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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 November 2021) 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:

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1) What is an academic appeal?

An academic appeal is the 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;
- b) A formal recommendation of the Examiners that a student should obtain or not obtain an award of the University;
- c) The class of degree or any mark of distinction recommended by the Examiners;
- 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;
- 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 is evidence that the assessment(s) may have been adversely affected by extenuating circumstances which the student was, for valid reasons, unable to make known to the Examiners or progress review beforehand.
- b) That there were procedural irregularities in the conduct of the assessment(s) and/or assessment procedures, which adversely affected the result achieved;
- c) That there is evidence of prejudice or bias on the part of one or more of the assessors, Examiners, or members of staff conducting a progress review;
- d) That there is evidence of inadequate assessment on the part of one or more of the assessors, 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. Your Personal Tutor, or your Taught Programmes Office (TPO) will be able to advise you when the next meeting of your Board of Examiners will be.

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. This is known as the Early Resolution stage and you must be able to demonstrate you have engaged in this stage before you can submit a formal academic appeal. 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. You can discuss your concerns with someone prior to the meeting of the Board of Examiners, but you should bear in mind that until the Panel and Board of Examiners takes place, your results are provisional and are subject to change.

You should check with your Department to see if they are offering a Results Service to support you if you are not happy with the decision of the Board of Examiners and you may wish to combine your Early Resolution discussion at this time. Your TPO or Personal Tutor will be able to give you information about how to access this and you should also check the information provided to you on eVision as this may tell you who to contact. You should make clear to the tutor you speak to that you would like an Early Resolution email, or completed form.

- Any such discussion should take place as quickly as possible after your results are released following the Board of Examiners– and specifically within 5 working days if you may wish to submit an academic appeal.
- Involved staff should normally complete an Early Resolution 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 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 (ECs) 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 SR12.27a, that there is evidence your assessment(s) may have been adversely affected by extenuating circumstances, 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 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 about your results with an appropriate member of staff in the first instance. This should be done through the Early Resolution Process, to take place as quickly as possible and ideally within 5 working days of being notified of your results. Please ensure you carefully check the eVision notification of your results as this may tell you who to speak to if you are dissatisfied with the decision of the Board of Examiners. Your TPO or your Personal Tutor will also be able to advise you at this time.

You should submit an academic appeal no later than 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 an update within 10 working days of receipt of your appeal.

If you are awaiting evidence which is not available to you by the deadline for submitting your appeal (for example, a medical certificate or a death certificate), you should submit your appeal on time, but make a clear statement in the under section 5.25 (Supporting Evidence) 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 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.

If you are waiting to speak to an Adviser in the Union Advice Service (UAS) at the time of the deadline for submitting your academic appeal, wait until you have spoken to them and ensure that you include your correspondence, or an email from them explaining you have been delayed because of their availability. This will ensure your academic appeal has been made in good time. Please note however, that you must approach the UAS in good time before your appeal deadline.

7) How do I submit an academic appeal?

Academic appeals forms should be submitted electronically, using the '[Academic Appeal form](#)'. Any supporting evidence should be uploaded to the electronic form in.pdf format. The electronic form will allow you to submit 10 pieces of electronic evidence. If you are trying to submit more than 10 pieces of evidence, or your file size is larger than 1GB please contact academic-appeals@brunel.ac.uk about how to do this.

If you are unable to submit your academic appeal by this method for example, due to a known disability, please contact academic-appeals@brunel.ac.uk for advice prior to the 10-day deadline for the submission of your academic appeal.

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 should bear in mind that you cannot bring forward matters that occurred before a previous Board of Examiners. For example if, after a reassessment opportunity you want to tell us about something which happened during your first attempt, you must explain why you could not tell us about that matter when it was first considered by a Board of Examiners.

You are strongly advised to speak to a member of the Union Advice Service (UAS), in the Union of Brunel Students before submitting your appeal. They may also be able to accompany you to your Early Resolution meeting with the relevant member of staff in your Department. They can offer you impartial, free and confidential advice, and they have considerable experience in helping students put together requests for academic appeals. The UAS website address is www.brunelstudents.com/advice-service and you can contact them by emailing on advice@brunel.ac.uk. You can also book a drop in appointment via this link [Union's Advice Service \(office365.com\)](http://Union's Advice Service (office365.com))

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 BruNet for further information.

The nature of extenuating circumstances

Many students will have various distractions and responsibilities during their programme, 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 academic 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 Board of Examiners to increase marks where extenuation is accepted. It is more likely that you will be offered the opportunity to be reassessed in affected modules for uncapped marks/grades, although this is not guaranteed.

The effects of extenuating circumstances

It is especially important for you to demonstrate exactly how your circumstances have affected your 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.

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 you are dissatisfied with an outcome made by your College, or by a Panel you can request an administrative review of how your appeal has been considered. If you are still dissatisfied, you can request a Completion of Procedures letter, if you have not already received one. This will give you the opportunity to submit a complaint to the Office of the Independent Adjudicator for Higher Education.

