

# Academic Appeals Procedure

## 1. Purpose

- 1.1 The Academic Appeals Procedure is intended to allow UEA Students\* undertaking taught or research programmes formally to raise concerns about their academic results or circumstances relating to them. We take such concerns seriously at UEA and the Procedure is designed to enable a Student's concerns fully to be considered and action taken to remedy the situation where appropriate in a timely manner.
- 1.2 Concerns about academic or other matters that do not relate to academic results should be raised via the Complaints Procedure (which includes Academic Complaints). Details are available from the relevant University Services (the Learning and Teaching Service and the PGR Students, Partnerships and Equality and Diversity Service) and online at <http://www1.uea.ac.uk/cm/home/services/units/acad/ltqo/studentexperience/academicappeals%2526complaints>.
- 1.3 The Academic Appeals Procedure comprises four parts: an informal stage; a formal Stage One, in which the Head of School considers the appeal, a formal Stage Two, which a Student may follow if dissatisfied with the outcome of the Stage One appeal, and a screening process to establish whether a Stage Two appeal meets the required conditions. If accepted, Stage Two appeals are considered by an independent panel of senior academic staff, with the Student presenting the Appeal (with someone to accompany or represent them if they wish), and the Head of School or a suitable substitute presenting the School's case. The Hearing Panel represents and acts with the full delegated authority of Senate.
- 1.4 Terms used in the Academic Appeals Procedure are set out in Appendix A.

*\* Students studying at UEA, or registered with UEA and based at the John Innes Centre, Sainsbury Laboratory or Institute of Food Research. For students based at the John Innes Centre, Sainsbury Centre, Sainsbury Laboratory or Institute of Food Research, Stage One appeals are considered by the Head of the School of registration in consultation with the Director of the relevant Institute. Students on validated or accredited programmes at partner institutions wishing to submit a Stage One appeal should use the relevant procedures at their place of study; for Stage Two appeals UEA's procedure should be used.*

## 2. Commitments

- 2.1.1 Students who submit a case under this procedure will not be

unfavourably treated for having done so. Any Student who believes that s/he has been less favourably treated as a result of submitting a case should immediately contact the relevant Director of University Services. The University expects that Students will not engage in frivolous or malicious appeals. It should be noted that if an appeal is found to have been brought with mischievous or malicious intent this may prove grounds for disciplinary action against the appellant.

- 2.2 The University will in considering appeals apply the Academic Appeals Procedure in accordance with its Equal Opportunities Policy. In particular, reasonable adjustments will be made for those with disabilities, specific learning difficulties or long-term medical conditions.
  - 2.3 All parties to the appeal and individuals who have been involved in any related investigation and/or the management and/or administration of the appeal will observe the requirements for confidentiality. Whilst confidential information may need to be disclosed in order to consider the appeal, this will only be to those staff involved in the consideration of the appeal. In addition, confidential information may be disclosed to governmental, police or regulatory authorities as required by law.
  - 2.4 All personal information will be processed by the University in accordance with the Data Protection Act 1998.
  - 2.5 Training will be offered to all Heads of Schools and to senior academic and administrative staff.
3. **First steps to try to resolve concerns**

***(Note: In this and the following sections, references to 'Board of Examiners' in relation to postgraduate research students normally means the internal and external examiner of the thesis appointed by the University. For other students, and for the taught elements of the professional doctorates (ClinPsyD, DSW and EdD) and the PhD with Integrated Studies, references to 'Board of Examiners' normally means those internal and external examiners appointed by the University in respect of taught provision.)***

- 3.1 Students are encouraged to try to resolve the matter they are concerned about informally before beginning the formal Procedure. A number of avenues exist through which further information or explanation can be provided which might satisfactorily answer their concerns. An informal approach could be made to their lecturer, module organiser, Academic or Senior Adviser, a supervisor, the School Director (Learning and Teaching), or relevant University Service. Students can be assisted in making such an approach by their School Student representative and may also seek advice from the Dean of Students' Office and/or the Student Union's Advice Centre.

- 3.2 A Student may be able to have work re-marked without having to pursue a formal academic appeal. If a Student is concerned about an academic result for a piece of assessed work that has been marked by a single teacher but has not been confirmed by a Board of Examiners, the Student can apply via the relevant University Service for the work to be re-marked independently by a second teacher (who will not know the original mark). Both the original and second marks will then be considered by the School Director of Learning, Teaching and Quality, who may adjust the original mark up or down. Details of the procedure are available from the relevant University Service Offices. Under the Submission of Work for Assessment Policy (Appendix A8) the outcome should normally be available within a further 10 working days.
- 3.3 The Student should make every attempt to submit his/her case concerning a provisional academic result (whether singly or double marked) before the Board of Examiners meets. This is in the Student's best interests as an early decision can then be made. Where the interval between the notification of an academic result and a meeting of the relevant Board of Examiners is short, normally within less than 10 working days, the School Director of Learning, Teaching and Quality may determine that consideration of an appeal, whether rising informally or formally, be postponed until after the relevant Board of Examiners has met. At this point, the formal academic appeals procedure should be followed.
- 3.4 Where a student submits evidence of extenuating circumstances that were unknown to the Board of Examiners (or examiners in the case of a research degree) at the time it reached an academic decision and the Head of School accepts these as demonstrating that the student's academic performance had been affected, the Head of School may either refer the matter back to the Board of Examiners without requiring the student to submit a formal Academic Appeal or may seek an appropriate concession to address the student's circumstances.
- 3.5 Should these steps not resolve the matter to the Student's satisfaction, the Student may make a formal case for an academic appeal under Stage One of the Procedure. The appeal will be dealt with by the Student's Faculty Office and Head of School. If the concern remains unresolved after this, the Student may take the process to Stage Two, which is described later.
- 4. Reason(s) for concern**
- 4.1 A Student may make a case for an Academic Appeal formally to raise concerns about his/her academic results or circumstances relating to them. The more specific the Student is about the reasons for concern the more effective will be the University's investigation.

