



Academic Appeals Regulations

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UNIVERSITY OF
WINCHESTER

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Summary/Description:	
<p>This document defines the criteria and procedures to be followed for appeals against the decision of a Progression and Award Board.</p> <p>A summary of changes to this document appears on the page below.</p>	

SUMMARY OF CHANGES

This list summarises the changes since 2016/17. The date confirms when the changes were implemented.

21 June 2023	<ol style="list-style-type: none">1. Update to process to include the role of Caseworkers and clarification about the process for initiating group appeals2. Update to Department names, committee names and other University terminology3. Change to deadline for appeal submission and clarification about the consideration of 'late' appeals4. Clarification about 'third party' involvement5. Removal of the Benchmark Review
11 July 2022	<ol style="list-style-type: none">1. Removal of reference to hardcopy form – replaced with online form2. Inclusion of commitment of completing appeal consideration within 90 calendar days3. Update of titles and responsibilities4. Removal of referral to DVC option
23 June 2021	<ol style="list-style-type: none">1. Update to appendix 2 (benchmark review) to clarify the ongoing use of the 2019/20 benchmark in award calculations in 2020/21
May 2020	<ol style="list-style-type: none">1. Updates to terminology – replace Exam Boards with Progression and Award Boards2. Updates to Student Union contact details3. Amendment to roles due to changes in operation of Exam Boards (4.9, 4.10, 4.11)4. Temporary addition of Benchmark Review Stage – Appendix 2
23/08/2019	<ol style="list-style-type: none">1. Update to the outcomes of an appeal panel – Appendix I
02/05/2018	<ol style="list-style-type: none">1. New cover sheet and logo2. All internal hyperlinks have been fixed, following the move to the new website

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ACADEMIC APPEALS REGULATIONS

1. PRINCIPLES

- 1.1 The University wishes to ensure that there is an effective, expeditious, impartial, fair and accessible system of appeals which is seen to be reasonable in its operation and which commands the confidence of all parties. To this end, the University is committed to ensuring that no student is at risk of disadvantage by submitting an appeal in good faith.
- 1.2 An 'academic appeal' is defined as a request for the review of a decision by a Progression and Award Board, which is the academic body charged with decisions on student progression, assessment and/or awards for programmes or a decision by Postgraduate Student Progress Committee, which is the academic body charged with decisions on student progression, assessment and/or awards for postgraduate research programmes. These regulations apply to foundation degrees, undergraduate degrees, postgraduate degrees, apprenticeships and short courses where they are credit bearing.
- 1.3 In support of these principles the University undertakes:
 - a) to ensure that the appeals procedure is operated in a fair manner;
 - b) to ensure that the procedure in any given appeal is brought to completion as soon as is reasonably practicable;
 - c) to ensure that the appeals procedure is accessible to all students.
- 1.4 All appeals shall be treated seriously but the objective is always to resolve the appeal rather than to apportion blame. All parties shall be treated with dignity and respect in the application of these Regulations. No one should expect to suffer any disadvantage, recrimination or reprisals for either making an appeal or submitting evidence in good faith. Furthermore, where an appeal or evidence submitted during the investigation of the appeal is shown to be frivolous, vexatious, based on fraudulent or false evidence or motivated by malice, it shall be dismissed by the University and action may be taken against the individual concerned including disciplinary action.
- 1.5 While supporting a student's right to appeal, the University encourages any student who is considering lodging an appeal to raise their concerns informally before proceeding. In this way, possible misunderstandings may be resolved with an immediate explanation or, in the case of an error (for example a mark being wrongly recorded) the matter may be resolved by an immediate correction and/or revision.
- 1.6 These Regulations apply to all undergraduate, taught postgraduate and postgraduate research students including those studying with a Collaborative Partner. These Regulations are supported by an '*Academic Appeals Guidance Leaflet*' for students.
- 1.7 The University of Winchester is committed to the promotion of equality, diversity and a supportive environment for all members of our community, in line with relevant legislation. Our commitment to equality and diversity means that these Regulations have been screened in relation to the use of plain English.
- 1.8 The University shall appoint Caseworkers of appropriate standing and experience to implement these Regulations, and the appellant shall be kept informed of the Caseworker's name. The University shall avoid any potential conflict of interest by ensuring that no Caseworker shall handle an appeal where there is a personal and/or academic relationship with the appellant.
- 1.9 These Regulations do not apply to a specific complaint about the provision of a programme or a related academic service, as these are covered under the University's *Student Complaints Policy* or, in the case of students studying with a Collaborative Partner, relevant policies operated by the Partner. A complaint is defined as 'an expression of dissatisfaction by one or more students about the University's action or lack of action, or about the standards of service by or on behalf of the University'.