1) Eligibility check

- a. The University will acknowledge receipt of your academic appeal.
- b. An Appeals Officer will then conduct an 'eligibility check' on your submission to ensure it falls within the scope of an academic appeal. If your academic appeal meets the criteria, it will be considered further. If it does 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 SR12.27 (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 10 working 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 can contest the decision however, you will not be able to provide any additional evidence. You should submit your contestation to academic-appeals@brunel.ac.uk where the Manager of the Office for Student Complaints, Conduct and Appeals will consider your request. The letter you receive will explain whether there are any further options available to you. If your contestation is not successful, you will be issued with a Completion of Procedures Letter.

2) Investigation

- a) If your academic appeal is accepted at the eligibility stage, your appeal will be investigated by an academic investigator in your College who has not previously been involved in your case, along with the College Appeals, Complaints and Students Misconduct Manager (or nominee). During the course of their investigation they may request further specific evidence or statements from you and/or your Department).
- b) 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.

c) Once the Investigation Team has completed their investigation, they will decide what should happen next:

- Your appeal may be upheld in full, or in part, with recommendations about how to resolve it;
- Your appeal may be dismissed;
- It may be referred to an Academic Appeals Panel, if they determine it requires further consideration. This decision will be made in consultation with a Vice Chancellor's Representative (VCR) who will ratify the decision, or make an alternative recommendation in consultation with the Investigation Team.

3) Full consideration by an Academic Appeals Panel

a. All of the information for the Panel will be sent to you before it is considered, normally by 10 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. You will be invited to attend the Panel and call any witnesses to support your case. You will be responsible for arranging for any witnesses to attend the hearing.

b. If you wish to be supported at this stage you should bear in mind that Senate Regulation 12.12 makes clear that you are not permitted to be represented or supported by a legal representative. Senate Regulation 12.11 explains who can support you:

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

c. If, for good reason you are unable to attend the Panel and wish to do so, you should make this known to the Clerk and Secretary to Academic Appeals Committee as soon as possible. If it is agreed you have compelling grounds why you cannot attend the scheduled Panel it will be rescheduled on one further occasion only.

d. After consideration, the Panel will determine whether the ground(s) of appeal have been met or not. Where the ground(s) have been met, the Panel will decide whether to modify or confirm the decision you appealed against. Where the ground(s) have not been met, the original decision of the Board of Examiners will stand. The Panel may also reject your academic appeal on the basis of the eligibility grounds, or on the basis that your appeal is a challenge to academic judgment.

e. The Secretary to the Panel will normally inform you of the outcome of your appeal within 5 working days of the Panel. 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.

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 undertake reassessments, you must prepare for, and take these until you are advised otherwise. 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 Early Resolution discussion can also take place via telephone or online if appropriate. You are entitled to a brief record of the discussion, normally a 'Record of Early Resolution' form.

If you subsequently submit a University appeal you will only be required to attend a meeting if your case is referred to a Panel.

You may be invited to meet with the Investigation Team. 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 and you should expect a copy of the meeting notes/outcome.

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

If your case is considered by an Investigation Team and is dismissed at this stage, you will be able to request a copy of the evidence that has been used to make this decision. If your academic appeal is referred to a Panel following investigation you will be sent a full copy of all the documentation to be considered by the Panel in reaching a decision regarding your appeal. You will also be invited to comment on the documentation prior to its consideration and you will be able to present your case to the Panel if you wish.

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 at the eligibility stage, you will have the right to contest that decision (see the [eligibility check section](#) above).

If your appeal is dismissed either by your College, or an Academic Appeals Panel at Stage 1, you will be able to submit a Stage 2 Appeal. You should do this by submitting a Stage 2 Form within 10 days of the notification of your academic appeal. If you submit your request after this time, your request will only be accepted at the discretion of the Head of Student

Affairs and Casework. You must make clear if you intend to submit new evidence at this point in time, and you must submit that evidence within a further 5 working days.

The Head of Student Affairs and Casework (or nominee) will determine whether the ground(s) for appeal have been met. Where they have, a Review Panel will be convened; otherwise your appeal will be dismissed and you will be issued with a Completion of Procedures letter.

Where a Review Panel is convened, your appeal will be considered by two senior Officers of the University, neither of whom will have been previously involved in the appeal, supported by a member of the Office for Student Complaints, Conduct and Appeals, acting as Clerk to the Panel. The Review Panel will normally consider your Stage 2 appeal within 10 working days of the decision to refer the appeal to them.

The Review Panel will consider your grounds for a review of your academic appeal decision whether there is sufficient reason to challenge the decision made at Stage One. If the Panel decides your Stage 2 appeal should be upheld, they will decide what should happen to your case. This may mean they will make a new decision to place the one made at Stage 1, they can refer your case back to the Investigators or the Academic Appeals Panel to be reconsidered. If the Panel decides your Stage 1 decision is reasonable, your Stage 2 appeal will be dismissed and the outcome of the Stage One Appeal will stand and you will be issued with a Completion of Procedures Letter.

If you decide that you do not want to submit a Stage 2 appeal, then following a decision being reached after full consideration of your appeal by your College or a Panel, you may request a Completion of Procedures letter however, you should note that the [Office of the Independent Adjudicator](#) will normally only consider a complaint where the University's procedures have been exhausted.

14) 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 Team in your College can offer you advice about who you should contact about the Early Resolution stage and what to do afterwards if you remain dissatisfied with the decision made. Alternatively, you may wish to speak to the Union Advice Service (UAS) in 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
- Acsm-chmls@brunel.ac.uk