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University
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Academic Appeals
A Guide for Students

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ACADEMIC APPEALS – A GUIDE FOR STUDENTS

The procedures governing ‘appeals against assessment’ are set out in Senate Regulation 12: Academic Appeals (SR12, effective from 1 August 2017) which can be found [here](#).

This guide is intended to supplement [Senate Regulation 12](#) and should be read in full before submitting an academic appeal. This guide is intended to provide an explanation of the important features of the appeals process, to help you decide on the best way to proceed with any concerns relating to assessment.

If you have a disability that requires any adjustments to the appeals process or documentation in alternative formats, please notify academic-appeals@brunel.ac.uk as soon as possible.

This guide is presented as a set of frequently asked questions:

- [1\) What is an academic appeal?](#)
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Changes to appeals timescales for students, from November 2016

If you have submitted an appeal in the past, please be aware that some of the procedural timings and deadlines of the appeals process (as set out in Senate Regulation 12) have changed as at 1 November 2016, as follows

- Informal early meeting to discuss concerns – within 5 working days of notification of confirmed results;
- Submission of appeal – 10 working days from notification of confirmed results;
- Submission of Request for Review – 10 working days from notification of academic appeal outcome.

1) What is an academic appeal?

An academic appeal is a procedure that allows a student to formally challenge the assessment or progress decision of a Panel or Board of Examiners, or of research degree Assessors or Examiners, under specific grounds. The procedures for an academic appeal are set out in [Senate Regulation 12](#) (SR12).

2) Which decisions can be appealed?

Senate Regulation 12.1 states that an academic appeal must relate to one or more of the following decisions of a Panel or Board of Examiners or of research degree Examiners:

- a) A mark or grade for any examination, test, practical assignment or project, thesis, dissertation or coursework which has been formally confirmed by the Examiners; and/or
- b) A formal recommendation of the Examiners that a student should obtain or not obtain an award of the University; and/or
- c) The class of degree or any mark of distinction recommended by the Examiners; and/or
- d) A formal recommendation by the Examiners that a student shall or shall not be permitted to proceed to the next year of a programme of study or repeat any module or programme or resubmit any material for assessment, or re-sit any examination; and/or

- e) For a postgraduate research student, the outcome of a formal progress review under Senate Regulation 5.16.

3) What are the valid grounds for academic appeals?

Senate Regulation 12.21 states that the valid grounds for appeal are:

- a) That there exist circumstances materially affecting your performance which were not known to the Examiners or progress review when the decision was taken, and which it was not reasonably practicable for you to have made known to the Examiners or progress review beforehand;
- b) That there were procedural irregularities in the conduct of the examinations and/or other assessment procedures, including assessment of coursework, of such a nature as to create a reasonable possibility that the result might have been different had they not occurred;
- c) That there is evidence of prejudice or bias on the part of one or more Examiners or members of staff conducting a progress review;
- d) That there is evidence of inadequate assessment on the part of one or more Examiners or members of staff conducting a progress review.

Appeals can only be made on one or more of the above grounds. Please note that you cannot appeal on the basis that the result you have achieved is worse than you would have wished, or worse than you feel you deserve; that is, **you cannot challenge academic judgement** (SR12.2). For example, if you have been given a lower mark than you feel is justified in an assessment, you would need to prove that there was a procedural irregularity in the assessment process, or prejudice or bias or inadequate assessment, or you were affected by extenuating circumstances which you were unable to disclose in good time.

Please also note that you cannot appeal against 'provisional' results, i.e. ones which have not yet been confirmed by a Board of Examiners.

4) What should I do if I am unhappy with my results?

If you have a concern about your results, you should discuss this informally in the first instance with a relevant staff member, such as your personal tutor, supervisor, module leader or course director. They should be able to clarify how the assessment process works, and may be able to give you feedback or otherwise help you understand your results and their implications.

- Any such discussion should take place as quickly as possible after results are released – and specifically within 5 working days if you may wish to submit an academic appeal.
- Involved staff should normally complete a Record of Informal Discussion form, of which you will receive a copy to confirm what their overall advice to you was.

Note that if you cannot demonstrate that you have tried to discuss your concerns with an appropriate member of staff, you will not normally be permitted to enter the formal appeal process.

5) What if my results have been affected by external factors?

Note that any formal extenuating circumstances claims must be submitted no later than five working days after the deadline or examination or affected assessment in line with the information provided in the [Extenuating Circumstances –Guidance for Students](#) document. If you later wish to appeal on grounds of SR12.21, that there were circumstances materially affecting your performance, you will need to show that it was not possible (or reasonably practicable) for you to submit an on-time ECs claim at an earlier point.