4.2 Concerns should relate to one or more of the following categories:

- A degree result
- An examination mark (provisional or confirmed)
- Assessed work (including essays, reports, dissertation or research project mark (provisional or confirmed)
- Failure to be transferred to a PhD from an MPhil or to an EdD from an MEd
- Required withdrawal from a course
- A verdict of plagiarism and/or collusion
- A penalty applied in respect of plagiarism and/or collusion
- A refusal to permit the late submission of work for assessment
- A rejection on the grounds of insufficiency of the extenuating circumstances presented for seeking an extension to a deadline for work for assessment.

Appeals against rejected concession requests are not permitted.

4.3 There may be a number of reasons why a Student might be concerned about an academic result and s/he must give (a) reason(s) and supply supporting evidence. Examples could include:

- Correct procedure was not followed which undermined the validity of the academic result
- Prejudice and/or bias or the appearance of prejudice and/or bias on the part of markers and/or examiners affected the academic result
- The Student's performance was adversely affected by extenuating circumstances that were not taken into account or not fully taken into account
- Significant changes were made to a course without being properly communicated and/or were not properly taken into account
- The teaching or research training provided was insufficient
- A poor supervisory experience
- The learning support provided was inadequate
- Any other aspect of the Student's experience of the course.

4.4 In giving reasons and evidence for their concern, Students should refer to the relevant course material and regulations which will specify what Students should reasonably be entitled to expect from their academic experience.

## **STAGE ONE ACADEMIC APPEAL**

### **5. How a student submits a stage one academic appeal**

5.1 A Student must submit a completed Stage One Academic Appeal Form (and any supporting evidence) to the relevant office as listed at the end of the Stage One Appeal form. Forms are available at

<http://www1.uea.ac.uk/cm/home/services/units/acad/ltqo/studentexperience/academicappeals%2526complaints> or from the relevant University Service Offices. All evidence submitted by the Student will be provided to the Head of School under section 6.1. No evidence submitted can be anonymous. A stage one appeal will normally be considered by the Head of the School in which the student is registered,. If the appeal concerns a module or modules and/or an academic issue(s) relating to a School or Schools other than by the Student's School of Registration, the Head of the Student's School of registration (or the person substituting for the Head of School), shall liaise with the Head of School (or the person substituting for the Head of School) of the other School(s). In some circumstances it may be the Head of the School which owns the module which forms the substance of a student's appeal.

- 5.2 The relevant University Service may suspend the Stage One Academic Appeal where appropriate, pending clarification by a Student that s/he has tried to resolve the matter s/he is concerned about informally before beginning the formal Procedure.
- 5.3 A Student who has been found guilty of plagiarism or collusion and wishes to appeal against the subsequent penalty, may submit a Stage One academic appeal. A Stage Two academic appeal should be submitted if a Student wishes to appeal against the decision that s/he has plagiarised and/or colluded.
- 5.4 A Student may decide to withdraw an appeal, providing the Head of School is advised in writing before a mark has been submitted to the Chair of the Board of Examiners for reconsideration, or any of the actions recommended following an appeal that has been supported, has commenced (see 8.1).

## **6. Response to the appeal**

- 6.1 The Head of School is responsible for responding to an appeal. If the Head of School is part of the subject of the appeal, was a member of the Board of Examiners whose decision is being challenged, or is otherwise in a conflict of interest, a suitable substitution will be made by the relevant Faculty Office. (The person substituting for the Head of School shall not be the person(s) who may have conducted investigations and/or inquiries on the Head of School's behalf.).Notwithstanding this provision, for ease of reference the person responsible for responding to the Appeal will be called the Head of School hereafter in this Procedure.
- 6.2 A Head of School may delegate investigation of an academic appeal to one or more members of staff who do not have a conflict of interest with respect to the appeal. In such cases the Head of School will retain responsibility for the decision reached at Stage 1 and will act in accordance with subsequent sections of the Appeals Procedure where required.

- 6.3 The relevant University Service Office will provide the Head of School with the appeal documentation submitted by the Student under Stage One and will assist the Head of School with the following investigation. The Head of School having completed the investigation will decide whether the academic decision of the Examiners should be reviewed, whether any other remedial action should be taken (such as seeking a concession against the regulations), or whether the appeal should be rejected. The decision of the Head of School and the reasons(s) for it will be communicated to the Student in writing.
- 6.4 With limited exceptions (for example, where information cannot be disclosed because of the University's obligations under the Data Protection Act), all written material considered by the Head of School under this procedure will be accessible to the Student as accompanying evidence to the decision of the Head of School. In the first instance, the evidence will take the form of a list of the documents considered, included with the Head of School's response to the Student. The following documents would normally be considered as evidence:
- Stage One Appeal form and accompanying evidence
  - The Student's academic record
  - Minutes of the relevant Board of Examiners with appropriate redactions
  - For research students, the examiners' reports from the internal and external examiner(s)
  - Statements from other appropriate parties such as Module Co-ordinator, Adviser/Supervisor
  - Documentary medical evidence submitted by the student.

