

Academic Appeal Policy



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PURPOSE

The policy aims to ensure that appeal procedures are conducted in a fair and transparent manner, ensuring that any cases are dealt with in a timely manner by appropriately independent staff, with outcomes proportional to the case.

SCOPE

This policy applies to all students, at any level of study, registered for a Velindre Oncology Academy (VOA), in partnership with University of Wales Trinity Saint David, award.

This policy may be applied to former students of the VOA within 21 days after formal notification of a decision made in relation to progression, assessment and award.

Appeals which question the academic judgement shall not be admissible.

Appeals against informal assessments of the student's work shall not be admissible.

Appeals where the grounds concern the inadequacy of supervision or other academic arrangements during the period of study shall not be admissible; such complaints should be pursued as soon as they arise, in accordance with the Student Complaint Policy.

AUTHORISED PERSONNEL

Head of Velindre Oncology Academy

REFERENCES/RELATED DOCUMENTS

- Student Complaint Policy
- Academic Misconduct
- Extenuating Circumstances
- Plagiarism and Collusion
- Submission of Work for Assessment Policy
- Reasonable Adjustments Policy

PROCEDURE

Introduction

This policy covers the VOA's procedures in relation to academic appeals.

The policy adopts the principles and good practice from a number of sector documents:

- OIA: The Good Practice Framework: complaints and appeals (2022)
- UK Quality Code for Higher Education: Advice and Guidance: Concerns, Complaints and Appeals (2018)

The VOA recognises that there may be occasions when a student considers that they have grounds to appeal against an academic decision or outcome.

As part of its commitment to a high-quality student experience, the VOA seek to resolve academic difficulties between students and the VOA as fairly and effectively as possible. The University will normally seek to resolve matters of concern as close as possible to the level at which they arise. Only when such channels are closed will procedures be initiated to formalise and escalate academic appeals to a higher level.

An academic appeal is a request for a formal review of an academic decision submitted on limited grounds (these are clearly detailed below). An appeal is distinct from a complaint which seeks to raise concerns about the quality or delivery of service a student has received from any part of the VOA. Complaints, including those academic in nature (such as those relating to the quality of teaching, supervision or delivery of a programme of study), are considered under a separate Student Complaint Policy.

Grounds for appeal

Students are entitled to submit an Academic Appeal only on one or more of the following grounds:

- There has been an arithmetical or other factual error in the results published by the VOA;
- There were mitigating circumstances where for good reason the academic body was not made aware of the significant factor relating to the assessment of a student when it made its original decision and there is independent evidence to show compelling reasons why the VOA was not made aware of these in a timely manner;
- There were defects or irregularities in the conduct of the assessment or in written instructions or in advice relating thereto, where there is a prima facie case that such defects, irregularities or advice could have had an adverse effect on the student's performance.

The following are NOT considered valid grounds for requesting a review of an academic decision and appeals based on such reasons will be rejected:

- Disagreement with the academic judgment of the examiners on grounds other than the above ('academic judgement' includes the assessment mark or the pass / fail decision awarded by the markers of the piece of work);
- The retrospective reporting of extenuating personal circumstances that might have been reasonably made known at the time;
- Lack of awareness of the relevant VOA procedures or regulations;
- Complaints relating to the quality of teaching or supervision or other circumstances that relate to the delivery of a programme of study (such issues should be properly raised as they arise, and prior to assessment or examination, via the University's Student Complaint Policy);

In clarification, the VOA will NOT pursue an appeal that does nothing more than question the academic judgement exercised. For example, a student cannot appeal using these procedures simply because they are unhappy or disagree with a mark given to assessed work. Academic judgement is a matter solely for the relevant Institutes and Examiners and not subject to subsequent appeal via this Policy.

Procedures: general principles

All appeals will be handled by an appropriately designated member of the VOA.

Procedures for appeals, outlined in this policy, describe the VOA's internal processes. Whilst seeking to ensure consistency of approach and application, the VOA reserves the right to vary the precise details of the procedure applied to the circumstances of a particular case.