If you have not been able to resolve your concerns through the extenuating circumstances procedure, and believe that you have grounds for appeal as set out below, then you may pursue the academic appeals process as set out in these guidance notes. However, you should bear in mind that the academic appeals process will not normally consider ECs that have previously been presented to an EC Panel unless you can demonstrate that there was a procedural irregularity, or other error that materially affected the EC Panel's decision.

6) When can I submit an academic appeal?

You should wait until your Board of Examiners has met to consider your results. If you are not sure when the next Board of Examiners is for your programme of study, then please check with your TPO who will be able to advise you.

You are expected to raise any concerns over your results with an appropriate member of staff in the first instance. This should be done through an informal meeting, to take place as quickly as possible and at most within 5 working days of being notified of your results.

You should submit an academic appeal within 10 working days of the notification of your results. Any appeals submitted later are likely to be dismissed unless you can show a good reason why you could not submit on time. You will normally receive an acknowledgement of the receipt of your appeal within 2 working days

and the University aims to provide a formal update within 21 working days of receipt of your appeal.

If you are awaiting evidence which is not available by the deadline for submitting your appeal (for example, a medical certificate or a death certificate), you should simply submit the appeal on time, but with a clear statement about what further evidence you expect to send through later. Your appeal may need to be placed on hold until such time as that evidence is available, but doing it this way will help prevent your case from being dismissed due to lateness.

If you are providing evidence in a language that is not English you will need to arrange for these documents to be formally translated. Evidence in a language other than English, where formal translations have not been provided, will not be considered.

PLEASE NOTE:

The University has seen a number of instances where students have submitted falsified documents in support of their academic appeal. It takes such incidents very seriously and has resolved to report all such cases to the police. It has further resolved that all students suspected of submitting falsified documents should be subject to disciplinary action as per Senate Regulation 6. This could result in expulsion from the University and the loss of some or all credit.

7) How do I submit an academic appeal?

Academic appeals forms should normally be submitted electronically, using the standard '[Academic Appeal form](#)'. Any supporting evidence should be scanned and attached. Appeals should be emailed to the following email address academic-appeals@brunel.ac.uk.

If you are unable to submit your academic appeal electronically, please contact the Appeals, Complaints and Student Misconduct Manager in your College for advice and follow their instructions.

8) How should I prepare my appeal?

Putting your case together

Students are often tempted to include as much information as possible in their appeal, in the belief that this may strengthen their case. This would only be true if the information directly supported the point that was being made. Inclusion of

information not directly relevant to the subject of the appeal can lead to unnecessary delays, so you are advised to carefully consider the case you wish to bring in your appeal and include only information which is directly relevant.

You are strongly advised to speak to a member of the Advice and Representation Centre (ARC), of the Union of Brunel Students before submitting your appeal. They may also be able to accompany you to your informal meeting with the relevant member of staff in your Department. They offer impartial, free and confidential advice, have considerable experience in helping students put together requests for academic appeals. The ARC can be contacted on 01895 269169, via their online enquiry form [here](#) or by email to advice@brunel.ac.uk. ARC provide their own guidance to students about the University's appeals processes, available at:

<http://brunelstudents.com/advice/getadvice/universityprocedures/academicappeals>

Extenuating circumstances submitted out of time

If you are appealing on the grounds of extenuating circumstances, you will need to explain why you were not able to submit these at the appropriate time, in accordance with University policy and/or programme regulations. You will need to demonstrate that it was not reasonably practicable to make your extenuating circumstances known to the Board of Examiners, research degree Examiners, or members of staff conducting an annual review. Please read the [Extenuating Circumstances – Guidance for Students](#), and your College's handling of extenuating circumstances, which should be noted in your Student Handbook.

The nature of extenuating circumstances

Many students will have various distractions and responsibilities during their course, which will, at times, interfere with their studies. These may include financial and housing problems, relationship problems, and minor illnesses. The University has defined an extenuating circumstance as “A significant event which negatively affects a student's ability to submit work, attend an assessment or perform to their usual standard in an assessment of any type. It should be unavoidable, unexpected and beyond the control of the student”. An extenuating circumstance cannot be used as a justification for your failure to master the subjects you are studying, or to achieve the results you might have attained had you been able to attend and/or study more effectively. Before submitting an appeal you should consult your Student Handbook to find out how your College considers claims for extenuating circumstances. You should note that the University's Regulations do not permit Boards of Examiners to increase marks where extenuation is accepted. It is more likely that you would be offered the opportunity to be reassessed in affected modules for uncapped marks, although this is not guaranteed.

The effects of extenuating circumstances

It is especially important for students to demonstrate exactly how their circumstances have affected their performance in assessments; for example, a bout of flu in December is unlikely to have affected performance in examinations in May.

On-going and chronic problems

Students with a declared disability or chronic medical problem will be supported so that their conditions can be managed. If you have a support profile in place but experience a sudden worsening or increase in the impact of a disability or medical condition you should discuss this with your department and disability adviser as soon as possible. Where reasonable and practicable, adjustments will be made for you to avoid you having to make repeated claims for extenuation based on the same medical condition.