The student may request in writing to the Head of School, a copy of the evidence considered.

- 6.5 Each appeal will normally be considered individually, (though depending on circumstances, where a series of appeals involve the same subject matter or individual(s), the University may consider such appeals collectively, subject to any confidentiality requirements).
- 6.6 It may not always be desirable for the original Board of Examiners (or examiners in the case of a research degree) to review a decision it previously made following a Stage 1 or Stage 2 academic appeal (paragraphs 8.2, 8.3, 12.2. and 12.4 refer). Individuals who are involved in the academic appeal (e.g. named in the appellant's papers; witnesses to a hearing) may have a conflict of interest between their role in the appeal and their role as an examiner. Where a Head of School or Academic Appeals Panel conclude that the original examiners should not be asked to review a decision the normal process for approval of changes to membership of a Board of Examiners or changes to

examiners for research degrees should be followed. Such changes require the approval of the Learning and Teaching Committee.

## **7. Timescales for Stage One**

- 7.1 The Student must submit the completed Academic Appeal Form and any supporting documents to the relevant University Services Office within 10 working days of the notification of the result (See Appendix A for definitions). Appeals submitted after this deadline with good reason for the delay may still be considered. The Student should contact the relevant University Service Office if s/he is unable to meet this deadline. Disputes about whether an appeal submitted after the deadline should be accepted should be referred to the relevant Director of University Services.
- 7.2 The Head of School must advise the Student of the outcome of the investigation into the Stage One appeal in writing within 10 working days of receipt of the Academic Appeal Form, or advise the Student within that time if more time is needed either for investigation or for a review of the academic decision by the Examiners.
- 7.3 The Head of School must advise the Student of the decision of a reconvened Board of Examiners in writing within 20 working days of the date of the letter in 7.2 above.

## **8. Actions and outcomes**

- 8.1 If after receiving and investigating an appeal, the Head of School concludes that the decision of the Examiners should be reviewed in accordance with paragraph 6.3, the Student will receive a letter giving the likely timescale for further action and for notification of the outcome. The potential actions and outcomes will vary depending on whether the Student is an undergraduate or a postgraduate and the course taught or research. Details can be found in Appendix B: "Instructions to Examiners in the event of an Appeal" document at:  
<http://www1.uea.ac.uk/cm/home/services/units/acad/ltgo/exams/brdofexams>.
- 8.2 If a Head of School refers an appeal to a Board of Examiners, the Head of School will present the case to the Board (in person whenever possible). [The Board of Examiners shall determine whether and to what extent the circumstances reported to it had an impact upon a Student's academic performance. The minutes of the meeting and any correspondence relating to the reconsideration of the Board's decision should be included with the Board's formal response to the Head of School and the Faculty administrator dealing with the appeal.
- 8.3 After the Examiners have reviewed their academic decision, the Head of School will notify the Student of the outcome of Stage One giving a full and clear explanation of the decision. The Student may request a

- meeting with the Head of School to discuss the outcome.
- 8.4 If, after receiving and investigating an appeal, the Head of School concludes that other remedial action should be taken in accordance with paragraph 6.3 above, the student will receive a letter setting out the Head of School's conclusions, proposed remedy and next steps (for example, discussion with the Academic Director of Taught Programmes for a concession against the regulations.)
- 8.5 If after receiving and investigating an appeal, the Head of School concludes that no further action is merited the Student will receive a letter giving a full and clear explanation of the decision in accordance with the timescale set out in 7.2 above. The Student may request a meeting with the Head of School to discuss the outcome.
- 8.6 A Student who is not satisfied with the outcome of the Stage One appeal (whether or not it was referred to the Exam Board) may decide to move to Stage Two of the Academic Appeals Procedure as described below under Section 9.
- 8.7 If an academic decision complained of is the requirement that a Student's performance in a module of study and/or practice offered by Nursing Sciences (NSC) be reassessed, the reassessment shall proceed at the time specified by the Examiners and shall not be delayed because of the Academic Appeal (which shall be considered separately and expeditiously).

## **STAGE TWO ACADEMIC APPEAL**

### **9. How a student submits a stage two academic appeal**

- 9.1 For a Stage Two appeal to be considered there must be at least one of the following grounds:
- there is new information to be put forward by the Student that was not known to the Board of Examiners or to the Head of School who investigated the original appeal;
  - that evidence put forward at Stage One was not fully and properly considered;
  - that there was procedural irregularity in the conduct of the Stage One appeal;
  - that there was prejudice and/or bias and/or the appearance of prejudice and/or bias, in the conduct of the Stage One appeal.
- 9.2 A Student who has been found guilty of plagiarism and/or collusion may appeal against the decision by submitting a Stage Two academic appeal.
- 9.3 A Student must submit a completed Stage Two Academic Appeal Form (and any supporting evidence) to the relevant University Service Office.

Forms are available at:

<http://www1.uea.ac.uk/cm/home/services/units/acad/ltqo/forms>. All evidence submitted by the Student will be provided to the Head of School under section 10.3. No evidence submitted can be anonymous.

