

# The University of Manchester

## Regulation XIX

### Academic Appeals Procedure

#### **Notes:**

- (i) This Procedure may be used only when there are eligible grounds for doing so (as specified in paragraph 2 below) and may not be used simply because a student is dissatisfied with the outcome of his or her assessment or other decision concerning their academic position or progress.
- (ii) This Procedure is available to students registered on programmes of study at the University. For the purposes of this Procedure, the term “student” will include also those who have recently been registered as a student at the University.
- (iii) The Procedure is not available to students registered in a partner organisation on recognised programmes of study. Those students should use the mechanisms and procedures for considering academic appeals which are in place within the partner organisation. However, such students may be able to submit a final request to the University for a review of the partner organisation’s final decision within ten working days of the decision being issued if they believe that their case has not been dealt with appropriately by the partner organisation (see paragraph 10 of this Procedure).
- (iv) An appeal which questions the academic or professional judgement of those charged with the responsibility for assessing a student’s academic performance or professional competence will not be permitted.
- (v) A student may submit an appeal only on his or her own behalf; an appeal submitted by a third party will not be accepted unless accompanied by written authorisation from the student.
- (vi) A student thinking of appealing should discuss the matter with his or her academic adviser, personal tutor, supervisor, programme director or other appropriate person in the School before doing so in order to better understand the reason for the result or decision against which they wish to appeal. A formal appeal should only be submitted if a student remains dissatisfied once informal avenues have been exhausted.
- (vii) Any reference in these procedures to named officers should be read also as a reference in each case to a delegated nominee.
- (viii) The University reserves the right to postpone considering, dealing with and/or responding to an academic appeal when the student is pursuing legal proceedings against the University.
- (ix) All appeals will be dealt with in confidence with the proviso that enquiries will have to be made to investigate the matters that are the subject of the appeal.

#### **Scope**

1. This Procedure may be used by students who wish to appeal against a final decision of an Examination Board, or a progress committee, or a graduate committee or equivalent body (“equivalent body”) which affects a student’s academic status or progress in the University, including (but not limited to) the following:
  - a) a decision that the student be expelled from the University or be excluded from his or her programme, or element of programme, of study on grounds of unsatisfactory progress or failure to meet academic or professional requirements, or arising from unsatisfactory work and attendance;
  - b) a requirement that the student interrupt his or her studies on grounds of unsatisfactory progress or failure to meet academic or professional requirements;
  - c) a requirement that the student transfers to a programme offering a qualification of lower rank, for example:
    - (i) Doctor to Master’s degree;
    - (ii) Master’s degree to Diploma;
    - (iii) Honours degree to Ordinary degree;

- d) a decision not to allow the student to progress from Diploma to Master's degree or from a Master's to a Doctoral degree;
- e) a decision not to award a postgraduate qualification and, if appropriate, not to allow resubmission of a thesis or dissertation for a Doctoral or Master's degree;
- f) the result of a formal assessment or the award of a particular degree classification;
- g) a decision not to allow the student to interrupt his or her studies.

## Grounds for Appeal

2. An appeal may be made only on grounds alleging:

- a) that there exists or existed circumstances affecting the student's performance of which, for a credible and compelling reason, the Examination Board or equivalent body may not have been made aware when the decision was taken and which might have had a material effect on the decision [**Note: if students wish to appeal on such grounds, they must give credible and compelling reasons with supporting documentation explaining why this information was not made available prior to the decision being made.**];
- b) that there had been a material administrative error or procedural irregularity in the assessment process or in putting into effect the regulations for the programme of study of such a nature as to cause significant doubt whether the decision might have been different if the error or irregularity had not occurred;
- c) that there is evidence of prejudice or bias or lack of proper assessment on the part of one or more of the examiners;
- d) that the supervision or training of the student in respect of research for a dissertation or thesis or equivalent work was unsatisfactory to the point that his or her performance was seriously affected [**Note: if students wish to appeal on such grounds but the supervisory concerns arose significantly before the assessment result against which they are appealing, and without it having been raised in writing with the School before the appeal, the student must provide credible and compelling reasons for only raising these concerns at appeal.**].

