



Academic Appeals Policy

1. INTRODUCTION

1.1 This document sets out the procedures for the consideration of academic appeals. It has been written with regard to the expectations of the UK Quality Code Core Practice for Quality: The provider has fair and transparent procedures for handling complaints and appeals which are accessible to all students.

2. GENERAL PRINCIPLES

2.1 The principles underlying Norland's academic appeals procedures have been approved by the Academic Board and align with the guiding principles of the UK Quality Code. They are as follows:

- Appeals are used to improve the student experience
- Appeals procedures are accessible and inclusive
- Information is clear and transparent
- People raising making appeals are treated with dignity and respect, and their well-being is properly considered
- Appeals processes are proportionate and allow for cases to be resolved as early as possible
- Appeals procedures are fair and impartial
- Confidentiality and anonymity are appropriately assured
- Appeals are resolved in as timely a way as possible

3. APPEALS PANELS

3.1 Responsibility for considering academic appeals has been delegated by the Academic Board to an Appeals Panel. The Appeals Panel will be made up of the Principal (Chair) and members of the academic staff who have not been directly involved in the academic decision being appealed. Panel members do not consider appeals made by students if they have had any previous involvement with the case.

3.2 The Vice Principal will act as the case officer in handing appeals. The case officer for the appeal is responsible for assisting the student in understanding the procedure and the presentation of evidence.

4. CIRCUMSTANCES IN WHICH AN APPEAL MAY BE MADE

4.1 A student may lodge an appeal against the following decisions:

- i)** decisions reached as a consequence of assessment of a student's academic performance, including those relating to the outcomes for awards, pass/fail or processing of individual marks;
- ii)** decisions reached on whether or not, and on what conditions, those who have failed an examination or other assessment should be permitted a re-assessment opportunity;



- iii) decisions concerning student progression, including leave of absence;
- iv) a recommendation that a student's enrolment should be terminated on the grounds that the student is academically unsatisfactory, other than where triggered by failure of the programme or failure to progress;
- v) decisions concerning requirements for fitness to practise or fitness to study;
- vi) decisions relating to academic misconduct;
- vii) decisions relating to mitigating circumstances.

5. GROUNDS ON WHICH AN APPEAL MAY BE MADE

5.1 Students may appeal against a decision only if:

- they believe that a procedural irregularity has occurred, or that the assessment was conducted unfairly or improperly;
and/or
- relevant mitigating circumstances exist that could not reasonably have been raised, or evidenced, at the time they occurred.

5.2 Students may not appeal against the academic judgment of the examiners. This means they may not question the exercise of academic judgement, i.e. a decision made by academic staff on the quality of work or the criteria being applied to mark the work.

5.3 Students may not appeal on the basis of dissatisfaction with teaching quality or supervision.

5.4 Students may not appeal on the basis that they disagree about the way in which mitigating circumstances were considered, unless there is clear evidence that the defined procedures were not followed.

6. OVERVIEW OF APPEALS PROCESS

6.1 The appeals procedure consists of a Formal Consideration Stage and a Review Stage.

6.2 Students have 28 calendar days (from the date they are formally notified of the decision against which they wish to appeal) to submit an appeal against an academic decision.

6.3 Where a student is dissatisfied with the outcome of an appeal to the Formal Consideration Stage, they have 10 calendar days to submit an appeal against the Formal Consideration Stage decision to the Review Stage.

6.4 Both stages of the appeals procedure should normally be completed within 90 calendar days.

6.5 Appeals at each stage of the process are never considered by panel members who have had previous involvement in the case.



7. SUBMITTING AN APPEAL

- 7.1** Students wishing to exercise their right of appeal against an academic decision must submit a Formal Consideration Stage academic appeal application form to the Appeals Case Officer, the Vice Principal, normally within 28 calendar days of being notified of the recommendation or decision against which they wish to appeal.
- 7.2** The form should be fully completed, accompanied by supporting evidence, and identify the outcome sought by the student. Wherever possible, documentary corroborative evidence of the circumstances cited in the appeal should be submitted with the form. Otherwise, an indication should be given of the timescale in which the evidence will be submitted. Documentary evidence which is contemporary with events described in the appeal form, rather than retrospective, is desirable.
- 7.3** Where the issues raised in an appeal affect a number of students, those students may submit a 'group appeal'. In such cases, the group may be asked to nominate one student from the group to act as the group representative. Norland will then normally communicate with the representative only and will expect the representative to liaise with the other members of the group.
- 7.4** Appeals by third parties are not normally accepted. Only a student about whom a decision has been made can lodge an appeal against that decision. Any rare exceptions to this rule must be agreed by the Principal and can only be agreed on the basis that the student is incapable of managing their own appeal at the time or in the near future (for example on the basis of disability). There must be clear evidence to demonstrate that the student is incapable of handling the appeal on their own behalf.

