Appeals and Representations following assessment of students registered

for all programmes

**1 Context**

Students may wish to put forward a case regarding their results or continuation of study as result of various factors. Depending on the factors cited, the case will be considered either as an [Appeal](#Appeal" \o "Broadly ‘things went wrong with my life and studies') a potential [Administrative Error](#Administraive_error" \o "e.g. Did College count my authorised absence? I have recalculated my results and get a different answer) or a [Complaint.](#Complaint" \o "I think the College got things wrong and I failed as a result)

A student who makes an appeal will suffer no disadvantage as a result of making an appeal.

**2. Related Procedures**

* 1. Where a student claims that the actions or inactions of RVC or external staff or other College provisions for their learning have resulted in the student’s underperformance, this will be treated as a complaint using the College’s complaints procedure. (See below)

2.2 At any stage of this process the staff involved can refer the student to the professional [requirements procedure](#requirements_procedure" \o "An incident will only be considered under one procedure). Should this occur this procedure will be suspended unless and until it is referred back to this procedure. If the matter is not referred back then this procedure will be considered complete.

# Right of Appeal and Allowable Grounds for Appeal

Where a decision (the [‘first decision’](#first_decision" \o "i.e. the meeting that produced your result)) of a [Student Performance and Development Panel](#Student_Performance_and_Developent_Panel" \o "This could be an appraisal for research degree students, or a progress panel for clinical interns or residents, an Academic Progress Panel for other courses), Board of Examiners, Research Degrees Committee or previous Appeals Panel, (the ‘Panel’) has resulted in a student no longer having the right to:

* + progress or gain the award on the programme for which they originally registered, or
	+ gain a pass on particular option module at FHEQ [level 6 or 7](#level_6_or_7" \o "Level 6 is final honours degree level and Level 7 is postgraduate level) where a substitute module is unacceptable to the student,

any appeal has to be on one or more of the following grounds:

1. that there was an [error](#error" \o "This would be rare, but not impossible) in the procedure followed by the Board or Panel that might have resulted in an incorrect decision;
2. that the student’s failure or ineligibility for award was caused by [extenuating circumstances](#extenuating_circumstance" \o "i.e. things you could not control very much went wrong and meant you could not study properly or do well in assessments) significantly outwith the control of the student and more severe than typical circumstances experienced by their peers and that the student could not reasonably have used the options for deferral of assessment or appraisal;
3. that significant new evidence has come to light, which could not have been presented at the time of the first decision and is relevant to the first decision;

and/or

1. that there was an administrative error.

Where a student on a taught course [wishes to contest](#wishes_to_contest" \o "e.g. you gained a 2:2 and thought you deserved 2:1 or an MPhil rather than a PhD) an end of year result or a degree classification any appeal has to be on one or more of the following grounds:

1. that there was an error in the procedure followed by the Board or Panel that might have resulted in an incorrect decision; and/or
2. that there was an administrative error.

A student may not contest the academic [judgement of the Examiners.](#Judgement_of_the_Examiners" \o "If you think you passed but got a lower result because the College did something wrong, then use the Complaints procedure instead)

# [Administrative Error](#Administrative_Error" \o "Administrative errors are rare, but if they occur we try to solve them quickly)

(d and f above)

Where a student claims that there was an administrative error that might have resulted in an incorrect decision regarding progress or actual result, the Chair of the Board of Examiners, Research Degrees Committee or Progress Panel will be informed and the Academic Registrar or his/her nominee will initiate an investigation and report. Following receipt of the report, if an error is uncovered the Chair of the Board or Panel, where necessary in consultation with the External Examiners, will formally agree a change of result.

# Direction to Appeal or Complaints Procedure

Only formal written complaints or appeals will be considered. On receipt of the letter, the Academic Registrar or his/her nominee will determine whether the matter should be treated as an [Appeal, Administrative Error or Complaint](#Appeal_Administrative_Error_or_Complaint" \o "Sometimes a student writes an appeal letter & it’s a mixture of life events & things they thought the College did wrong. In such cases a choice will be made about the procedure to use. Procedure used depends on what are the weightier matters in the letter) and direct the case to the appropriate mechanism.

# Procedure for Appeals

* 1. Students who have failed will be notified of their right of appeal in a letter. The letter will indicate the deadline for submission of appeals. Appeals must be submitted to the Academic Registrar or his/her nominee by the due deadline. The deadline shall be not less than one month after the first decision concerning progress.
	2. The [deadline](#deadline" \o "If you miss the date for the next panel meeting but are within three months, we will send the appeal to the next available panel) will reflect the date paperwork is required for the next available panel meeting
	3. Appeals will be accepted after that date but [not later than three months](#not_later_than_three_months" \o "This is a firm deadline do not miss it) after the date of the letter.
	4. The appeal shall consist of a [written statement](#written_statement" \o "Read the Advice following a ‘Requirement to Withdraw from the Course’ document when writing your letter it will help you) from the student together with supporting evidence from relevant parties such as medical practitioners, family members, and RVC staff. The student should include a self-appraisal of their attendance and engagement with the course. Students are advised to consult tutors/supervisors and other professional sources of advice in order to present full and complete evidence to the appeal panel. Testimonials from fellow students or practitioners are not required. Any later additions to the initial submission can only be accepted with the agreement of the Academic Registrar or his/her nominee.
	5. Where the appeal is not based on any of the allowable grounds for appeal, the Academic Registrar or his/her nominee will return the appeal to the student indicating that the case as presented is considered to be invalid.
	6. Where any extenuating circumstances presented would seem relevant to the student’s fitness to practise, after consultation with the relevant Senior Tutor, the Academic Registrar or his/her nominee may direct the case to the Professional Requirements Procedure.
	7. In addition to the material presented by the student, the Appeals Panel will receive for each appellant:
		+ A statement from the appellant’s tutor or supervisor concerning the student’s engagement with their studies in the time leading up to the failure.
		+ A [full academic history](#full_academic_history" \o "The precise content will be different for example for a student on a BSc course compared to a research degree student as they are assessed in different ways) from all routine formal progress meetings and assessment marks for the time leading up to the failure.
		+ Any [record](#record" \o "These will be prepared and presented for you) of meetings with academic progress committees.
	8. After submission of their appeal, students will be informed of the time and place of their hearing and the contents of the paperwork submitted to the panel.
	9. The student may attend by video conference provided they are not a full time student and the content of the case is [deemed suitable](#deemed_suitable" \o "Attendance in person might be required because of the nature of the discussions and the decisions required. This is to facilitate proper decision making) for such an arrangement by the Chair.
	10. Students will be entitled to bring a friend to the hearing and students must inform the Academic Registrar or his/her nominee of the name of their friend and, the relationship of the individual to them as part of the submission. The friend may offer comments when invited to do so.
	11. All hearings will be held in private unless a student specifically requests in writing that the hearing be held in public.
	12. The meeting in the presence of the student and the Panel will be [voice-recorded](#voice_recorded" \o "the student will be entitled to a copy of this recording if they wish) under the supervision of the Secretary.
	13. The Panel will make its decision in private. This session will not be recorded but summary notes will be taken by the Secretary