An appeal which questions the academic or professional judgement of those charged with the responsibility for assessing a student's academic performance or professional competence will not be permitted.

## Formal Procedure

- 3. If a student remains dissatisfied with the result or decision once informal avenues have been exhausted and believes there are valid grounds for appeal (as specified in paragraph 2 above), he/she may invoke the formal appeal procedure. The student may seek advice and guidance in preparing the appeal from the Students' Union Advice Service (<http://manchesterstudentsunion.com/advice/service>), or from his or her Faculty or School Office, or from the Information, Advice and Guidance Service in the Atrium (<https://uomtheatrium.wordpress.com/>). A quick guide to Academic Appeals is also available online (<http://documents.manchester.ac.uk/display.aspx?DocID=23874>).
- 4. A formal appeal may be initiated by completing an Appeals Form and submitting it to the appropriate Faculty Office within 20 working days of notification of the result or decision. The student should submit with the Form any relevant supporting evidence, e.g., emails and other correspondence that he or she wishes to be considered in the appeal. Such evidence should normally be contemporaneous, and capable of verification. All evidence should be written in English or, if not, certifiably translated.  
[**Note:** in respect of appeals against refusal to allow a student permission to take an examination or other form of assessment on grounds of unsatisfactory work and attendance,

the appeal must be submitted within ten working days of notification of that decision in order to allow sufficient time for the appeal to be considered.]

5. On receipt of the formal appeal, a nominated member of staff in the Faculty Office will initially consider whether the appeal is made on one or more of the grounds specified in paragraph 2 above and if it has been submitted in the timeframe specified in paragraph 4 above. If this test fails, the student will be notified within ten working days of the appeal being received that the appeal is not eligible, with reasons given. There will be no opportunity for the student to appeal against this decision within the University and the student will be issued with a Completion of Procedures Letter (see paragraph 15).
6. If the appeal is shown to have been made on one or more of the grounds set out in paragraph 2, then the Faculty Officer will obtain comments on the appeal from the Head of School, Programme Director, Supervisor or other appropriate person. The student will be sent a copy of the comments obtained by the Faculty Officer and invited to submit a response usually within five working days. The appeal will then be considered by the Dean of the Faculty (or his/her nominee) and the Faculty Officer.  
[Note: in situations where the Dean was party to the original decision against which the student is appealing, his or her role in considering the appeal will be taken by another senior academic member of staff in the Faculty or, if necessary, from another Faculty.]
7. If, at any time during these enquiries, the School or other appropriate body decides, on the basis of the information contained in the appeal, to reconsider the matter about which the appeal has been made and to substitute an alternative outcome, the student will be notified accordingly, the appeal procedure will cease and the student will be issued with a Completion of Procedures Letter (see paragraph 15).
8. The Faculty Officers, having considered the formal appeal, may determine that:
  - a) the appeal does not have substance, in which event the student will be informed of this decision in writing, normally within 30 working days of the appeal having been received. The student will be given reasons for the decision. If the student believes that their appeal has not been dealt with properly and fairly, he/she has the right to request a review of the handling of their appeal (see paragraph 10).
  - b) the appeal has identified relevant matters that were not known to those making the original decision or that there had been procedural or administrative errors which might have affected that decision, in which event the case will be referred back to the original Examination Board or equivalent body for reconsideration taking into account any new information, or any guidance and/or recommendations, from the Faculty Officers. The Faculty Officers should normally inform the student of their findings within 30 working days of the appeal having been received. The reconvened Examination Board or equivalent body will have the power to confirm or alter its original decision. Where the original decision is confirmed, the student will be given reasons for that decision. There will be no opportunity for the student to appeal against the decision of the reconvened Examination Board or equivalent body and the student will be issued with a Completion of Procedures Letter (see paragraph 15).
  - c) the appeal has raised serious or complex matters which require further investigation and enquiry, in which event the case will be referred to an Appeal Panel (see paragraph 10).
9. Except in matters concerning academic judgement, in making a determination under section 8 of the Procedure, the Dean of the Faculty (or his/her nominee) and the Faculty Officer may make recommendations to address issues that have been identified through the consideration of the academic appeal.
10. Students whose appeal has been dismissed by the Faculty as being without substance, can request a Review if they believe that their appeal has not been handled properly or fairly or if