- 1.10 If the Director of Equalities, Conduct and Complaints deems that there may be grounds for a complaint, they may reclassify the appeal or the relevant aspect of the appeal (as appropriate) as a complaint and forward it to the Complaints team, as well as notifying the appellant of their decision and directing them to the University's *Student Complaints Policy*. In cases where the appellant is studying with a Collaborative Partner, the Director of Equalities, Conduct and Complaints may forward it to the Collaborative Partner in accordance with their equivalent complaints policy.
- 1.11 If there is any overlap between the issues raised in an appeal and a related matter, such as a complaint or a student disciplinary investigation, the Director of Equalities, Conduct and Complaints will determine how such cases are to be handled, such as by pausing the appeal so that the other process can be considered first.
- 1.12 If the Director of Equalities, Conduct and Complaints deems that the appeal is trivial, vexatious, malicious, fraudulent or based on false evidence, action shall normally be taken against the appellant in accordance with the University's *Disciplinary Procedures for Students*, *Student Complaints Policy* or *Student Academic Integrity Procedure*¹ or the equivalent policies operated by the Collaborative Partner, as appropriate. If students are suspected of submitting falsified evidence as part of their appeal documentation, then the appeal will be paused, while the disciplinary procedures are followed.
- 1.13 The majority of our students have reached the age of majority (18) and as such are encouraged to act on their own behalf in managing academic appeals. The University will not investigate an appeal made on the student's behalf by a third party (such as a parent/guardian, spouse/partner) unless the student has confirmed in writing that they wish to appoint the third party as their representative to manage the appeal on their behalf. Students will need to give a full written authority from their University email account. Any authority given to deal with an appeal in this way means that the third party will have access to all details pertaining to the appeal.

2. CONTEXT AND GROUNDS FOR APPEALS

- 2.1 An appeal may only be submitted in relation to the final decision of a Progression and Award Board or Postgraduate Student Progress Committee regarding progression, award or termination of registration (for taught modules/programmes) or regarding upgrade, transition, award or termination of registration (for students working on a postgraduate research Thesis). Appeals regarding provisional results shall not be considered (i.e. marks returned during the course of an academic year).
- 2.2 The Regulations apply to collective as well as individual appeals. Details of the procedure to be followed in such cases are detailed in paragraph 3.4 below.
- 2.3 Valid grounds for appeal are as follows:
- a) There were circumstances that significantly affected the student's academic performance which the student was unable, for compelling reasons, to progress through the Supporting Students to Succeed: Extenuating Circumstances and Support to Study Procedures.
 - i) It is an overarching expectation that students act responsibly in relation to their learning, progression opportunities and personal circumstances. Medical and other circumstances that should have been reported to the University at the time of their

¹ Referred to as the 'Academic Misconduct Policy' up to and including August 2023

occurrence will not normally be considered. If such an appeal is submitted, there must be a compelling reason with independent supporting evidence to explain why these circumstances were not disclosed earlier through the appropriate procedure.

- b) The University did not follow its regulations, policies or processes and this procedural irregularity, which as a result has disadvantaged the appellant, was significant enough to have materially affected the decision made, rendering it unsound²;
- c) There is substantive evidence of prejudice or bias on the part of one or more of the examiners.

2.4 Students may only appeal once against a Progression and Award Board or Panel of Examiners/Assessors decision so if they believe that they have two or more grounds for appeal, they should include all grounds for their appeal in their submission.

2.5 Students may **not** appeal in the following reasons or circumstances:

- a) They disagree with the academic judgement of the Progression and Award Board, Panel of Examiners/Assessors or academic decisions arrived at in accordance with approved processes. (For instance, students may not appeal on the grounds that they consider the mark awarded to be too low. Disparities between a student's assessments is not necessarily evidence of procedural irregularity or bias.);
- b) They did not understand, or were not aware of, published programme or University/Collaborative Partner regulations, policies or procedures. (For instance, seeking an extension for submitting coursework or deferral for practical assessments including vivas (i.e. Extenuating Circumstances, or to interrupt study).
- c) Appeals submitted more than 12 months after the date of a decision will not be considered under any circumstances. A Completion of Procedures can be issued on request, noting the reason the appeal was not considered.

