

STUDENT ATTENDANCE AND ENGAGEMENT APPEAL PROCESS

GUIDE FOR STUDENTS YOUR QUESTIONS ANSWERED

Please note that Stages 1 to 3 of the Student Attendance and Engagement Procedure are administered by your School, and this Appeal process should only be followed in the event you have been withdrawn from your course.

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

A copy of the Procedure can be located at www.tees.ac.uk/studentregulations, and further information on submitting your Appeal to the Student Casework Office (previously known as the Office of Student Complaints, Appeals and Regulations (OSCAR)) can be found in this guide.

1. What is an Appeal?

When submitting an Appeal, you are requesting the Vice-Chancellor's nominee to reconsider the decision to withdraw you from your course of study under the Procedure and refer your case back to your School for reconsideration.

2. Where can I get advice?

The Student Casework Office can assist you with the process:

E: sco@tees.ac.uk

The **Students' Union** can provide you with free, independent advice and guidance on your individual circumstances.

E: 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:

E: studentlife@tees.ac.uk

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

3.1 Were you withdrawn following an Intervention 3 Meeting? Has the decision of the Intervention 3 Meeting been published?

You will **not** be able to submit an Appeal until the Dean's nominee who was present at the Intervention 3 Meeting has published their decision. You should receive the decision, in writing, normally within **7 days** of the Intervention 3 Meeting.

If you have not received the decision within the required time period, please contact the Dean's nominee in the first instance.

3.2 Were you withdrawn following the receipt of a withdrawal notification due to non-attendance?

You should note the date of the withdrawal notification on your Appeal Application Form. Please explain why you did not respond to the initial presumed withdrawal notification.

3.3 Am I within the timescales to make an Appeal?

Your Appeal must be submitted to the Student Casework Office within **7 days** of the publication of the Dean's nominee decision letter or withdrawal notification.

3.4 What if I am outside the 7-day deadline?

An Appeal received after the 7-day deadline can only be considered under **very** exceptional circumstances.

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 Vice-Chancellor's nominee will then consider your written statement and determine whether to accept your case for consideration.

3.5 What information must I include?

You **must** identify the grounds and reasons for your Appeal.

If the relevant information is not provided, the Student Casework Office will return your Appeal to you asking you to provide the necessary information. If the required information is not received, your Appeal will be rejected.

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. Where the submission of supporting documentary evidence is not possible at the time of the submission of your Appeal, due to circumstances outside of your control, your Appeal should be submitted prior to the deadline date with a clear statement that the evidence will follow, normally within 10 days. If no subsequent supporting evidence is received, the Student Casework Office will process your Appeal based on the available documentation. You are strongly advised to keep a copy of your Appeal and any supporting documentation. Documents submitted as part of your Appeal will not 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.

3.6 Do I fall within the grounds for an Appeal?

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

- i) That there was a procedural irregularity in the consideration of the case, which materially affected the outcome.

and/or
- ii) That information that could not previously be made available and is materially relevant to the outcome has subsequently emerged.

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.

3.7 What are NOT acceptable grounds for an Appeal?

Your Appeal will only be considered on the ground(s) set out in paragraph 3.6 above.

3.8 Why could my Appeal be rejected?

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

- The Intervention 3 Meeting has not yet published its decision.
- Your Appeal was not submitted within the timescales stated in the Procedure and was deemed out of time.
- Your Appeal was incomplete.

- It was felt that your Appeal was unsubstantiated under the grounds set out in paragraph 3.6 above.

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

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

5. How do I complete the Appeal?

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. Due to current working practices, your completed application form should be submitted to the Student Casework Office via email.

The Appeal 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: Date of the Intervention 3 Meeting decision letter or withdrawal due to non-attendance notification.

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 Appeal.

It is important that you understand that by ticking the box you are giving your consent for the Student Casework Office to communicate with your Adviser regarding your case.

Section 6: Grounds for Appeal

It is essential that you identify the ground(s) on which you wish to apply, answer all related questions, and provide documentary evidence to support your Appeal.

Section 7: Details about your Appeal and Case

Your Appeal must be submitted on a Student Attendance and Engagement Appeal Form available from the Student Casework Office or the University's website. It is essential that you answer all questions and complete all sections of the Appeal Form as fully as possible, following the guidance in the Student Attendance and Engagement Appeal Application Pack. Your Appeal should clearly identify the relevant ground(s) and if

possible, must be supported by documentary evidence. If students are submitting documentary evidence relating to a third party this should be appropriately redacted prior to submission to remove any personal third-party data.

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 Student Casework Office 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 for example, 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 Appeal that:

- you are submitting your Appeal within **7 days** of the publication of the Dean's nominee Intervention 3 Meeting decision letter or withdrawal due to non-attendance notification.
- you have completed all the relevant fields on this 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 relevant documentary evidence to support your Appeal.
- you have read and understood the Student Attendance and Engagement Policy and Procedure.
- you have clearly labelled any accompanying sheets.
- 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 taken a copy of your Appeal for your own records.

6. 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 be able to discuss your case with a third party, you will need to confirm this in your Appeal.

7. How do I submit my completed Appeal?

Email it to: sco@tees.ac.uk

8. How long will it take to process my Appeal?

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.

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

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

The Student Casework Office will conduct an initial screening of your Appeal to assess whether it complies with the Procedure. Where appropriate, the Student Casework Office will request from your School a written report within **10 days**. The Student Casework Office will then arrange for your Appeal and the written report to be sent to the Vice-Chancellor's nominee for consideration.

The Vice-Chancellor's nominee will decide whether:

- Dismiss your Appeal.

If this is the case, then the Vice-Chancellor's nominee will write to you with their decision and provide you with a 'Completion of Procedures' letter.

- Uphold your Appeal and refer the case back to the reconsidered under paragraph 5 of the Procedure or reach an alternative conclusion.

The Vice-Chancellor's nominee will write to you with their decision.

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

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

11. What is the Office of the Independent Adjudicator (OIA)?

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

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