The VOA will wherever possible seek to adhere to the time limits outlined within these procedures, but in cases where there are special circumstances which require variance from specified time limits, the student will be advised of the reasons for this.

During the application of this policy the VOA reserves the right to adjourn any appeal investigation or hearing and reconvene at a later date.

It is expected that students, their representatives and staff will act reasonably and fairly towards each other and will treat the appeal process with respect.

Appeal processes normally do not include meetings that require the presence of the student. Where a student is invited to a meeting, the VOA reserves the right to proceed with such a meeting in the absence of the student, subject to the student having been properly notified of the date and time of the meeting. Where the student decides to leave any meeting associated with the appeal process the VOA reserves the right to continue with such a meeting.

Meetings required for appeal processes will normally be conducted electronically.

Where the appeal process includes a meeting with the student, the student will be invited to such a meeting, normally at least two days before the meeting.

Where the student has communicated in response to a meeting notification that they are not able to attend a meeting for a good reason, the VOA will normally rearrange the date of such a meeting.

The student will have the right to be accompanied by a person of his/her choosing at any meeting associated with the appeal process and is required to inform the VOA in writing in advance of any meeting or hearing whether they intend to be accompanied. Legal representation is only allowed in exceptional circumstances.

No meetings will be recorded and the VOA does not allow for any meetings to be recorded covertly. Notes or minutes will be provided for each meeting held.

Students will be supplied with a copy of this policy and procedures and will be made aware of the identity of the Case Officer.

The VOA will ensure that all written records related to the case are clear, accurate, and appropriate and will be stored in accordance with relevant data protection legislation.

Submitting a Formal Appeal

The appeal shall be sent to the VOA Office on the VOA's Academic Appeal Form within 21 days after the official notification of results.

Simple notice of appeal given in writing by a student within the above deadline shall not be deemed to constitute an appeal and shall not be accepted.

Appeals received after 21 days will be deemed to be out of time and will not be considered unless students have provided independent evidence to show compelling reasons as to why the appeal was not submitted within the appropriate timeframe.

The VOA will not consider any appeal submitted more than 12 months after the formal notification of a decision made in relation to progression, assessment and award under any circumstances.

Initial evaluation, investigation and outcomes

On receipt of an appeal, a Case Officer shall be appointed.

Care will be taken to ensure that the Case Officer appointed is impartial and not implicated. The Case Officer is normally a member of VOA staff, but could, in exceptional circumstances, be external to the VOA.

If there are any concerns in relation to the Case Officer, parties are asked to express those concerns in writing to the head of VOA who will consider any such concerns.

The Case Officer shall undertake an initial evaluation to check that the academic appeal:

- is submitted under the correct procedures;
- falls within the grounds upon which an appeal can be made;
- is submitted within any deadline;
- is in the required format;
- In addition, the Case Officer will assess whether the case requires particularly swift action.

As a result of the initial evaluation, the Case Officer will make a determination as to whether there is a clear case for appeal, or if the appeal falls under another procedure or multiple procedures.

If there is not a case for appeal that should not be considered under another procedure, the Case Officer will disallow the appeal, normally within 28 days of its receipt. The student shall be informed that the appeal has been disallowed by means of an Appeal Outcome Letter.

Where the case proceeds to investigation, the Case Officer ensures that the facts of the case are verified and, where appropriate, may request clarification from relevant members of staff or the student.

Where a case officer requests additional evidence from the appellant, and it is not provided within 7 days, the case officer will proceed with the investigation on the assumption that the requested evidence does not exist.

The Case Officer is required:

- To consider the evidence submitted in relation to the Academic Appeal;

- To determine whether the original Exam Board decision was appropriate in light of the evidence provided in the Appeal;
- To determine an appropriate outcome.

The Case Officer shall be empowered to take one of the following decisions:

- to reject the appeal and uphold the original decision that has implications for a student's progression, assessment and award;
- to uphold the appeal and to instruct that appropriate action be taken to remedy the situation;
- to partially uphold the appeal, if aspects of the appeal are not made on permissible grounds, and to instruct that appropriate action be taken to remedy the situation.

