GUIDE FOR STUDENTS
YOUR QUESTIONS ANSWERED

Please note that this process should only be followed if you wish to appeal the decision of an Assessment Board, which is administered by your School/Partner Institution.

This document is a walk-through process to assist you in understanding the University's Academic Appeal Regulations ('the Regulations'). **You are strongly encouraged to read this guide, together with the Regulations, prior to completing your Academic Appeal Application Form.**

A copy of the Regulations can be located at **www.tees.ac.uk/studentregulations**, and further information on submitting your Application Form to the Student Casework Office can be found in this guide.

1. What is an Academic Appeal?

When submitting an Academic Appeal ('Appeal') you are requesting a review of an Assessment Board decision in relation to your assessment, progression and/or award. The University's Nominee and/or Academic Appeal Committee ('AAC') does not have the authority to overturn a decision made by the academic and professional specialists who constitute an Assessment Board. The AAC can only recommend that an Assessment Board reconsiders its decision.

There is a flowchart at the back of this guide to assist you with this process.

2. Where can I get advice?

The Student Casework Office can assist you with the process.

Email: **sco@tees.ac.uk**

The **Students' Union** can provide you with free, independent advice and guidance on your individual circumstances. If you are enrolled on a course, which is validated by Teesside University and delivered by a Partner Institution, please contact your own Students' Union or equivalent.

Email: **suss@tees-su.org.uk**

For additional support you can contact the University's **Student and Library Services** who offer a wide range of services, including welfare advice, counselling and disability services.

Email: **studentlife@tees.ac.uk**

3. Important questions to ask yourself before submitting an Appeal:

3.1 Have my results been ratified?

You will **not** be able to submit an Appeal until your results have been formally agreed and published by an Assessment Board. For example, you may receive a provisional mark for a particular assessment, but this is not agreed until your results and overall profile have been considered by an Assessment Board.

If your results have not yet been ratified, we suggest that, in the first instance, you contact your tutor.

3.2 Am I within the timescales to make an Appeal?

Your Application Form must be received by the Student Casework Office within **15 days** of the date of the formal publication of your ratified results.

However, if in the first instance, you choose to commence the Early Resolution Stage of the Appeal process, you have **7 days**, from the conclusion of the Early Resolution Stage, to submit your formal Appeal to the Student Casework Office.

3.3 What if I am outside the 15-day deadline?

If you submit an Appeal outside of these timescales, you must enclose with your application a separate written statement explaining why it has been submitted late. The University's Nominee will then consider your written statement and determine whether to accept your case for consideration.

3.4 What information must I include?

You **must** identify the ground(s) and reasons for your Appeal.

It is also important that you include any relevant documentation to support your case and list the documentation you are including under the relevant ground.

You are strongly advised to keep a copy of your Appeal and any supporting documentation. Documents submitted as part of your Appeal will not normally be returned. Where photocopies of documents are submitted, you may be required to provide the Student Casework Office with sight of the original documents to verify their authenticity. If evidence is provided in a language other than English, it is your responsibility to have it independently translated.

3.5 Do I fall within the grounds for an Appeal?

The ground(s) under which you can submit an Appeal are:

i) Your academic achievement or progression was adversely affected by illness or other factors which you were unable, for valid reasons, to submit an Extenuating Circumstances Application under the University's Extenuating Circumstances Regulations **(Incapacity)**.

For example:

- *You were unexpectedly admitted to hospital and unable to submit an Extenuating Circumstances Form.*
- *You were unable to obtain and submit supporting evidence of your mitigating circumstances at the appropriate time, which prevented you from submitting an application to the Mitigating Circumstances Board.*

Your request must be supported by a clear statement explaining why you were unable to submit an Extenuating Circumstances Application at the appropriate time, together with medical certificates or other documentary evidence acceptable to the University's Nominee and/or AAC.

ii) Your performance in an assessment was adversely affected by a material administrative error attributable to the University, or to an agent acting on behalf of the University, or that an assessment was not conducted in accordance with the current University Regulations **(Procedural Error)**.

For example:

- *Your examination paper contained an error, which you believed affected your performance.*
- *You were given conflicting information regarding a submission date, which resulted in you submitting your assessment late.*
- *You feel there had been a breach of the Assessment Regulations, which affected your performance.*

If you are enrolled on a Higher Degree by Research course or undertaking the Advanced Independent Work module of a Professional Doctorate course, in addition to the grounds cited above, you may also apply under the following ground:

iii) On evidence produced by you or any other person, that there is **prima facie evidence of unfair or improper assessment** on the part of one or more of the examiners or other assessors.