- 9.4 A Student may decide to withdraw an appeal, providing the relevant Director of University Services is advised in writing before the date of any Appeal Hearing.

## **10. Response to the appeal**

- 10.1 The relevant Director of University Services will check whether the appeal meets at least one of the conditions in 9.1 and decide whether or not there are grounds for the appeal to be accepted and the Student will be informed within 10 working days of receipt. If the appeal is accepted solely on the grounds that there is evidence that there was procedural irregularity in the conduct of the Stage One appeal, the relevant Director of University Services will refer the appeal to the Stage 1 process.

- 10.2 An appeal which the relevant Director of University Services does not believe meets any of the conditions and should therefore be rejected will be referred to one of the Learning and Teaching Academic Directors (normally the Academic Director of Taught Programmes/Postgraduate Research Degree Programmes). The Academic Director will review the decision and the Student will be informed of the outcome within 15 working days of receipt (by the relevant Director of University Services). If the appeal is rejected, this decision is final and there is no further right to appeal in the University. Regulation 14.2 below refers to how a complaint can be pursued outside the University.

The Academic Director who reviews the appeal will not sit on the Hearing Panel should the appeal proceed to a hearing.

- 10.3 If the appeal is accepted on the grounds of procedural irregularity alone, the appeal will be sent to the relevant Head of School who shall make the appropriate arrangements to remedy the procedural irregularity in the Stage One process. This may include reconvening the appropriate Board of Examiners. Provided that there are no further procedural irregularities in this part of the process, there shall be no further right to appeal in the University. Regulation 14.2 below refers to how a complaint can be pursued outside the University.

If the appeal is accepted and, in the judgement of the relevant Director of University Services in consultation with the Academic Director of Taught Programmes, there is a concessionary remedy available that falls within the powers of the Academic Director of Taught Programmes to address the matter(s) complained of, referral to the Head of the relevant School or a Stage Two Appeal Panel shall not be required. Provided that there are no further matters of complaint in this part of the process, there shall

be no further right to appeal in the University. Regulation 14.2 below refers to how a complaint can be pursued outside the University.

If the appeal is accepted on grounds other than on or in addition to procedural irregularity and/or covers matters in respect of which a concessionary remedy is inappropriate or unavailable, the relevant Director of University Services will appoint an Appeal Secretary from the relevant University Service who will be the main contact point for Stage Two proceeding and who will have had no prior involvement with the appeal at Stage One. The Appeal Secretary will send a copy of the appeal form and supporting evidence submitted by the Student to the Student's Head of School. If a substitute for the Head of School responded to the appeal under Stage One (see section 6.1), the substitute will continue to deal with the appeal on behalf of the School. Notwithstanding this provision, for ease of reference, the person responsible for responding to the appeal will be called the Head of School hereafter in this Procedure.

- 10.4 On receiving a Stage Two appeal, the Head of School may decide to reconsider the Stage One decision (if for instance new information has been provided), and will proceed as in Section 8. In such a case, the Student retains the right to submit a Stage Two appeal should s/he be dissatisfied with the outcome.
- 10.5 If the Head of School does not change the Stage One decision, the Head of School must provide the Secretary to the Stage Two Academic Appeals Panel (hereinafter referred to as the Panel) with a written response to the Student's Stage Two appeal, including a list of the evidence considered and details of a maximum of three people they wish to propose as witnesses for the Panel. Witnesses must have some relevance to the case and for each witness proposed, a brief supporting statement must be provided by the Head of School. The decision of the Chair of the Panel regarding the witnesses to be called to the Hearing shall be final.
- 10.6 The Appeal Secretary will provide the Student with a copy of the Head of School's written response to the Stage Two appeal and invite the Student to confirm that s/he would like to proceed with the appeal and if wished, to provide details of a maximum of three people the Student proposes to call as witnesses for the Panel. Witnesses must have some relevance to the case and for each witness proposed, a brief supporting statement must be provided by the Student.
- 10.7 Exceptionally the Chair of the Panel may agree to additional witnesses. The Panel may also request additional witnesses. Witnesses attend as neutral witnesses for the Panel to provide information to the Panel to help it reach a decision; witnesses do not represent the Student or the Head of School. If any proposed witness is not a member of UEA staff,

the proposer must first seek the person's permission before making the nomination.

10.8 With limited exceptions (for example, where information cannot be disclosed because of the University's obligations under the Data Protection Act), all written material considered by the Head of School under this procedure, any additional material gathered by the relevant Director of University Services to inform his/her decision and all the material available to the Academic Appeals Panel will be provided to the Student, with redactions where appropriate. No evidence submitted may be anonymous.

10.9 Each appeal will normally be considered individually, (though depending on circumstances, where a series of appeals involve the same subject matter or individual(s), the University may consider such appeals collectively, subject to any confidentiality requirements).

## **11 The appeal hearing**

11.1 When the Student receives the written response to her/his appeal s/he will be asked which type of hearing is preferred. The hearing may be oral or paper-based. Generally, the Student will be encouraged to have an 'oral' hearing (the Student can choose whether to be present or not) because s/he and/or the other parties will be able to communicate directly with the Panel.

11.2 The Student may nominate someone either to accompany or to represent the Student in the oral hearing. The friend will not be permitted to speak during the hearing unless nominated to represent the Student.

11.3 With the agreement of the School, a Student may opt for a 'paper', rather than an 'oral' hearing. For a paper hearing, written statements will be submitted by all parties, including witnesses and the Panel (and Appeal Secretary) will meet to consider these and then arrive at a decision.