Remedies include:

- Apology;
- Referring the student's profile back to an examination board with new information (e.g. a newly reported and approved extenuating circumstances outcome through the appeals process); Correcting factual or arithmetical errors;
- Offering the student an opportunity to attempt an assessment;
- Offering the student an opportunity to complete an alternative module;
- Offering the student the opportunity to repeat a level or module;
- Reinstate the student and allow them complete a level/module or assessment.

The student shall be informed by the Case Officer of the action being taken to remedy the situation by means of an Appeal Outcome Letter.

The Case Officer may make recommendations for consideration through the VOA's board structure as appropriate on any matter arising from the consideration of Appeals.

Review of Appeal Outcome

If the student is dissatisfied with the outcome of the formal stage, they may be able to request a review.

A request for a review may only be made on one or more of the following grounds:

- irregularities in the conduct of the academic appeals procedure, which are of such a nature as to cause reasonable doubt whether the same decision would have been reached had they not occurred;
- the existence of new material evidence which the student was unable, for compelling reasons, to provide earlier in the process;

- that evidence is available to show that the outcome reached at an earlier stage was unreasonable. In this context, unreasonable shall be taken to mean that the outcome was not a possible conclusion which a similar hearing or process of consideration might have reached.

A request for review of the appeal outcome must be received on the required form not later than 14 days after the notification of the appeal outcome.

Simple notice of a desire to request a review by a student within the above deadline shall not be deemed to constitute a formal request for review and shall not be accepted.

A request for review received after the above deadline will be deemed to be out of time and will not be considered unless there is independent evidence to show compelling reasons as to why the request for review was not submitted in a timely manner.

If no request for review is received within 14 days, the VOA will assume that the student does not wish to request a review.

A suitable senior officer shall review the request to ascertain if the request has been made on permissible grounds and if a clear case has been made. They may refuse any request which is not based on the grounds stated above or in which it is apparent that no clear case to review the appeal outcome has been made. The student shall be informed that the request for review has been rejected and that the original appeal outcome stands.

If it is determined that the request has been made on permissible grounds and that a clear case for reviewing the appeal outcome has been made, the senior officer shall consider the request.

In reaching a decision, the senior officer shall base his/her decision on the evidence of the student's submission together with any further evidence which they consider relevant. This review stage will not usually consider the issues afresh or involve a further investigation.

The senior officer shall be empowered to take one of the following decisions:

- to uphold the original appeal outcome;
- to reverse the appeal decision and uphold the original decision;
- to instruct that appropriate action be taken to remedy the situation.

The decision of the senior officer shall be final, and the matter shall, therefore, be regarded as closed. There shall be no further discussion of the decision of the senior officer with the student or any other person. There shall be no right to request a further review of the appeal outcome.

The decision of the senior officer shall be communicated to the student, normally within 28 days of receipt of the request for review by a revised Appeal Outcome Letter.

Definitions / Abbreviations

Velindre Oncology Academy (VOA)

"Student" - any person enrolled or registered to follow a Programme of Study or module(s) offered by the VOA and persons who have been students of the VOA for up to 3 months after they have left the VOA.

Responsibilities

VOA Responsibilities:

- Academic Appeals are overseen by the head of VOA and will delegate a case officer to each case. A case officer will be an academic faculty member of the VOA.
- Case Officers fulfil a range of roles in relation to an academic appeal, including undertaking an initial assessment, undertaking an investigation, and determining an outcome. The head of VOA will undertake the review of an appeal unless they are directly named in the appeal, in which case, a suitable alternative will be sought.
- Module leads are responsible for dealing appropriately and in line with the policy with informal concerns.

Student Responsibilities:

- Submitting the appeal on the appropriate form.
- Submitting the appeal within the timeframe.
- Providing any supporting evidence relating to their appeal case.
- Awareness of VOA policies.