Your Appeal should include a clear statement explaining why you believe the ground(s) to be relevant to your case.

An Appeal will not be considered under any other grounds.

3.6 Why could my Appeal be rejected?

Examples include, but are not limited to, the following:

- Your results have not yet been formally ratified by an Assessment Board.
- Your Appeal was not submitted within the timescales stated in the Regulations and is deemed out of time or is felt to be frivolous or vexatious.
- You are questioning academic judgement.
- You have not demonstrated why you did not apply for mitigating circumstances at the appropriate time.
- Your application was considered to be a complaint.
- You did not provide sufficient evidence to support your Appeal.

4. What if I am unsure whether my case falls within the Appeal process?

You should contact an Adviser from your Students' Union, or the Student Casework Office, who will be able to assist you.

5. What should I do if I feel my case falls under the grounds for an Appeal?

You have two options available, either the **Early Resolution Stage** or the **Formal Stage**. You may wish to use the Early Resolution Stage if you feel it would be of benefit, prior to submitting a formal Appeal however, you are not obliged to do so. You should approach your Students' Union as soon as possible to discuss the best option for you.

- **Early Resolution Stage**
  At the Early Resolution Stage, it is not necessary to complete an Application Form. However, this process should be commenced as soon as possible, within **15 days** of the date of the formal publication of your ratified results, by contacting an Adviser in your Students' Union who will help you to liaise with your School/Partner Institution. When meeting with an Adviser it is important to take any relevant information you may have to support your case.

  If you remain unhappy at the conclusion of this Stage you have the opportunity to submit an Application Form, under the formal process, but this must be received by the within **7 days** of the date of the written outcome of the Early Resolution Stage.

- **Formal Stage**
  You must submit your Application Form within **15 days** of the date of the publication of your ratified results (unless you have commenced the Early Resolution Stage in the first instance). If you are unsure of the date of your formal publication of results, please contact your School/Partner Institution.

6. How do I complete the Application Form?

Before completing your Application Form, we recommend that you seek advice from an Adviser in your Students' Union. A copy of the Application Form can be located at www.tees.ac.uk/studentregulations. Your completed application form should be submitted to the Student Casework Office via email.

The Application Form is divided into sections, and it is important that you complete all relevant sections, as any omissions may result in a delay with your Appeal being processed.

The sections identified below **must** be completed:

Section 1: Personal details

Section 2: Course information

Section 3: Academic Appeal information

Section 4: Your preferred outcome

Section 5: The involvement of an Adviser
As mentioned above, you are encouraged to seek advice from your Students' Union on completing your Application Form.

It is important that you understand that by ticking the box you are giving your consent for the SCO to discuss your case with your Adviser.

Section 6: Early Resolution Stage
Please explain if you have first followed the Early Resolution Stage and what the outcome was.

Section 7: Grounds for an Academic Appeal
It is essential that you identify the ground(s) on which you wish to apply, answer all related sections, and provide documentary evidence to support your Appeal.

Section 8: Privacy Notice and Declaration
It is important you understand that by signing the Application Form or emailing it to sco@tees.ac.uk, you are verifying that the information contained therein, together with any accompanying documentation is true. You are also thereby agreeing to the processing your personal data for the purposes of logging, coordinating, progressing, and facilitating resolution of the matter(s). The Student Casework Office will only process your personal data (which may include requesting or sharing personal data with staff and or Panels within Schools/Departments/Partner Institutions) for these express purposes. The Student Casework Office

will obtain your express consent to process any special category data which includes e.g. health records. Any personal data, including special category data, will only be processed to the extent necessary to properly administer your case, and appropriate safeguards are in place to ensure security of your personal data.

Third Party Data:
Please note that third party data will normally only be accepted with the written consent of the person concerned. If you plan to submit third party data without the consent of the individual, please ensure that it is anonymised (for example, names and any other personal data is redacted). Anonymising personal data may detract from the use or purpose of the information provided and consent is therefore preferable to ensure that the matter is properly considered. The University may refuse to accept documents, which include third party data without consent, and which have not been anonymised and you may be asked to resubmit such evidence once consent is obtained or anonymisation has taken place. Where non-anonymised third-party personal data has been accepted in error, the University reserves the right to redact the personal data. Processing of personal data in this way will be under the lawful basis of legitimate interest and in the public interest.