8. CONSIDERATION OF APPEALS

- 8.1** The Appeals Case Officer, the Vice Principal, can dismiss the appeal without recourse to an appeals panel on the following grounds:
- That the form has not been fully completed;
 - That evidence has not been provided and there is no indication that any evidence will be provided (In cases where an appeal is submitted without evidence but there is an indication on the form that this will be provided, the 90 calendar days for resolution of the appeal will not start until that evidence is provided or the student has subsequently indicated that they are not going to provide it);
 - That the appeal is not submitted within the deadline, except where an explanation has been provided.
 - The appeal does not fall within the grounds on which an appeal may be made (i.e. no mitigating circumstance or procedural error has been cited);
 - That the appeal is not submitted under the correct procedures (in which case a student could, if appropriate, be referred to the Student Complaints Procedure).



- 8.2** In the case of dismissal on the grounds that the form has not been completed, the appellant may be informed by the Vice Principal that they have whatever is remaining of their 28-day appeal period to submit a new completed application. However, the 28-day appeal period will not be extended on this basis. If the student subsequently fails to submit a new form after prompting, a Formal Stage Appeal Outcome letter will be issued after the 28-day appeal deadline has passed, advising the student of their right to appeal to the Review Stage.
- 8.3** If a student submits a Formal Consideration Stage Appeal form on, or very close to, the 28-day deadline, or at a time when the College is closed or over a weekend, there may not be time for the Vice Principal to decide whether or not the submission is valid and/or complete before the deadline passes. Therefore there may not be time for the student to make a revised submission if required. Students submitting appeals in these circumstances do so at their own risk.
- 8.4** If a case is dismissed, the student will be issued with a Formal Consideration Stage Appeal Outcome letter and advised of their right to appeal to the Review Stage. The letter will note that any appeal to the Review Stage would need to demonstrate either:
- that the student had good reason for failing to complete the form fully;
 - that the student had good reason for late submission of an appeal, and also good reason for not disclosing it;
 - a procedural irregularity had occurred in determining that the appeal does not fall within the grounds on which an appeal may be made;
 - that they had good reason for failing to submit evidence at the time of submitting the appeal and good reason for failing to explain at that time why evidence had not been submitted.

9. FORMAL CONSIDERATION OF THE APPEAL

- 9.1** If the Vice Principal determines that the appeal should be considered the following process will take place.
- 9.2** The Vice Principal investigates the appeal. As part of the investigation they identify possible remedies in the event that the appeal should be upheld.
- 9.3** The Vice Principal sends all information to the Principal, who will convene an Appeals Panel, comprising the Principal, as Chair, and two other members of academic staff not directly involved in the decision about which the appeal is made.
- 9.4** The Appeals Panel considers the appeal and all information obtained as part of the investigation, and determines one of the following:
- There is no case to uphold the appeal
 - The appeal should be upheld
 - That a hearing should be held. This is either on the basis that the appeal is considered to be sufficiently complex and difficult to resolve on paper to require a hearing, giving due



consideration as to what the hearing would add to the investigation.

9.5 The outcome of this stage will be communicated to the student in a letter stating the outcome and the reasons for the decision. If the appeal is upheld the remedial action to be taken by the College will be detailed.

9.6 Students will not normally be issued with a Completion of Procedures letter at this point since the College's procedures have not been exhausted. However, should they choose not to appeal to the Review Stage, but wish to take their case directly to the Office of the Independent Adjudicator, they can request a Completion of Procedures letter.

10. REVIEW STAGE

10.1 Students who are dissatisfied with the outcome of their appeal at the Formal Consideration Stage have 10 calendar days from the date of the appeal outcome letter to appeal to the Review Stage. The Review Stage is undertaken by the Board of Directors. Students must submit a Review Stage appeal form in order to appeal against the outcome of the Formal Stage appeal. Students may only appeal to the Review Stage on the following grounds:

- They believe that a procedural irregularity has occurred at the Formal Stage of the appeal consideration, and can demonstrate this;
- New evidence exists which the student had good reason for being unable to present at the Formal Stage;
- That it is possible to demonstrate that the decision made at the Formal Stage was manifestly unreasonable in the circumstances.

10.2 The Chairman of the Board will consider the case in consultation with an ordinary member of the Board and decides either;

- to uphold the appeal and apply a remedy (this can only happen in cases where the appeal has already been investigated at the Formal Consideration Stage);
- to refer the appeal back to the Formal Consideration Stage for further investigation;
- to call a hearing (this is only in exceptional cases, where due consideration has been given as to what the hearing would add to the investigation);
- to dismiss the appeal.

10.3 Where a case has been heard at a full hearing convened by the Chairman of the Board or has not been upheld at Review Stage, no further right of appeal exists within the College. A Completion of Procedures Letter is issued to the student in both these cases, detailing the outcome of each stage of the appeals process and advising of their right to complain to the Office of the Independent Adjudicator.

11. ATTENDANCE AND PRESENTATION OF EVIDENCE AT APPEAL HEARINGS

11.1 When an appeal is heard the student is always given the opportunity to attend the hearing. However, if a student wishes to attend a hearing, they are expected to attend on the date set for



the hearing, except where there is an exceptional reason for being unable to do so. Hearings are deferred if a student who previously confirmed that they would attend is unable to do so for good reasons. The Chair of the meeting reserves the right to decide that a hearing should go ahead in a student's absence.