Circumstances relating to someone else

If you are submitting evidence in support of your appeal that relates to another person, e.g. a family member, then you must provide their written consent if that evidence relates to their race, ethnic origin, political views, religion, trade union membership, genetics, any ID biometric information, health, criminal convictions, offences, related security measures, sex life or sexual orientation. A failure to provide this consent may result in your appeal being delayed, or we may not be able to consider this aspect of your appeal. Any third party data you supply will be held for one year after the completion of your academic appeal.

9) What is the procedure after submitting an appeal?

The different procedural stages an appeal can go through are set out below. Most appeals are resolved at the Eligibility stage. If dissatisfied with a Panel outcome you can request an administrative review of how your appeal has been considered. If still dissatisfied, you would have recourse to external consideration by the Office of the Independent Adjudicator for Higher Education.

1) Eligibility check

- a. The University should acknowledge receipt of your academic appeal.
- b. An Appeals Officer will then conduct an 'eligibility check' on your submission to ensure it falls under the scope of an academic appeal. If so, it will be considered further. If not, your appeal may be dismissed – either because the submission does not fall under the scope of academic appeals as per SR12.1, or does not set out grounds as per SR12.21 (including due to lack of evidence), or because you submitted your appeal late and have not given a good reason for this.

- c. You should hear the outcome of this eligibility check within 21 days, including being told (if eligible) which member of staff will be appointed as Academic Investigator for your appeal. Please note that this may take longer at busy times of the year.
- d. If your appeal is turned down at the eligibility stage, you will not have the opportunity to resubmit it, or to appeal that decision within the University. The letter you receive will explain whether there are any further options available to you.

2) Investigation

- a) Once accepted, your appeal will be investigated by the nominated Academic Investigator (who may request further specific evidence or statements from you and/or the Department).
- b) The Academic Investigator will not have been previously involved in any element of your appeal and may request a meeting with you prior to the appeal outcome being decided.
- c) If you are asked to supply further evidence in support of your appeal, this should be done as soon as possible, and normally within 10 working days of the request.
- d) Once the Academic Investigator has completed their investigation, your appeal will normally be heard either by an Appeals Panel or Hearing Panel. The majority of appeals will be considered by an Appeals Panel but it may be appropriate for some more complex cases to be referred to a Hearing Panel. In exceptional cases, a decision will be made by the Chair of Academic Appeals Committee as per SR12.33.

3) Full consideration by an Academic Appeals Panel or Hearing Panel

- a. All of the information for the Panel will be sent to you before it is considered, normally by 5 working days before the scheduled Panel meeting. You will have the opportunity to comment on this set of information if you wish, but you will not be permitted to add any new evidence.
- b. After consideration, the Panel will determine one of three courses of action (SR12.35):

- i. to uphold your appeal either in full or in part, and require the relevant (Board of) Examiners to reconsider their earlier decision;
 - ii. to dismiss the appeal;
 - iii. To refer more complex cases to a Hearing Panel.
- c. The Secretary to the Panel will normally inform you of the outcome of the full consideration of your appeal within 5 working days of receipt of the decision being made (SR12.36). Please note that it may be necessary to defer your case to the next meeting, if the Panel requires additional information in relation to your appeal before it can make its decision.

4) Consideration by a Hearing Panel

- a. If an appeal is referred to a Hearing Panel, either following the Academic Investigation stage or after full consideration by a Panel, you will be invited to attend a Hearing in which you have the opportunity to state your case and call witnesses relevant to your appeal. Representatives from your College will also be invited to attend and they also have the opportunity to state their case and call any witnesses. The Chair of the Hearing Panel may also nominate witnesses to attend (SR12.40).
- b. All parties will be notified of the date of the Hearing at least 10 working days in advance, and you will have the right to be accompanied by a representative¹ and/or friend. Neither you nor the University will be entitled to legal representation at the Hearing Panel (SR12.38 and SR12.12).
- c. You will be sent a copy of the documentation considered by the Hearing Panel, as well as being invited to make any additional comments if you wish to do so. This also applies to the College. If you wish to invite witnesses to attend the Hearing, you are responsible for ensuring that they turn up, and the Panel reserves the right to proceed with the Hearing without them. This applies to the College as well, and all parties have the opportunity to ask questions of all witnesses invited (SR12.41).
- d. The Chair of the Hearing Panel has the right to refuse to admit evidence or hear witnesses if it was felt that they were not relevant to the appeal (SR12.44). They are also able to determine whether a Hearing Panel

¹ Only a current student or member of staff of the University, or an advice worker from the Union of Brunel Students, or a relevant individual in the case of reasonable adjustments being made for a disabled student shall normally be permitted to be a representative or friend of the student.

should be postponed or adjourned (for example, if evidence was supplied from either party without sufficient notice for it to be circulated and properly considered by all parties, or if there was good cause to do so (SR12.47). Any postponement or adjournment would not normally be for more than 10 working days.