Disability or Specific Learning Disability:
Please ensure that you have identified on your Application Form whether you have a disability or specific learning difficulty and require any adjustments in order that the University can provide you with appropriate support to access this process. If you have difficulty submitting your Application Form via email, wish for it in a different format, or you wish to discuss your requirements please contact the Student Casework Office.

Please check before submitting your Application Form that:

- your results have been ratified.
- you are submitting your Application Form within **15 days** of the formal publication of your ratified results.
- your case falls within the grounds for an Appeal.
- you have sought advice from an Adviser in your Students' Union.
- you have completed all the relevant sections of the Application Form.
- you have identified whether you have any specific requirements relating to a disability or specific learning difficulty (should you wish to discuss your requirements please contact the Student Casework Office).
- you have included all necessary supporting documentation.
- where you have submitted Personal Data regarding a third party you have obtained written consent from that individual to share their Personal Data and have provided this with your Application, or you have anonymised the Personal Data;
- you have read and understood the Academic Appeal Regulations.
- you have taken a copy of your Application Form for your own records.

7. What if I would like somebody else to act on my behalf?

It is not permissible for the University to communicate with external third parties regarding your case without your written consent. This includes a representative from your Students' Union, legal representative, parent, guardian or spouse. Therefore, if you wish the University to discuss your case with a third party, you will need to confirm this on your Application Form.

8. How do I submit my completed Application Form?

Email it to: sco@tees.ac.uk

9. How long will it take to process my Application Form?

The length of time depends on the complexity of your case. However, the Student Casework Office will ensure that your Appeal is processed as quickly as possible.

10. What should I expect following submission of my Appeal?

You will receive written acknowledgement of your Appeal from the Student Casework Office.

If your Appeal has been submitted within the timescales and is fully completed it will then be forwarded to your School/Partner Institution for consideration.

- **If the School/Partner Institution agrees to review its previous decision:**
  The School/Partner Institution will write to you directly and provide the Student Casework Office with a copy of the correspondence. The Student Casework Office will then write to you advising that your case will be closed unless you advise otherwise.

- **If the School/Partner Institution does not agree to review its decision:**
  The School/Partner Institution will respond directly to the Student Casework Office with a Report, which will include the reasons for not supporting your Appeal. The Student Casework Office will then arrange for the University's Nominee to review the case.

11. What is a review by the University's Nominee?

Normally, within **7 days** of receipt of the Report from the School, the Student Casework Office will forward your submission and the Report to the relevant University's Nominee, who has had no prior involvement with you, or previous participation in the case under consideration.

After consideration of the available evidence, the University's Nominee may:

i) Request further information from you or your School/Partner Institution. This should be provided within 7 days of the request.
ii) Dismiss your case where it is agreed that your Appeal does not meet the ground(s), based on the evidence submitted.
iii) Where it is felt that further investigation is required, refer your case to an AAC to consider your Appeal.

12. What happens following consideration by the University's Nominee?

- **If the University's Nominee decides that your Appeal requires further investigation:**
  The Student Casework Office will write to you, normally within **10 days** of receipt of the University's Nominee decision, to advise that an AAC will be convened to consider your case.

- **If the University's Nominee decides that your Appeal should be rejected:**
  The University's Nominee will write to you with a detailed response, normally within **10 days**, which will include a copy of the Report from the School. You have a right to appeal this decision and further information on the Review Stage can be found in this Guide.

13. What happens at an AAC?

You will be invited to attend an AAC and provided with a copy of the papers prior to the meeting (including your Application Form, Report from the School and any other relevant documentation).

You may bring one friend with you who may not act as a representative or attend in any legal capacity unless permitted by the person conducing the proceedings, but this may be a representative from your Students' Union. Please note it will be your responsibility to liaise directly with your friend about your case and make necessary arrangements for attendance. If you are intending to bring a friend with you to the meeting, you should notify the Student Casework Office.

If you have given the Student Casework Office permission to liaise with an Adviser in the Students' Union, they will also be notified of the date of the meeting.

The AAC shall consist of three members who have had no prior involvement with you, or previous participation in the case under consideration.

- The nominee of the Chair of the Academic Board, who shall Chair the AAC.
- One elected President from the Students' Union.
- One senior representative of a School/Partner Institution not related to the case.