11.4 If the Student is expected at an 'oral' hearing but fails to attend, the Panel may decide whether to continue with the hearing (providing it is satisfied that the Student has been properly informed about the arrangements) or to adjourn. If the hearing continues, anyone whom the Student had chosen to accompany or represent him/her would remain for the hearing.

11.5 The Academic Appeals Procedure is not a formal legal process and therefore members of the legal profession (other than UEA Law School staff acting in their capacity as members of staff of the University) are

not permitted to accompany or represent the Student.

- 11.6 The person who made the decision at Stage 1 of an academic appeal (normally the Head of School except in cases of appeals against the charges of plagiarism and/or collusion) must present the School's case at Stage 2 hearings. A substitute for the person who made the decision at Stage 1 will only be allowed where that person is unexpectedly unable to attend the hearing (e.g. through illness) and it is not possible to reschedule the hearing. The Chair of the Panel will determine whether a substitute is permitted.
- 11.7 The Panel will have an appropriate composition having regard to equality and diversity considerations wherever possible and consist of three academic staff, none of whom will be from the Student's School. The Panel shall comprise:
- The Academic Director of Taught Programmes or Academic Director of Postgraduate Research Degree Programmes who will normally chair **or** a Faculty Associate Dean (Learning, Teaching and Quality) or, in the case of postgraduate research students, a Faculty Associate Dean (Postgraduate Research) in the absence of the Academic Director(s) **and**
  - Two members of senior academic staff who have received appropriate training (who shall not be members of the School in which the student is registered, or of a School which is a party to the complaint, or who has any other potential conflict of interest).
- 11.8 The oral hearing will proceed as follows:
1. The Student or his/her representative may make an opening statement;
  2. The Head of School may make an opening statement;
  3. After the opening statement by the Student or his/her representative and by the Head of School, the Student or his/her representative and the Head of School may question each other through the Chair of the Panel;
  4. Members of the Panel may ask questions of the student or his/her representative and of the Head of School on completion of the questioning of the student (or his/her representative) and of the Head of School by each other;
  5. Witnesses will be called one at a time and be questioned first by the person who nominated them, then the other party and finally by the Panel;
  6. The Head of School may make a closing statement if wished (and may leave the Hearing for a few minutes to prepare this);
  7. The Student or his/her representative may make a closing statement if wished (and may leave the Hearing for a few minutes to prepare this);
  8. The hearing closes and all parties except the Panel and Appeal Secretary leave the room to allow the Panel to reach a decision.

11.9 The ruling of the Chair on any point of procedure shall be final.

11.10 The Chair of the Panel may adjourn the hearing if it becomes clear during the hearing that the deliberations of the panel would benefit from an adjournment.

## **12. Actions and outcomes**

12.1 The Academic Appeal Hearing Panel represents and acts with the full delegated authority of Senate. It has the power to:

- Require members of staff of the University to make written submissions, attend, give evidence, and answer questions
- Review recommendations of Examiners
- Require Examiners to review academic decisions
- Require a School to undertake remedial actions, which may be in addition to a review of the academic decision by the Examiners

The Panel does not have the power to change an academic decision or to grant concessions against the regulations, except as set out in 12.2 below.

12.2 If the Panel decides that, based on evidence presented at the hearing, remedial action is warranted, the Appeal Secretary will write to the Head of School to instruct him/her on the action to be taken, giving a full and clear explanation of the decision. In particular, it may:

- In the case of a taught degree result, an examination mark or mark for other assessed work, (including dissertation or project) that has been appealed, instruct the relevant Board of Examiners to reconvene in order to review its decision. The Chair of the Panel will present the decision of the Panel (in person whenever possible) to the Board of Examiners;
- In the case of a research degree result that has been appealed, instruct a new set of Examiners to examine the thesis and/or permit the Student to revise his/her thesis and to submit it for re-examination within the time period allowed for resubmission in the relevant regulations or exceptionally within such other time period as the Panel may set;
- In the case of a Student's failure to be transferred to a PhD from an MPhil, allow the Student another upgrade attempt, and permit the appointment of a new transfer panel;
- In the case of an appeal against a verdict of plagiarism and/or collusion, set aside the verdict and instruct the relevant Board of Examiners to reinstate the mark(s) prior to the application of any penalty for plagiarism and/or collusion and to review its academic decision;
- In the case of an appeal against a penalty applied in respect of work that has been plagiarised and/or in respect of which there has been

collusion, instruct that the penalty be set aside, that the work be reviewed by an independent Plagiarism Officer of a different School from the School of registration of the Student (but preferably from the same Faculty) to reach a view as to the level of offence and the penalty to be imposed (in accordance with the Plagiarism and/or Collusion Policy) and instruct the relevant Board of Examiners to review its academic decision;

- In the case of an appeal on the grounds of poor supervisory experience allow the Student to undertake additional study and to submit a revised thesis, dissertation or research project within such time as the Panel may set.

12.3 If the Panel decides that remedial action is required the Appeal Secretary will write to the Student giving details of the remedy, the likely timescales for further action (where Examiners are being required to review their academic decision for example) and for notification of the final outcome. A full and clear explanation of the decision will be provided. The potential actions and outcomes will vary depending on whether the Student is an undergraduate or a postgraduate and the course taught or research.