2.6 Before proceeding with an appeal, the student should seek clarification of the decision concerning their progress/award from their Faculty (for students on taught programmes), their Programme Leader (for students studying with Collaborative Partners) or their Director of Studies (for postgraduate research students working on their Thesis). If they are still dissatisfied with the decision and, after reading these Regulations, they are unclear about how to proceed they may seek advice from Registry and Academic Quality (about the process for lodging an appeal) or the Winchester Student Union (for free, independent advice and support, including preparing an appeal, gathering evidence, and completing the online form). (Please refer to Section 9 for contact details for Registry and Academic Quality and the Winchester Student Union.)

2.7 The University will endeavour to complete consideration of each appeal, and any associated panel or review, within 90 calendar days. This assumes that the appellant meets any deadlines set for the submission of material.

3. SUBMISSION OF APPEALS

3.1 The student shall:

- a) complete the [University's Online Academic Appeal Form](https://forms.office.com/r/ya3Tf2UTiK) (available via <https://forms.office.com/r/ya3Tf2UTiK>);

² If the student believes an administrative or transcription error was made, e.g. a mark may have been incorrectly recorded or omitted, the student should contact their Faculty Office, Programme Administrator at the Collaborative Partner or the Doctoral School (as appropriate) in the first instance, as it may be possible to resolve the matter more swiftly and without the need for a formal appeal. Only if the Faculty, Collaborative Partner or Doctoral School does not accept that an error has been made, should the student bring the matter forward for appeal.

- b) submit the form within 10 working days of the date of the letter confirming the decision of the Progression and Award Board or Postgraduate Student Progress Committee against which the student wishes to appeal.
- 3.2 If the appeal is submitted after the deadline, it will only be considered if the student provides a compelling reason for the lateness, supported by relevant evidence. The decision whether the appeal can be considered will be made by the Director of Equalities, Conduct and Complaints (or their nominee).
- 3.3 The date of the submission of the appeal (or an appeal review) shall be the date on which the [Online Academic Appeal Form](#) is submitted or, if submitted on a non-working day, the next working day following submission of the [Online Academic Appeal Form](#).
- 3.4 The [Online Academic Appeal Form](#) provides students the opportunity to provide all the necessary information required for the appeal. No additional grounds may be cited, nor substantive points made, at any later time in the consideration of the appeal.
- 3.5 Students who wish to submit a collective appeal shall contact appeals@winchester.ac.uk to obtain a group appeals application form. The personal details of all the students who wish to bring the appeal forward must be provided and each group will be asked to nominate a lead spokesperson, with whom the University shall liaise in the first instance. When raising group appeals, each member of the group must affirm their membership in writing at the start of the process. All students must also demonstrate that they have been personally affected by the matter which has been raised. All students must therefore email appeals@winchester.ac.uk from their Unimail account to provide this information, in addition to the spokesperson providing the group appeals application form. Normally, only one outcome letter will be issued in response to the appeal, subject to data protection legislation constraints; it will be for the spokesperson to communicate the outcome to the rest of the group.
- 3.6 All appeals must be supported with relevant evidence to substantiate the grounds.
- 3.7 Students may approach the Winchester Student Union Advice Centre for assistance with the preparation and submission of an appeal.
- 3.8 All appeals shall be dealt with in confidence, with the proviso that where investigation is required to verify the statement(s) provided, some information may have to be shared although this shall be kept as minimal as possible. Furthermore, an individual against whom a complaint is made (for example, in the case of an evidence of bias/prejudice), has the right to be supplied with details of the evidence submitted and to comment upon it. An appeal cannot be investigated if the appellant does not wish the substance of the allegation to be made known to the individuals concerned. In exceptional circumstances, it may not be possible for confidentiality to be respected, for instance where a criminal offence has been disclosed. Where disclosure is necessary, and subject to any legal requirements, the appellant shall be contacted before any disclosure to confirm whether they wish to proceed with the appeal.
- 3.9 The time limits set out in these Regulations shall normally be followed but where, for good reason, this is not possible, the appellant shall be advised of any revised schedule.