The AAC will have a Support Officer, who will attend in an advisory capacity, and a Secretary.

Representative(s) from the School/Partner Institution will also be invited to attend.

14. What happens following an AAC?

The Chair of the AAC will notify you of the decision in writing, normally within **14 days**.

- **If the AAC rejects your Appeal:**
  The Chair, via the Student Casework Office, will provide you with a detailed response on why your case has been rejected.

- **If the AAC accepts your Appeal:**
  The Chair, via the Student Casework Office, will request that the School/Partner Institution reconvene an Assessment Board and the Student Casework Office will notify you in writing of this decision.

15. What happens following a reconvened Assessment Board?

The School/Partner Institution will hold the reconvened Assessment Board as promptly as possible, normally with **15 days**, of the AAC's decision. The School/Partner Institution will notify you of the outcome in writing.

16. If I am unhappy with the outcome at any stage, can I appeal?

In exceptional circumstances, within **7 days** of notification of the decision of the University's Nominee or AAC, you may make a written request for a review, on an Academic Appeal Review Application Form asking for reconsideration of your Appeal. Your request should be made to the Student Casework Office in the first instance.

You can only submit a review against the decision of the University's Nominee or AAC under specific grounds, namely:

(a) That the decision of the University's Nominee or AAC was inconsistent and unsupported by evidence; and/or

(b) That there was a material procedural irregularity by the University's Nominee or AAC, which has prejudiced your case; and/or

(c) That additional evidence has come to light since the decision of the University's Nominee or AAC, which could not reasonably have been expected to have been produced at the time of the consideration of the Academic Appeal.

A request for a review will not be considered under any other grounds.

The Student Casework Office will forward your case to the University's Nominee for his/her consideration. You will be informed of the decision on your review within **15 days** of its receipt by the University's nominee.

17. How will I know when the process is complete?

At the conclusion of the University's internal process, you will normally be issued with a 'Completion of Procedures' letter in the manner prescribed by the Office of the Independent Adjudicator for Higher Education ('OIA').

18. What is the OIA?

The OIA operates an independent student complaints scheme. It will normally only consider cases that have completed the University's internal procedures.

More information on its rules can be found at **www.oiahe.org.uk**.

Student Casework Office

Academic Appeal Process Flowchart

NOTIFICATION OF RATIFIED RESULTS (normally via e-Vision)
Student has **15 days** to commence the academic appeal process.

EARLY RESOLUTION STAGE

School/Partner Institution writes to the student within **20 days**.
Student has **7 days** from receipt of the outcome of the early resolution stage to commence the formal stage.

FORMAL STAGE

The Student Casework Office
Will send the application to the School/ Partner Institution. However, if the Appeal is incomplete, does not meet the criteria or is submitted outside the timescales then this will be considered by the University's Nominee.

University's Nominee

Accepted
The University's Nominee can accept the application for consideration in which case it is forwarded to the School/Partner Institution

Rejected
The University's Nominee writes to the student and a Completion of Procedures letter is issued.

Application forwarded to School
School has **14 days** to respond.

School/Partner institution does not agree - The School/Partner Institution submits a Report' to the Student Casework Office within **14 days.**

School/Partner Institution agrees - The School/Partner Institution writes directly to the student within **14 days** *(copying in the Student Casework Office).*

CONSIDERATION BY UNIVERSITY'S NOMINEE
(within 10 days)

The University's Nominee requests further information from either party before reaching a decision.

The University's Nominee agrees that further investigation is required and refers the case to an AAC.

The University's Nominee rejects - a response is provided to the student *(including a copy of the Report)*.

ACADEMIC APPEAL COMMITTEE (AAC) CONVENED

AAC Accepts
Student notified of outcome within **14 days**

AAC Rejects
Student notified of outcome within **14 days**

REVIEW
Student has option to Appeal. The Student Casework Office will send the Appeal to the relevant University's nominee to respond directly to the student within **15 days**. Once the University's internal processes are concluded the student will be issued with a 'Completion of Procedures' letter, which means they may then complain to the Office of the Independent Adjudicator (OIA). The student has **12 months** to submit their complaint.

Assessment Board Accepts
School/Partner Institution writes to the student within **7 days**
(sending a copy to the Student Casework Office).

Assessment Board Rejects
School/Partner Institution writes to the student within **7 days.** Student can submit a fresh Appeal, or the Student Casework Office will issue the student issuing a 'Completion of Procedures' letter.