Details can be found in Appendix B: "Instructions to Examiners in the event of an Appeal" at the end of this procedure.

12.4 Where the Board of Examiners (or examiners in the case of a research degree) has been required to review its academic decision, the Board will formally notify the Chair of the Panel and Appeal Secretary of the final academic decision with a full and clear explanation. The minutes of the meeting and any correspondence relating to the reconsideration of the Board's decision should be included with the Board's response to the Chair of the Panel and the Appeal Secretary.

12.5 If the Board of Examiners has changed its academic decision as a result of its consideration of the appeal, the Appeal Secretary will notify the Student of the final outcome of Stage Two, giving a full and clear explanation of the decision.

12.6 If the Board of Examiners has not changed its academic decision as a result of its consideration of the appeal, the Chair of the relevant Appeal Panel and the relevant Director of University Services will consider the Board's response and determine whether or not the matter should be referred to the Senate. The Appeal Secretary will notify the Student of the position and thereafter notify the Student of the final outcome of Stage Two, giving a full and clear explanation of the decision.

12.7 If the Panel decides that, based on evidence presented at the hearing, remedial action is not warranted, it will write to the Student and the Head of School to inform them that the appeal has been rejected. The

letter from the Panel will give a full and clear explanation of the decision.

### **13. Timescales for Stage Two**

- 13.1 The Student must submit the completed Stage Two Academic Appeal Form and any supporting documents to the relevant Director of University Services within 20 working days of the notification of the outcome of the Stage One Appeal (or the notification of a subsequent Board of Examiners decision) or decision that the Student has plagiarised and/or colluded. Appeals submitted after this deadline with good reason for the delay may still be considered.
- 13.2 The Head of School must provide a response within 10 working days of receiving the Student's appeal from the Appeal Secretary.
- 13.3 If the Head of School decides to reconsider the original Stage One decision and submit the appeal to the Board of Examiners, the Student must receive notification of the outcome from the Appeal Secretary within 20 working days of the Head of School receiving the appeal.
- 13.4 A Panel hearing will normally take place within 30 working days of confirmation by the Student that s/he wishes to proceed with an 'oral' or 'paper' hearing. Papers will normally be circulated at least 5 working days before a hearing (whether 'oral' or 'paper') takes place.
- 13.5 If a Stage 2 Panel refers an academic appeal to a reconvened Board of Examiners, the Board of Examiners should normally meet within 30 working days of the Stage Two hearing. Notification of the decision of any reconvened Board of Examiners following a Panel Hearing shall be sent in writing to the Appeal Secretary within 5 working days of any reconvened Board.
- 13.6 The Appeal Secretary will normally advise the Student and Head of School of the outcome of the Stage Two appeal in writing within 5 working days of a Stage Two hearing or within 10 working days of the meeting of the reconvened Board of Examiners in accordance with Paragraph 13.5 above or in accordance with the terms of Paragraph 12.6 above.

### **14. Further right to appeal**

- 14.1 Following completion of Stage Two there is no further right to appeal within the University.
- 14.2 Students who are dissatisfied with the outcome of their Stage Two academic appeal, or whose appeal was rejected without a hearing, may complain to the Office of the Independent Adjudicator for Higher Education (OIA). Details will be provided in the letter advising the Student of the appeal's final outcome.

## APPENDIX A

For the purposes of the *Academic Appeals Procedure* the following definitions shall apply:

Academic Appeal or Appeal	an appeal made by a student about an academic result as described in this Procedure
Academic Result	may refer to : (1) the result of the <b>sole</b> exercise by <b>one</b> duly authorised Teacher or the Examiner of academic and/or professional expertise in determining the quality of a student's performance in any part of the assessment process for a degree or qualification of the University; and/or
	(2) the result of the exercise by <b>more than one</b> duly authorised Teacher or Examiner of academic and/or professional expertise in determining the quality of a student's performance in any part of the assessment process for a degree or qualification of the University. This is also referred to as an Academic Decision and includes : (a) the award of a Mark for work submitted for

	<p>assessment (for example, essay, report, dissertation, project);</p> <p>(b) the award of a Mark for a written, oral, practical or other examination;</p> <p>(c) the determination of the result of an oral or practical examination;</p> <p>(d) the determination of the result of a Fieldwork Placement;</p> <p>(e) the requirement that a student's performance be reassessed;</p> <p>(f) the progress of a student to a subsequent semester or year of study, including a decision to require transfer to a different degree course where permitted by the Regulations or to withdraw from the University;</p> <p>(g) the decision not to award the higher degree for which a student was registered;</p> <p>and</p> <p>(i) to allow a reassessment and/or the submission of a revised thesis/dissertation;</p> <p>or (ii) not to allow a reassessment and/or resubmission but to award a lower qualification (where permitted by the Regulations);</p> <p>or (iii) not to allow a reassessment and/or resubmission nor to award a lower qualification (where permitted by the Regulations);</p> <p>(iv) the determination of the result of a student's Final Assessment, including the degree classification and the award of a distinction or other special recognition where permitted by the Regulations</p>
Chair of Examiners	the duly appointed Chair of a Board of Examiners (Taught Programmes) or, where there is no such Board, one of the duly appointed Examiners (in the case of a research degree, this shall normally be the internal examiner) who shall be designated by the Head of School to act as Chair of Examiners for the purposes of this Procedure.
Examiner(s)	the Board of Examiners appointed by the Senate for groups of undergraduate and/or postgraduate students or the Examiner(s) appointed by the Senate for individual candidates for certain Higher Degrees.
Fieldwork Placement	such period(s) of assessed practical experience in settings external to UEA as may be required or permitted as part of programmes of study and/or practice, and including work, industrial, clinical and other professional placements.
Faculty	a grouping of Schools into one of four Faculties: Arts and