4. **CONSIDERATION OF THE APPEAL**

- 4.1 Appeals shall normally be considered by the Director of Equalities, Conduct and Complaints, or their nominee. Where reference is made to the Director of Equalities, Conduct and Complaints throughout these Regulations, this will also include reference to their nominee.
- 4.2 On receipt of the appeal, a Caseworker shall initially determine whether the appeal meets the following criteria:
- a) the appeal shall be submitted within the time limit (paragraph 3.1b);

- b) the appeal shall be submitted on the Online Academic Appeal Form;
 - c) the Online Academic Appeal Form must be written in English and all accompanying evidence shall be written in or translated to English. (If this presents any problems, the appellant should contact appeals@winchester.ac.uk before submitting their appeal).
- 4.3 If the appeal has not been submitted within the time limit, the student shall be contacted by the Caseworker to ask them to provide the reason for the lateness and to provide any supporting evidence to corroborate the reason. This information will then be forwarded to the Director of Equalities, Conduct and Complaints who will decide if the appeal can be considered, in accordance with 3.2 above.
- 4.4 Appeals that do not conform to one or more of these criteria shall be rejected, without the option of requesting a review. The appellant shall automatically be sent a Completion of Procedures Letter (see section 7).
- 4.5 Once it has been confirmed that the above have been met the Caseworker will investigate the appeal.
- 4.6 If the Caseworker concludes that more evidence is required, they shall ask the appellant to submit additional named evidence within 5 working days.
- 4.7 When investigating an Appeal, the Caseworker may as part of the process, consult and obtain information from colleagues including for example, the Programme Leader, Academic Liaison Officer (for Collaborative Partners), Head of Department, Director of Studies and Department of Student Support and Success colleagues, as appropriate. This list is not complete and further colleagues might be approached if they are relevant to the particular appeal. However, the number and type of colleagues approached will be limited to those who might reasonably be expected to have relevant information. In the course of this consultation, the Caseworker may send a copy of the appeal to relevant colleagues, together with details of the specific information required to determine whether the appeal is firmly based and a request that the information is provided within 5 working days.
- 4.8 If the appeal relates to failure in a practice component of the programme (e.g. health or initial teacher training programmes), the Caseworker shall request relevant information from the placement co-ordinator and/or placement mentor regarding the student's achievements or professional conduct.
- 4.9 When the Caseworker has obtained a response covering the issues raised in the appeal, the appeal shall be forwarded to the Director of Equalities, Conduct and Complaints, who shall decide, after discussion with colleagues where appropriate, whether there is a case for upholding the appeal.
- 4.10 If it is determined that the appeal meets the criteria listed under section 2.3(a-c) above, the matter shall be referred back to the relevant Dean or Chair of the Postgraduate Student Progress Committee (as appropriate) for review of the original decision taking into account the new circumstances³. The Director of Equalities, Conduct and Complaints shall propose a resolution for the Dean or Chair of the Postgraduate Student Progress Committee (as appropriate) to consider.
- 4.11 If the Dean or Chair of the Postgraduate Student Progress Committee concurs with the findings of the Director of Equalities, Conduct and Complaints the appellant shall be offered a resolution (which may or may not accord with the appellant's stated desired outcome on the Online Academic Appeal Form) and the appeal shall have been deemed to have been **upheld**. As internal processes shall be at an end, the appellant shall be notified of the option to request a Completion of Procedures letter if they are dissatisfied with the resolution.
- 4.12 If it is determined that some (but not all) of the appeal meets the criteria listed under section 2.3(a-c) above, the matter shall be referred back to the relevant Dean or Chair of the Postgraduate Student

³ Where the Chair of the Progression and Award Board or Postgraduate Student Progress Committee is unavailable, the Director of Equalities, Conduct and Complaints will normally liaise with their immediate Line Manager.

progress Committee (as appropriate) for review of the original decision taking into account the new circumstances. The Director of Equalities, Conduct and Complaints shall propose a resolution for the Dean or Chair of the Postgraduate Student Progress Committee (as appropriate) to consider.