# The Panel

* 1. All appeals will be heard by an Appeals Panel composed as follows:
		+ The Principal or his/her nominee who shall be Chair of the Panel.
			- Three senior members of academic staff experienced in taking decisions about student progression in programmes of a similar academic level to those of the appellant. Panel members must not have been key to the decision of the relevant Board or Panel making the first decision and independent of any consideration of the student by an Academic Progress Committee.
			- A nominee of the President of the Union selected for (i) their independence from the student whose case is being considered (ii) their understanding of the principles at stake and (iii) the broad context of the study of the student whose case is being considered.
			- A Secretary, who shall be the Academic Registrar or his/her nominee.
	2. The quorum shall be three members.
	3. Any member of the Panel discovering, on reading the papers, that they are connected to the case will declare their interest to the Secretary who will consult the Chair and if required find an alternative person to take their place.
	4. The Student Union member of the panel can be omitted from the panel membership at the request of the student whose case is being considered. Where this occurs the quorum will be reduced by one member.

# Decisions of the Panel

In reaching its decision, the Panel will determine its decision by the majority view of members. The Chair shall have a casting vote. The Secretary has no vote.

The Panel will determine whether to uphold or reject the appeal or to redirect it to the Professional Requirements or Complaints Procedures.

The Panel will uphold the appeal where they have found on the balance of probabilities that:

1. There was a procedural error

Or

1. that the student’s failure or ineligibility for award was caused by extenuating circumstances significantly out with the control of the student and more severe than typical circumstances experienced by their peers **and** their academic record and approach to their learning and other needs show that the student does have some [potential to gain the award sought.](#potential_to_gain_the_award_sought" \o "The College has to make a judgement about your likely success. It would not be ethical for us to accept another year’s fees from you or your sponsor, or cause you to pay for maintenance if we did not think you would succeed in the end)

Where the appeal is upheld the Panel will prescribe the [compulsory conditions](#compulsory_conditions" \o "students have to follow all of the conditions applied by an appeals panel) of the students return to study; namely:

* any opportunities and requirements for the student to retake the examination/ assessment/appraisal
* any required period of further study
* any required period of deferral
* any requirement for confirmation from an Occupational Health physician that the student is fit to study before the student can return to study.
* any other actions considered important for future success such as engaging with learning support or other specialist advice

The Panel may not permit a student to progress on their programme of study without having passed the examination/assessment or appraisal that they had failed prior to the appeal. Thus, only in the case of a miscalculation of results or misinterpretation of regulations can a student be deemed to have passed following an appeal.

# Communication to the appellant

Written communication before and after the panel hearing will be by PDF and email to the student’s [RVC email address](#RVC_email_address" \o "{Make sure your address is working and check your inbox regularly).

Students will also be notified of the decision of the Appeal Panel in writing not more than one week after the hearing.

Normally students will be informed verbally, in person or by telephone, by the Panel or the Secretary, of the decision on the day of the hearing or the following day.

# Opportunity for Final Formal Review

A student who has grounds to believe (i) the decision of the Appeals Panel is unreasonable, or (ii) the Panel was not conducted properly or (ii) if the student has new evidence they could not have shown to the Panel at the proper time then they can apply for [Final Formal Review](http://www.rvc.ac.uk/Media/Default/About/Academic%20Quality%2C%20Regulations%20and%20Procedures/General/Final%20Formal%20Review%20committee%20version%20PDF%202.docx) within 28 days.

# Reporting from Appeals Panels

Academic Board will receive an annual statement of the number of appeals held per course and the numbers upheld and not upheld. This will also be reported to Council annually via a report from the relevant Vice Principal.

Every 5-7 years there will be an evaluation of cases to consider the reasonableness and consistency of decision making by Appeals Panels. This will be reported to the Principal who shall make a report, either directly or via a Vice Principal to Academic Board and Council accordingly.

The student’s tutor (for taught degrees) or supervisor (for research degrees) and essential student support staff will be informed of the outcome of the appeal but not the content of the appeal.

# Records

Records of Appeal will remain confidential and be retained for 7 years separately from the student’s record. The records are maintained in case of further investigation by the OIA and in order to conduct the periodic evaluation of cases.

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