	Humanities, Medicine and Health Sciences, Science and Social Sciences.
Head of School	the Head of the relevant School (normally the Head of the Student's School of Studies, but occasionally the Head of the School most closely responsible for the matter complained of) or, in cases where the Head is a Teacher or Examiner whose Academic Result is the subject of the Appeal, a suitable substitute.
Higher Degrees	degrees and such other postgraduate qualifications (both Research Degrees and Taught Programmes) as are regulated by the University's Learning and Teaching Committee.
Mark	the mark or grade allocated by one or more Teacher and/or Examiner to a student's performance in any part of the assessment process for a degree or qualification of the University and which remains provisional until determined and awarded by the appropriate Examiners.
Notification of Result	the transmission to a student of an Academic Result by any one of the following means: (a) publication on an official University notice board; (b) delivery to a student in person; (c) delivery to a student's letter rack in the School or relevant University Service Office (as appropriate) in which he/she is registered; (d) despatch by post to a student's last known out-of-semester address; (e) via 'e'vision, the date of release of the result(s) being notified to a Student by prior e-mail.
	The date of the Notification of Result shall be the date of such publication or delivery in the case of (a), (b) and (e) or two Working Days after delivery or despatch in the case of (c) and (d) respectively in the School or relevant University Service Office, as appropriate.
Plagiarism and/ or Collusion	as defined in the policy on Plagiarism and Collusion in the University Calendar
Provisional Mark	a Mark issued to a student prior to its review and possible amendment by the appropriate Examiners. The Provisional Mark may have been allocated as a result of single- <u>or</u> double-marking.
Research Degrees	such Higher Degrees, based predominantly upon the conduct and/or presentation of research, as are designated by the

	University from time to time (and including, for example, PhD, ClinPsyD, DSW, EdD, MD, MPhil, MEd, MSW, MSc/MA/LLM by Research).
School	a School of Studies at UEA.
Taught Programmes	such degrees and other qualifications, at both undergraduate and postgraduate level, as are designated by the University from time to time (not being Research Degrees).
Teacher	a member of staff of UEA or such other person from UEA or elsewhere (e.g. a professional practitioner) who has been duly authorised to teach and/or assess all or parts of a programme or programmes of study and/or practice.
Unauthorised late submission of work submitted for assessment	As set out in the policy on Submission of Work for Assessment (Taught Programmes): extensions and penalties for unauthorised late submission, provisional marks and feedback) in the University Calendar.
Working Days	the weekdays Monday to Friday, including University breaks and vacations but excluding those weekdays when the University is officially closed (e.g. a Bank Holiday Monday).
Work submitted for assessment	work that is required to be submitted for assessment during a course including essays, class presentations, practical laboratory work, course tests, projects, reports or dissertations, but excluding examinations administered by the University Assessments Office.
	(The University Calendar may be consulted at the following web address: <a href="https://www.uea.ac.uk/ltqo/calendar">https://www.uea.ac.uk/ltqo/calendar</a> )

**INSTRUCTIONS TO EXAMINERS IN THE EVENT OF AN ACADEMIC APPEAL**

When Examiners/Boards of Examiners are required to review an academic result in the event of an appeal, they should proceed as follows:

**1 Reconsideration of an Academic Result where the result has been arrived at by a single Teacher or Examiner acting alone**

1.1 In the case of an appeal which concerns a student's dissatisfaction with an Academic Result arrived at by a single Teacher or Examiner acting alone, the Head of School shall first ask the Chair of the appropriate Examiners to confirm that the result in question has indeed been arrived at by a single Teacher or Examiner acting alone. If the result has in fact been derived from the exercise of academic and/or professional expertise by more than one Teacher or Examiner, the Head of School shall reject the appeal.

1.2 If the result in question is confirmed to the Head of School as being properly an Academic Result arrived at by a single Teacher or Examiner acting alone as defined in this Procedure:

- (a) where it is practicable to remark the student's performance, the Head of School shall ask the Chair of the appropriate Examiners:
  - (i) to arrange for the assessable material to be independently re-marked by another Teacher who shall not be made aware of the original Provisional Mark awarded;
- and (ii) to submit both the first, Provisional Mark and second Mark for an Academic Decision (see definition (2) of Academic Result) by the School Director of Learning, Teaching and Quality, who may adjust the original Provisional Mark upwards or downwards, prior to consideration by the relevant Board of Examiners.

That Academic Decision shall determine the Mark awarded and the Notification of Result shall take place in the usual way.

- (b) where it is not practicable to re-mark the student's performance (e.g. a Fieldwork Placement), the Head of School shall ask the Chair of the appropriate Examiners to ensure that all reports relating to that performance are expressly considered by the Examiners before an Academic Decision is taken (see definition 2 of Academic Result). That Academic Decision shall determine the Mark awarded and the Notification of Result shall take place in the usual way.

Note: Reconsideration of an academic result (under definition 1) may take place without having to pursue a formal academic appeal in accordance with Section 3.2 of the Academic Appeals Procedure.

