

34. The student and Chair of the Board of Examiners must be informed of the decision of the Appeal Panel within 5 working days, where practicably possible, of the Panel.
35. If option 33i is chosen, the decision of the Appeal Board will be final. The Head of Governance Services must notify the student of the decision and of the student's right to submit a complaint to the Office of the Independent Adjudicator as described in paragraph 38.
36. If option 33ii is chosen, a full report, including recommendations or advice where appropriate to the circumstances of the case - including all supporting documentation - must be sent to the Chair of the Board of Examiners and must be considered by the Boards of Examiners. The decision of the Board of Examiners must be sent by the Chair of the Board of Examiners to the Head of Governance Services within 10 working days, where practicably possible, of the date of the Appeal Panel. The Board of Examiners' decision on whether any adjustment should be made to marks or grades previously awarded will be final. On receipt of the Board of Examiners' decision, the Head of Governance Services may, in exceptional cases only, refer the case to the Chair of the Appeal Board for review of the procedures followed. The Chair of the Appeal Panel can determine whether to refer the case back to the Board of Examiners for further reconsideration. The Head of Governance Services must inform the appellant in writing of the decision of the Board of Examiners, and of the reasons for the decision, and of the student's right to submit a complaint to the Office of the Independent Adjudicator as described in paragraph 38.
37. A Board of Examiners' decision on whether or not to adjust marks or grades previously awarded may or may not alter the student's overall result. If the overall result is altered, the Chair of the Board of Examiners must inform the Head of Student Administration so that, if required, a replacement certificate and/or transcript of results can be issued to the student.
38. A student who remains dissatisfied after the procedure has been completed, and a Completion of Procedures letter has been issued by the University, may submit a complaint to the Office of the Independent Adjudicator. Details of this procedure are available from the OIA website or from the Head of Governance Services.

The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. Bangor University is a member of this scheme. If you are unhappy with the outcome from Bangor University, you may be able to ask the OIA to review your case. You can find more information about making a complaint to the OIA, what it can and cannot look at and what it can do to put things right here: <https://www.oiahe.org.uk/students>.

You normally need to have completed this procedure before you complain to the OIA. Bangor University will send you a letter called a 'Completion of Procedures Letter' when you have reached the end of these processes and there are no further

steps you can take internally. If your complaint/appeal is not upheld, Bangor University will issue you with a Completion of Procedures Letter automatically. If your complaint/appeal is upheld or partly upheld you can still ask for a Completion of Procedures Letter from Bangor University if you want one. You can find more information about Completion of Procedures Letters and when you should expect to receive one here: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.

To bring a complaint to the OIA, you need to submit a completed OIA Complaint Form within 12 months of the date of Bangor University's final decision (usually the date of the Completion of Procedures Letter), and you will normally need to send the OIA your Completion of Procedures Letter.

Form A. Appeal

Name:	
Student ID:	
Course	
Address for correspondence:	
Email:	



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Please read the Appeal section of the Appeal Procedure before submitting this form. This form should only be submitted if you have completed your studies and have submitted. **You cannot submit an Appeal that questions the academic judgement of examiners.**

You must complete at least one of the following Sections.

Section 1

I am appealing because of arithmetical or other errors of fact that affected my result.

This section must include a list of the results that you wish to be considered and you must explain why you believe that the results may have been affected by arithmetical or other errors.

(Continue this Section on a separate page if necessary.)

Section 2

I am appealing because of special circumstances that could have had an adverse effect on my academic performance.

This section must include details of the personal circumstances with, wherever possible, supporting evidence (e.g. Doctor's letter). You must also explain how you informed the school about the circumstances. If Section 2.2 is completed, you must explain why you did not report the personal circumstances before the meeting of the Board of Examiners.

Section 2.1

Personal circumstances that were reported before the meeting of the Board of Examiners.

Section 2.2

Personal circumstances that were not reported before the meeting of the Board of Examiners.

(Continue this Section on a separate page if necessary.)

Section 3

I am appealing because of defects or irregularities in the conduct of the assessments, or in written instructions, or in advice relating to the assessments, which had an adverse effect on my academic performance.

This section must include details of the defects or irregularities with supporting evidence (e.g. copies of letters or emails sent to you regarding the arrangements for assessments).

(Continue this Section on a separate page if necessary.)

Declaration

I declare that I have read the University's Academic Appeals Procedure and that any information given on this Form and documentary evidence attached, if any, is a true statement of the facts to the best of my knowledge and belief.

Signature

Date

This form must be sent to:

Academic Appeals
c/o Senior Student Conduct and Complaints Officer
Governance Services
Bangor University
College Road
Bangor
Gwynedd
LL57 2DG

Or to email: appeals@bangor.ac.uk

**Form B. Academic Appeal
Response from the Chair of the Board of Examiners (or nominee)**



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Name of Student	
Student ID:	
Course	
Name of Person Completing this Form:	
Signature:	
Date:	

Please choose Option 1 or Option 2 and tick one or more of the boxes to indicate why the option has been chosen. Further explanation and supplementary evidence can be attached to this form.

Option 1. The Board of Examiners will reconsider the student's result.

There was an arithmetical or other factual error.

Special circumstances reported by the student before the meeting of the Board of Examiners were not considered.

The student provided additional evidence of special circumstances which were previously considered by the Board of Examiners.

The student provided evidence of special circumstances which were not reported before the meeting of the Board of Examiners **and** the student has explained, to the satisfaction of the Chair, why the circumstances were not reported.

The student has provided evidence of defects or irregularities in the conduct of the assessments or in written instructions or in advice relating to the assessments, of which the Board of Examiners had been unaware.

Other reason (Please provide details)

(Please continue of a separate sheet if necessary.)

Decision of the Board of Examiners:

Option 2. There are no reasons why the Board of Examiners' decision should be reconsidered.

The Board of Examiners has already reconsidered the student's results in response to an Appeal submitted before a student's studies had been completed.

The Appeal questions the academic judgement of the examiners.

There has been no arithmetical or other factual error.

Special circumstances provided by the student in the Appeal have already been considered.

The student provided evidence of special circumstances which were not reported before the meeting of the Boards of Examiners but the student has not explained, to the satisfaction of the Chair, why the circumstances were not reported.

The Board of Examiners had taken into account evidence of defects or irregularities in the conduct of the assessments or in written instructions or in advice relating to the assessments.

There is no evidence of defects or irregularities in the conduct of the assessments or in written instructions or in advice relating to the assessments.

Other reason (Please provide details)

Decision of the Board of Examiners:

Please respond to all additional issues that the appellant may have raised in their Appeal.

School response:

This form must be sent to:

Academic Appeals
c/o Senior Student Conduct and Complaints Officer
Governance Services
Bangor University
College Road
Bangor
Gwynedd
LL57 2DG

Or to email: appeals@bangor.ac.uk