- 4.13 If the Dean or Chair of the Postgraduate Student Progress Committee concurs with the findings of the Director of Equalities, Conduct and Complaints the appellant shall be offered a resolution (which may or may not accord with the appellant's stated desired outcome on the Online Academic Appeal Form) and the appeal shall have been deemed to have been **partially upheld**. The appellant shall be informed which aspects of the appeal were not upheld, and therefore would be eligible for review, in accordance with section 5 below.
- 4.14 If the Dean or Chair of the Postgraduate Student Progress Committee does not concur with the findings of the Director of Equalities, Conduct and Complaints, then an Academic Appeal Panel shall be convened, in accordance with appendix 1.
- 4.15 If it is decided that there is no case for the appeal to be upheld the appellant shall be notified in writing that their appeal has been dismissed.
- 4.16 Appellants whose appeals (or aspects of their appeals) have been dismissed shall be informed of the following options:
- a) They may lodge a request to review the appeal rejection, following the process in section 5 below.
 - b) If the appellant does not consider that they have grounds to proceed further but they wish to bring a complaint to the Office of the Independent Adjudicator (OIA), then they should ask the University for a Completion of Procedures Letter within 20 working days of the date of the letter from the Director of Equalities, Conduct and Complaints. For further details, please refer to Section 8 below.
- 4.17 The list below (which is not exhaustive) are not considered valid grounds for an appeal and are reasons why an appeal is not upheld and will be rejected:
- i. disagreement with the academic judgement of the examiners. Academic judgement includes the assessment mark or the pass/fail decision awarded by the markers of an assessment;
 - ii. Marginal failure to attain progression or a higher class of award (where such classifications are non-discretionary and made according to published arithmetic formulae);
 - iii. The retrospective reporting of Extenuating Circumstances which could reasonably have been made known at the time of those circumstances;
 - iv. Lack of awareness of the relevant University of Winchester Regulations and/or Procedures and their associated timescales;
 - v. The appeal was received outside the deadline without good reason and evidence for the delay. In cases where the delay is unavoidable, the appeal must be submitted as soon as possible after the deadline and must include an explanation and independent supporting evidence covering the entire period affected;
 - vi. Appealing unofficial results - an academic appeal can only be submitted once the decision is confirmed by a Progression and Award Board or the Postgraduate Student Progress Committee.

5. CHALLENGING THE DECISION OF THE DIRECTOR OF EQUALITIES, CONDUCT AND COMPLAINTS

- 5.1 An appellant has the right to challenge the outcome where an appeal is rejected by the Director of Equalities, Conduct and Complaints, with the exception of appeals that are not deemed to meet the initial criteria (see 4.2 - 4.4).
- 5.2 To challenge an appeal rejection, the appellant shall submit an [Online Academic Appeal Review Form](https://forms.office.com/r/NXJ2hSD60w) (available via <https://forms.office.com/r/NXJ2hSD60w>) within 10 working days of the date of the letter from the Director of Equalities, Conduct and Complaints, stating the reasons for challenging the Director of Equalities, Conduct and Complaints decision to reject their appeal
- 5.3 Appeal reviews shall be considered initially with reference to the following criteria:
- a) the appeal review is submitted within the time limit
 - b) the appeal review is submitted using the [Online Academic Appeal Review Form](https://forms.office.com/r/NXJ2hSD60w)
 - c) the [Online Academic Appeal Review Form](https://forms.office.com/r/NXJ2hSD60w) must be written in English and all accompanying evidence must be written in or translated to English.
- Appeal review requests that do not conform to one or more of these criteria shall be rejected. The appellant shall automatically be sent a Completion of Procedures Letter (see section 7).
- 5.4 Once it has been confirmed that the above criteria have been met, the Caseworker shall refer the appeal review to an Academic Director, a Dean, the Head of Doctoral School, The Deputy Vice-Chancellor and Provost or Pro Vice-Chancellors of Faculties, for consideration. ⁴ If the appeal has been determined in the first instance by a nominee of the Director of Equalities, Conduct and Complaints, then the Director of Equalities, Conduct and Complaints may undertake the appeal review.
- 5.5 An appeal review requires the appellant to provide new information, supported by additional evidence, further to that originally submitted. For an appeal review to be successful, this additional information and evidence must either:
- a) enable one or more of the criteria in 2.3(a-c) to now be met;
- or
- b) provide evidence of a procedural irregularity in the handling of the original appeal, of such an extent to enable the appeal to be upheld with reference to the original criteria of 2.3(a-c).
- 5.6 The appeal reviewer shall also have sight of the original appeal and supporting documentation, and shall consult with colleagues as appropriate.
- 5.7 If on the basis of the review, the appeal reviewer upholds the appeal, the process described in 4.9 – 4.13 shall be followed.
- 5.8 If the appeal reviewer concludes that the review should not overturn the original decision, the appellant shall be notified in writing and a Completion of Procedures letter shall be issued within 20 working days.
- 5.9 On the basis of the evidence submitted in the appeal review, the reviewer may uphold the appeal against one or more of the appeals criteria not initially stated in the original online academic appeal form, on condition that the circumstances applied at the time of the original appeal.