the student has new evidence which they were unable (for credible and compelling reasons) to provide to the Faculty. Requests for Review, with reasons given, should be submitted in writing to the Director of Teaching and Learning Support in the Teaching and Learning Support Office (TLSO) within ten working days of receipt of the letter from the Faculty informing them of the outcome. The Director of Teaching and Learning Support will review the documents relating to the case in order to determine whether the case has been handled properly and the decision is reasonable in the light of the available evidence or if any new evidence should be accepted. During the Review, further information may be sought from the student and/or from others concerned. The student will be informed of the outcome of the Review in writing, normally within 20 working days of the Request for Review having been received. The Director of Teaching and Learning Support may make a determination as outlined under paragraphs 8 and 9 of this Procedure; the student will be given reasons for the decision. The decision of the Director of Teaching and Learning Support or nominee will be final in the University (see paragraph 15).

### **Appeal Panel**

11. Appeals which are considered by the Faculty Officers or by the Director of Teaching and Learning Support to raise serious or complex matters which require further investigation and enquiry will be referred to an Appeal Panel. The composition of the Appeal Panel will be as follows, the members being drawn from Faculties other than those in which the appellant is or has been registered:
  - A Dean of a Faculty or an Associate Dean (in the Chair);
  - A chair of a Faculty or School Graduate Committee, a Research Degrees Committee, or an Undergraduate Committee, or equivalent as appropriate;
  - One other member of academic staff drawn from a panel of such staff appointed from time to time by the Senate.
  - A student member (nominated by the Students' Union)
12. The student will be given ten working days' notice of the date and time of the Appeal Panel meeting and will be invited to attend the meeting of the Appeal Panel to present his or her case. Where the student decides not to attend, the Panel may proceed in his or her absence. The student may be accompanied at the meeting by a fellow student, a member of staff or an Officer or member of staff of the Students' Union. The student will be sent copies of all documents to be made available to the Appeal Panel. The Appeal Panel is empowered to call members of staff with knowledge of the case to attend the meeting to give evidence and to correspond with external examiners or others as appropriate. The student and the accompanying person will be permitted to speak and to question any persons giving oral evidence to the Panel.
13. Having considered the evidence, the Appeal Panel may:
  - a) reject the appeal, in which case the student will be given reasons for the decision. If the appeal is rejected, there is no further right of appeal within the University; or
  - b) refer the appeal back to the original Examination Board or equivalent body for reconsideration taking into account any new information, or any guidance and/or recommendations, from the Appeal Panel. The reconvened Examination Board or equivalent body will have the power to confirm or alter its original decision; or
  - c) revoke the original decision of the Examination Board or equivalent body and, as appropriate, require the appropriate School to allow the student a further opportunity to satisfy the requirements for continuation on the programme or element of the programme; or
  - d) revoke the original decision not to award a postgraduate research degree or not allow resubmission for a Doctor or Master's degree and to direct that the examiners reconsider their decision for reasons stated; or direct that a fresh examination be held with new

examiners to be appointed in accordance with new procedures; or direct that the student be given permission to resubmit the thesis for examination following revision.

14. The student will be informed of the Appeal Panel's decision, with reasons, within ten working days and will be issued with a Completion of Procedures Letter (see paragraph 15).

### Conclusion of the Academic Appeals Procedure

15. At the conclusion of the Procedure, students will be issued with a Completion of Procedures Letter. There are no other appeals procedures within the University beyond those detailed above. Students who believe that their case has not been dealt with properly by the University or that the outcome is unreasonable may be able to complain to the Office of the Independent Adjudicator for Higher Education (OIA) if the complaint is eligible under its rules and once all internal procedures have been concluded.

[Note: information about the role of the OIA and the procedure for submitting complaints can be obtained from the Students' Union Advice Service or from the OIA website: [www.oiahe.org.uk](http://www.oiahe.org.uk).]

### Annual Report

16. Each year, the Director of Teaching and Learning Support will prepare a report for the Senate on the number and nature of appeals, identifying any general issues that may have arisen.

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