## **2 Reconsideration of an Academic Decision (being definition 2 of Academic Result)**

2.1 The Head of School/Hearing Panel shall ask the Chair of the appropriate Examiners to arrange for the original Examiners (wherever practicable) to reconsider expeditiously their Academic Decision in the light of:

- (a) the reasons given by the Head of School/Hearing Panel;
- (b) where applicable, the correction of any administrative error affecting the recording or calculation of marks;
- (c) (in respect of taught programmes) where applicable, and where it has been practicable to re-mark the student's performance, the independent remarking by another Teacher or Examiner, to be nominated by the Chair of the appropriate Examiners and not to be made aware of the original Mark(s) awarded, of any part(s) of the assessment considered by the Head of School/Hearing Panel to have been affected by the grounds on which the Appeal has been upheld;
- (d) where applicable, and where it is not practicable to re-mark/regrade the student's performance (e.g. a fieldwork placement), the express review by the appropriate Examiners of all reports relating to the performance in any part of the assessment considered by the Head of School/Hearing Panel to have been affected by the grounds on which the Appeal has been upheld.

2.2 Where there is remarking in accordance with paragraph 2.1(c), the new Mark(s), which may be higher or lower than the original Mark(s), shall be submitted along with the original Mark(s) to the appropriate Examiners, who may adjust the original Mark(s) awarded upwards or downwards. That Academic Decision shall determine the Mark awarded. The Chair of the Examiners shall substitute the newly recorded Mark for the original Mark in the student's record and act in accordance with paragraph 2.3.

2.3 If the result of consideration under paragraphs 2.1 and/or any new mark(s) awarded under paragraph 2.2 does not result in a change affecting an academic decision, the appropriate Board of Examiners shall confirm the original academic decision with any new mark(s) substituted in the student's record.

2.4 If the result of consideration under paragraph 2.1 and/or any new mark(s) awarded under paragraph 2.2 results in a change which might reasonably have affected an academic decision by the same or other Examiners on:

- (a) the determination of the result of an oral or practical examination or of a Fieldwork Placement;
- (b) the requirement that a student's performance be reassessed;
- (c) the progress of a student to a subsequent semester or year of study;

- (d) the outcome of consideration for a higher degree;
- (e) the result of the Final Assessment (including the determination of the degree classification);

The original Board of Examiners (if practicable) shall reconvene at the earliest possible date (except that the external Examiner(s) may be consulted by video or telephone conference or, exceptionally, by correspondence via concession to the Academic Director of Taught Programmes/Postgraduate Research Degree Programmes) to reconsider the original academic decision in the light of the appeal and to make a final decision either to confirm or revise their original academic decision. If, in reconsidering its academic decision, the Board of Examiners determines that remedial action should take the form of (an) action(s) that require(s) a concession from the Learning and Teaching Committee, the Secretary to the Board of Examiners will seek evidence from the relevant University Service Office before reaching the final Academic Decision. The Chair shall inform the Head of School or Chair/Secretary of the Hearing Panel as appropriate of the final Academic Decision and of the reasons for making it. The Head of School/Secretary of the Hearing Panel shall notify the student in accordance with the procedure. Where necessary, the relevant Director of University Services shall authorise the publication of a Supplementary Pass List.

2.5 The outcome of the consideration conducted under paragraphs 2.3 and 2.4 and the timescales, shall be as set out in the relevant sections of the Academic Appeals Procedure (Sections 7, 8, 12 and 13).

### **3 Research Degrees – Submission of a Revised Thesis**

3.1 If the outcome of an academic appeal is that a revised thesis may be submitted, the following arrangements shall apply regarding the resubmission.

3.2 The Head of School shall ensure that any necessary and appropriate arrangements are made regarding supervision in accordance with normal practice and/or any conditions which have been notified by the Academic Director of Postgraduate Research Degree Programmes and/or prescribed by the Panel.

3.3 The original Examiners shall be informed of the decision to permit the submission of a revised thesis and shall be invited to make available any comments (in accordance with approved procedures) for the candidate's use.

3.4 If it becomes apparent as a result of additional study permitted following a decision under Section 12 of the *Academic Appeals Procedure* that the focus or scope of the original thesis has been so materially altered as to affect the choice of Examiners, the Head of School shall make appropriate recommendations to the Academic Director of Postgraduate Research Degree Programmes.

3.5 The Head of School shall make recommendations about the award of the

degree on the basis of the recommendations of the Examiners regarding the revised thesis and the Notification of Result shall then take place.

#### **4 Research Degrees – Appointment of New Examiners**

4.1 If the outcome of an academic appeal is that new Examiners are to be appointed, the following arrangements shall apply regarding the conduct of a fresh examination of the original thesis.

4.2 The Head of School shall recommend for appointment by the Senate new Examiners who shall be no less in number than the original Examiners and shall include at least two external Examiners. The Examiners when appointed shall be asked to conduct the fresh examination as soon as is reasonably practicable.

4.3 The Examiners shall be given no information about the previous examination except the single fact that they are conducting a re-examination as a result of an Appeal. The Examiners shall be informed that the new examination must be, and must be seen to be, independent of the initial examination and shall be invited to confirm that there are no circumstances to compromise such independence.

4.4 The Head of School shall make recommendations about the award of the degree on the basis of the recommendations of the new Examiners and the Notification of Result shall then take place.