⁴ Where an appeal review is referred to a Dean they will be from an unrelated subject area

6. REJECTING A DECISION TO UPHOLD AN APPEAL

- 6.1 In all cases, where the appeal is upheld or partly upheld by the University, the student may reject the resolution and ask for a Completion of Procedures letter to be issued. This marks the internal exhaustion of the appeals process and takes the appeal outside the University.
- 6.2 The student shall be informed that this may delay academic progression as a request for a Completion of Procedures Letter is deemed to be a rejection of the appeal resolution and the student shall need to approach the OIA to pursue the matter. If no request for a Completion of Procedures letter is received within 10 working days of the date of the letter from the Director of Equalities, Conduct and Complaints, confirming the decision to uphold the appeal fully or in part, the appeal resolution is deemed to have been accepted by the appellant.

7. COMPLETION OF PROCEDURES LETTER

- 7.1 The University is required to issue a Completion of Procedures letter after any of its internal procedures have been completed. The issue of a Completion of Procedures letter serves four main purposes:
- a) It establishes the date when the University's internal appeals procedures are complete;
 - b) It clarifies the issues considered by the University under those procedures;
 - c) It establishes the timescale for a student to take a complaint to the Office of the Independent Adjudicator (OIA);
 - d) It advises the student of the possibility of taking a complaint to the OIA.
- 7.2 The Completion of Procedures letter shall contain:
- a) A summary of the appeal the student has made to the University;
 - b) The title of the regulations which were applied;
 - c) A summary of the issues considered at the final stage of the internal complaints procedures;
 - d) The final decision taken by the University and the reason for that decision;
 - e) Information about the role of the OIA.
- 7.3 A Completion of Procedures letter shall be issued automatically after the completion of the University's internal processes in cases where the appeal has not been upheld.
- 7.4 If a student does not consider that they have grounds to proceed to the appeal review stage of the University and they wish to take the appeal to the OIA, then they should ask the Director of Equalities, Conduct and Complaints for a Completion of Procedures letter. The request for a Completion of Procedures Letter must be made within 20 working days of the decision letter.

8. OFFICE OF THE INDEPENDENT ADJUDICATOR (OIA)

- 8.1 A student who is dissatisfied with the University's internal processes or its conduct has the right to submit an application to the OIA, an independent review body, that their dissatisfaction be reviewed independently of the University.
- 8.2 This right may only be exercised once the internal processes have been exhausted.
- 8.3 The University shall issue a 'Completion of Procedures' letter to indicate that the internal process is at an end in cases where the appeal has not been upheld. The letter shall include details of the application process to the OIA.
- 8.4 A Scheme Application Form must be completed in order to make a submission to the OIA and this must be received within 12 months of the date of the 'Completion of Procedures' letter.
- 8.5 The OIA shall not review a complaint where:
- a) it relates to a matter of academic performance;
 - b) the matter is or has been the subject of court proceedings;
 - c) it concerns a student employment matter;

d) it relates to an institution which is not a Higher Education Institution

Further information on the OIA and its services is available on <http://www.oiahe.org.uk>

9. CONTACT DETAILS

Contact details for University and Winchester Student Union involved in these procedures:

Department of Equalities, Conduct and Complaints

Email: appeals@winchester.ac.uk

Registry and Academic Quality

Email: Registry.Enquiries@winchester.ac.uk

Winchester Student Union Advice Centre

Winchester Student Union Advice Centre can be accessed by all current University of Winchester students. We aim to support students to make their own informed choices by offering free, impartial advice and information, on a range of matters.

We operate independently from the University of Winchester and specialise in supporting students with academic issues, such as appeals.