- e. The Chair of the Hearing Panel also has the right to proceed with the Hearing in the absence of a student, provided they were satisfied that enough notice of the date of the Hearing Panel had been given (SR12.38).
- f. After full consideration of your appeal, the Hearing Panel will determine one of the following outcomes (SR12.48):
 - i. To uphold your appeal either in full or in part, and require the relevant (Board of) Examiners to reconsider their earlier decision; or
 - ii. To dismiss the appeal.
- g. The Secretary to the Hearing Panel will normally notify you of the outcome of the Hearing Panel within 5 working days of the hearing.

10) What should I do whilst awaiting the outcome of the appeal?

Even though you have submitted an academic appeal, you should follow the course of action determined by the Board of Examiners, research degree Examiners or members of staff involved in a review process; for example, if you have been asked to withdraw from your programme, you should not attend lectures or seminars. If your appeal is subsequently upheld, the University will tell you what action needs to be taken to continue your studies.

11) Do I need to attend a meeting?

If you have concerns about your academic results, you should first raise the concerns informally with an appropriate member of staff at the point the concern arises, normally within 5 working days after notification of your results. This discussion can also take place via telephone or Skype if appropriate. You are entitled to a brief record of the discussion, normally a 'Record of Informal Discussion' form.

If you subsequently submit a University appeal you will only be required to attend a meeting if the Academic Appeals Committee or a Panel agree that a Hearing Panel should be convened (SR12.32).

You may be invited to meet with the Academic Investigator. The meeting should represent an opportunity for open and constructive discussion of the case and the evidence submitted, and not be a formal interview; although a record should be kept.

12) Can I see copies of the documents used to consider my appeal?

Once the Academic Investigator has completed their investigation your appeal will be considered either by an Appeals Panel or a Hearing Panel. You will be sent a full copy of all the documentation to be considered in reaching a decision regarding your appeal. You will also be invited to comment on the documentation prior to its consideration.

If after full consideration of your appeal by the Academic Appeals Panel it is determined that a Hearing Panel should be convened, you will be sent a copy of all the documentation seen by the Panel.

You will not usually be sent documentation at other points, except for correspondence in relation to the receipt, progress or outcome of your appeal.

13) What happens if my appeal is dismissed?

If the decision of the University is that your appeal should be dismissed following consideration at the eligibility stage, it will be reviewed by the Chairman of Academic Appeals Committee, or their nominee, in order for the decision to be ratified and you will be advised of the outcome by the Appeals Officer. At this point you will have exhausted the internal proceedings of the University. You will be issued with a Completion of Procedures letter. This letter will advise you that the processes of the [Office of the Independent Adjudicator](#) now apply where you are dissatisfied with the outcome of your appeal, and wish to take your grievance outside of the University; time limits will apply to this process.

If after full consideration of your appeal by the Appeals Panel or Hearing Panel and you are not satisfied with the decision, you will not be permitted a further submission of an appeal. However you would be entitled to request a Review of Procedures, if you feel that your appeal has not been given full and proper consideration (SR12.55-57). Such a request, normally in the form of an email or letter, should be sent to academic-appeals@brunel.ac.uk.

After completing a Review, the designated Officer of the University may make recommendations to the Chairman of the Academic Appeals Committee regarding any further actions that should be taken to ensure your appeal is given full and proper consideration, or they may dismiss your request. In any case, you should

normally be notified of the decision of the Officer undertaking the Review within 10 working days.

If you decide that you do not want to submit a request for a Review of Procedures, then following a decision being reached after full consideration of your appeal by the Committee/Panel or Hearing Panel, you may request a Completion of Procedures letter as above.

14) Request for a Review of Procedures

If after consideration by either the Academic Appeals Panel, or Hearing Panel, you consider that your academic appeal has not been given full and proper consideration, you are entitled to make a written request to an Officer of the University, for a Review of Procedures, within 10 working days of receiving the final decision of the outcome of your appeal (SR12.55).

15) Who should I contact if I have any queries?

You are expected to discuss any concerns you might have with the appropriate academic in your department in the first instance. The Appeals, Complaints and Student Misconduct Manager in your College can offer advice about the process of submitting an academic appeal via the email contact for your College below. Alternatively, you may wish to speak to the Advice and Representation Centre (ARC) of the Union of Brunel Students (UBS) for further guidance; they can be contacted via their online [enquiry form](#) or via email at advice@brunel.ac.uk.

- Appeals-cbass@brunel.ac.uk
- Appeals-cedps@brunel.ac.uk
- Appeals-chls@brunel.ac.uk