- 11.2** A student appearing before a hearing has the right to be accompanied by a registered student or employee of the College.
- 11.3** Participants are not permitted to be represented or accompanied by persons from outside the College e.g. by a solicitor, trades union representative, friend or family member. A student choosing not to appear before the Committee may not send a companion instead.
- 11.4** Normally, students wishing to attend a hearing will be expected to do so in person. In exceptional circumstances where, for good reason, it is impractical for a student who wishes to attend a hearing to do so in person, a video or telephone link may be arranged if appropriate.
- 11.5** The student is invited to submit written evidence if s/he has not already done so and may submit written evidence whether or not s/he chooses to attend the hearing. All written evidence submitted to the Panel is made available to all the parties. Students are strongly encouraged to submit all written evidence sufficiently in advance of the hearing to allow Panel members time to consider it and seek clarification or evidence of points made. Students may also find that they are better prepared to present their case by reference to a written statement. Students may submit written evidence from third parties in support of their case and/or identify those parties whom they believe can contribute to their case.
- 11.6** Evidence is normally invited from the Chair of the Board of Examiners concerned. The Chair of the hearing may invite evidence from any other person it deems appropriate to the case including any such persons identified by the student.

Full Panel hearings consist of the Chair of the meeting (at Formal Stage this will normally be the Principal; at Review Stage this will normally be a member of the Board) and two other members. A member of administrative staff is present to take minutes of the meeting, and the Student Support Officer is also usually in attendance.

12. CONDUCT OF HEARINGS

12.1 Hearings are normally conducted as follows;

The members of the panel hold a preliminary discussion amongst themselves in private.

- All parties are invited into the hearing. The Chair of the meeting introduces the members of the Panel and explains the role of the Panel and the way in which the hearing will be conducted.
- The Chair of the Board of Examiners speaks to the Board's recommendation or decision.
- The student is invited to present their case, with whatever supporting evidence they wish to offer. At this point the student may, through the Chair, seek confirmation of points raised by the Chair of the Board of Examiners.



- The student's tutor is invited to speak, as the person responsible for monitoring the academic and pastoral progress of the student (i.e. there is no expectation that the tutor should necessarily be supportive of the student's case).
- Any person(s) accompanying the student are invited to speak.
- When all statements have been presented, the members of the Committee may ask questions, through the Chair.
- The Chair will invite anyone present to ask questions or to provide further information, through the Chair.
- The student is invited to make a brief final statement.
- All parties, except the Panel members and any central support staff in attendance, are asked to leave the room while the Panel deliberates and reaches a decision.
- All parties are invited to return. Normally the Chair informs them of the Panel's decision and its reasons. There is no further discussion. The decision and reasons are communicated in writing to the parties as soon as is reasonably practicable. However, the Panel reserves the right to take time to reflect on its decision and announce it at a later date.

13. NOTIFICATION OF OUTCOME

13.1 At the end of the Formal Consideration Stage, students will be issued with a Formal Consideration Stage Outcome Letter.

13.2 Students who subsequently appeal to the Review Stage will be issued either with a Review Stage Outcome letter or, where an appeal is not upheld at Review Stage, a Completion of Procedures letter.

13.3 The College aims to resolve appeals within 90 calendar days from the date of submission of the appeal to the Formal Stage.

13.4 In some cases it is necessary to exceed the 90-day resolution time.

14. THE OFFICE OF THE INDEPENDENT ADJUDICATOR

14.1 Students who have exhausted the College's internal appeals procedures but remain aggrieved may be able to make a complaint to the Office of the Independent Adjudicator for Higher Education. Further information about the OIA is available on the OIA website: www.oiahe.org.uk.



Academic Appeal Form

Student Details:

Student number (4 digits)	
First name	
Surname	
Set number	

Course Information:

Please specify which course your appeal relates to:

- BA (Hons) Early Years Development and Learning
- Norland Diploma

Module/ Unit code: _____

Appeal Information:

On what grounds are you appealing?

- You believe that a procedural irregularity has occurred, or that the assessment was conducted unfairly or improperly
- and/or
- relevant mitigating circumstances exist that could not reasonably have been brought to the attention of the mitigating circumstances committee, or evidenced, at the time they occurred

Please be aware that these are the only grounds on which you may appeal, according to the [Academic Appeals Policy](#).



Please provide a statement explaining the reasons for your appeal and include any other information that you would like to be considered	
Please detail the outcome you are hoping for from this academic appeal	

You may wish to submit evidence to be reviewed alongside your appeal, for example evidence of mitigating circumstances that were not available at the time of the decision.

Please detail the evidence you have submitted along with your appeal for review	
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I confirm that the information given in this form is true, to the best of my knowledge.

I understand that by signing this form I am formally raising an academic appeal:

Signed: _____

Date: _____

Once completed, please return this form to Mandy Donaldson, Vice-Principal, Head of Quality & Standards and Registrar.



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