Contact: www.winchesterstudents.co.uk/advice

APPENDIX 1

A) CONVENING AN ACADEMIC APPEAL PANEL

- A.1 If the Chair of the Progression and Award Board or Postgraduate Student Progress Committee does not concur with the Director of Equalities, Conduct and Complaints in relation to the appeal outcome and/or the proposed resolution, the Director of Equalities, Conduct and Complaints shall convene a meeting of the Academic Appeal Panel at the earliest possible opportunity, in consultation with the appellant and other relevant persons.
- A.2 The Academic Appeal Panel Hearing shall be held at the University of Winchester.
- A.3 The appellant, members of the Academic Appeal Panel together with the Programme Leader, Academic Liaison Officer (for Collaborative Partners), Head of Department, Chair of Postgraduate Student Progress Committee, Chair of the Examiners or Assessors for a Viva Panel (as appropriate and if required) and any other witnesses due to appear before the Panel, shall receive at least 5 working days written notice of the date, time and place of the meeting of the Panel (sent by email). The written notice shall be accompanied by:
- a) a copy of the appellant's Online Academic Appeal Form and supporting documentation;
 - b) a copy of any written statements provided by members of University staff or other persons;
 - c) a list of the names and status of all witnesses to appear before the Panel;
 - d) a copy of the appropriate programme regulations, where relevant;
 - e) a copy of the Academic Appeals Regulations;
 - f) a copy of any other relevant documents.
- A4 The appellant will be advised that they may be accompanied to the Panel Hearing. Details of who can attend with the appellant are given in C3 below.
- A.5 Where the appellant is unable to attend the Panel Hearing in person, they shall normally be offered the option to participate via Microsoft Teams.
- A.6 The appellant may decline to attend and agree to have the appeal considered solely on the basis of the written submission.

B) CONSTITUTION OF THE ACADEMIC APPEAL PANEL

- B.1 For appeals against the decision of Progression and Award Board, the Academic Appeal Panel shall consist of:
- Chair: an experienced member of academic staff;
 - Two further experienced members of academic staff;
 - The Winchester Student Union President or nominee;
 - Secretary (non-voting): Nominee of the Director of Equalities, Conduct and Complaints
- B.2 For appeals against the decision relating to award or progression on a postgraduate research programme by a Panel or Examiner or Assessors, the Academic Appeal Panel shall consist of:
- Chair: an experienced member of academic staff, involved in Postgraduate Research supervision;
 - Director of Research and Innovation or Unit of Assessment lead from a Faculty;
 - One experienced member of academic staff, involved in Postgraduate Research supervision;
 - The Winchester Student Union President or nominee;

- Secretary (non-voting): Nominee of the Director of Equalities, Conduct and Complaints

B.3 The members of the Academic Appeal Panel shall not include:

- a member of the Progression and Award Board or Viva Panel of Examiners or Assessors which made the recommendation against which the appeal has been made;
- anyone with a close personal or academic connection with the appellant.

B.4 So far as is practicable, the Panel shall include at least one member of the same gender as the appellant and, for postgraduate research appellants, staff members with experience of teaching, supervising or examining postgraduate research students. If it appears that the case may raise particular cultural or other sensitivities, the Chair may co-opt an additional member able to advise on these issues, or otherwise seek advice as they see fit. In the event of any disagreement about the suitability of any Panel member, the decision of the Chair shall be final.

B.5 The Academic Appeal Panel shall make every attempt to conclude its proceedings at a single meeting.

B.6 The membership of the Academic Appeal Panel shall remain constant throughout the hearing of any particular case, and the Chair shall be present throughout. However, should the Panel find it necessary to adjourn its proceedings, no more than one of its members may be absent when it is reconvened; when such a member is absent from a meeting, that member may not subsequently re-join the proceedings.

C) PROCEDURE FOR CONDUCT OF THE APPEAL PANEL HEARING

C.1 All meetings of the Academic Appeal Panel shall be minuted by the Secretary and kept by the Director of Equalities, Conduct and Complaints. Normally, if the appellant is present or participating via Microsoft Teams, they shall be informed of the Panel's decision at the conclusion of the meeting.

C.2 The Secretary to the Panel shall meet the appellant (if attending) outside the meeting before the Hearing and shall offer to explain the procedure, check that the appellant has copies of the documents circulated to members of the Panel and, if not, provide a set. If the student is participating via Microsoft Teams, the Secretary shall liaise with the appellant, in advance, to confirm the procedure and copies of all documents have been received by the appellant.

C.3 The appellant is entitled to be accompanied by a fellow University of Winchester student, representative of the Student Union or member of staff to the Panel Hearing. This person is referred to as 'friend' in the section below.

C.4 This section defines the steps which should be followed during the Appeal Hearing itself. The Chair has discretion to vary the practicalities of these arrangements as they see fit provided any changes do not contravene the basic principles.

- Before seeing any of the parties involved, the Panel shall review the documentation relating to the case and have a preliminary discussion;
- If there are any witnesses (in addition to the appellant, their friend and the Head of Department/Chair of Postgraduate Student Progress Committee or their nominee) the Chair shall decide if they may attend throughout the proceedings until all parties withdraw, or whether they shall attend the meeting only while required to provide information and answer questions;
- The Secretary shall escort the student (if attending), the friend (if attending), and the Head of Department/Chair of Postgraduate Student Progress Committee or their nominee into the meeting;
- The Chair shall invite everyone present to introduce themselves by name and explain their role;
- The Chair shall explain the role and powers of the Panel, as set out in these Regulations;
- The Chair shall tell the student that the Panel shall take their case to be as set out in their Appeal Statement, and shall ask if they wish to make a brief opening statement, or whether

they wish the friend to do so on their behalf. If the friend makes the statement, the Chair shall ask the student if they wish to add anything. The Chair shall then explain that the Appeal Panel wishes to hear directly from the student in their own words, and that they shall be expected to answer questions;

- g) Members of the Panel shall be invited to question the student;
- h) The Chair shall invite the Head of Department/Chair of Research Degrees Quality Committee or their nominee to make a brief opening statement, and shall then invite the Panel to ask questions. If there are other witnesses present, they shall be afforded the same opportunity, and questioned;
- i) At each stage the Chair has discretion to allow reciprocal questioning by the various parties;
- j) The Chair shall ensure that the members of the Panel have completed their questioning;
- k) The Chair shall ask each member of staff and any witnesses, in turn, and finally the student (or the friend) if they wish to make any closing statement, and if they are satisfied that they have had a full opportunity to explain their case to the Appeal Panel;
- l) The Chair shall ask everyone except the members of the Panel to leave the meeting, and shall ask them to wait, pending the Panel's decision;
- m) The Appeal Panel shall discuss the case in private. The discussion and minutes of the meeting of the Appeal Panel are confidential to its members;
- n) If for any reason during its discussion the Appeal Panel requires clarification of any aspect of the case, by further questioning either the student or the staff, they shall normally all be invited back into the meeting while the questioning takes place. They shall then all leave the meeting again.
- o) If, for any reason during its discussion, the Panel decides that further evidence is required from another witness, they may adjourn the meeting for this purpose;
- p) The Appeal Panel shall make its decision;
- q) The appellant and/or friend shall normally be invited to rejoin the Panel to be advised verbally of the decision.
- r) The meeting of the Appeal Panel shall then be concluded.

C.5 The Head of Department/Chair of Postgraduate Student Progress Committee or their nominee shall normally be advised of the decision by phone or email by the Director of Equalities, Conduct and Complaints or their nominee as soon as possible after the meeting has been concluded.

D) DECISION OF THE PANEL AND PROCEDURES FOLLOWING THE APPEAL HEARING

D.1 Following consideration of the evidence the Panel will:

- i) uphold the appeal and confirm the details of the resolution for the student;
- or
- ii) reject the appeal

D.2 The decision of the Academic Appeal Panel will be final.

D.3 The Director of Equalities, Conduct and Complaints or their nominee shall inform the student, in writing, of the outcome of the appeal and the response of the Chair of the Progression and Award Board or Postgraduate Student Progress Committee (as appropriate) to the requirement to review of the original decision, normally within five working days of the meeting of the Panel. A copy of the letter shall be copied to the Programme Leader, Academic Liaison Officer (for Collaborative Partners), Head of Department and Chair of the Progression and Award Board or Postgraduate Student Progress Committee, as appropriate.

D.4 If the appeal is rejected the appellant shall be informed of the grounds on which this decision was made and that the internal process is at an end. The appellant shall then be sent a Completion of Procedures letter within 20 working days of the date of the letter from the panel.

D.6 If the appeal is upheld the appellant shall be informed of the decision and that the appeal shall have been deemed to have been upheld. As internal processes shall be at an end, the appellant shall be notified of the option to request a Completion of Procedures letter if they are dissatisfied with the resolution.