



Policy Title	Academic Appeals Policy
Version	№2
Effective Date:	July 1 st , 2021
Approved by:	Academic Council
Scope:	University wide
Purpose:	To establish University rules on academic appeals

1. General Principles

- 1.1 An academic appeal is a representation against a decision of the Assessment Board in respect of an assessment outcome for an individual student. The purpose of these regulations is to provide a framework within which a student may seek to challenge the decision of an Assessment Board in respect of that student's assessment, in order to protect against potential unfairness resulting from omission or error on the part of the University. The regulations are intended to provide an opportunity to remedy material disadvantage to a student.
- 1.2 As academic appeals are always related to individual assessment outcomes, it is unusual for students to submit collective appeals. However, the University recognises that there may be exceptional circumstances where the issues raised affect a number of students and therefore those students may wish to lodge a collective appeal. In these cases, each student is expected to show how they have personally been affected by the situation. In certain instances, a nominated individual may be required to act as spokesperson for those students who are making the collective appeal.
- 1.3 An academic appeal may only be submitted by the student whose assessment decision is being challenged – a third party may not submit an academic appeal on behalf of a student.
- 1.4 The University will not consider academic appeals which are made anonymously, nor will it consider requests made by appellants for appeals to be considered anonymously.
- 1.5 Student expenses for making an appeal will not be reimbursed by the University, regardless of the subsequent outcome.
- 1.6 The University undertakes to treat all appeals with confidentiality. Disclosure of evidence will be restricted to those parties involved in the review process.

2. Definitions

- 2.1 An '*Academic Appeal*' is defined as a request for a review of a decision of an Assessment Board charged with decisions on student progress, assessment and awards. This includes challenges to the outcomes of the extenuating circumstances process.
- 2.2 A '*Complaint*' is any expression of dissatisfaction with the standard of service provided by the University or its agents, or with the actions or lack of actions by the University, its agents, or members of staff.
- 2.3 A '*BMU Assessment Board*' is the formal body of the BMU constituted for the purpose of, *inter alia*, making decisions concerning student assessment, progression and award.
- 2.4 '*Extenuating Circumstances*' are defined for the purposes of assessment as circumstances of a serious nature, usually sudden or unforeseen, that occurred during or immediately before a specific item or period of assessment, and which had an adverse impact on the student's performance. Please, refer to Extenuating Circumstances Policy for the details.
- 2.5 '*Academic Judgement*' is a judgement that is made about a matter where only the opinion of an academic expert will suffice, for example a judgement about assessment, a degree classification, fitness to practise, research methodology or course content/outcomes will normally be academic judgement. However, the fairness of procedures, the facts of the case, misrepresentation, the manner of communication, bias, an opinion expressed outside the area of competence, the way evidence is considered and maladministration in relation to these matters are all issues where academic judgement is not involved.

2.6 *'Material irregularity'* means the University has not acted in accordance with its own regulations or procedures, or has not acted with procedural fairness, and that this failing on the part of the University is so significant that it has had a material impact on the outcome. I.e., had it not been for this failing the outcome would probably have been substantively different.

2.7 The *'Assessment Process'* includes all aspects of assessment, including the application of assessment regulations, compliance with assessment requirements, calculation of marks and outcomes, and the conduct of the Assessment Board.

3. Grounds for Appeal

3.1 A decision of an Assessment Board may only be changed where one or both of the following criteria (the grounds) have been demonstrated to the satisfaction of the body considering the appeal:

- a) that there has been a material irregularity in the assessment process or in the procedure of the Assessment Board;
- b) that there has been a material irregularity in the conduct of the Extenuating Circumstances process.

3.2 Students wishing to appeal using ground b) (noted above) are advised to read Extenuating Circumstances Claim Policy, prior to submitting an appeal.

3.3 Academic appeals which seek to challenge the academic judgement of the Assessment Board will not be considered, and therefore matters of academic judgement will not be grounds for an academic appeal.

4. Procedure

STAGE 1: Initial Consideration

4.1 All academic appeals must be made within **10 working days of the publication of the decision which is being appealed** using the academic appeal form and submitted to the Registrar's Officer. All evidence must be provided at the time the appeal is submitted.

4.2 An academic appeal submitted after this deadline may, exceptionally, be admitted at the discretion of the Registrar's Officer where the student can provide good reason, to the satisfaction of the Registrar's Officer, for its late submission.

4.3 The appeal request will be acknowledged normally within **10 working days** of its receipt.

4.4 The Registrar's Officer shall review the appeal request and make one of the following determinations:

- a) That the appeal provides evidence of permissible grounds, as stated above, in which case the appeal shall move to Stage 2.
- b) That the appeal does not provide evidence of permissible grounds, as stated above, in which case the Registrar's Officer will advise the student in writing of this finding, **within 10 working days** of receipt of the appeal, and that the appeal will not be further considered.

4.5 The Registrar's Officer will write to the student to notify him/her of this determination normally **within 15 working days** of receipt of the appeal.

4.6 Where the Deputy Registrar determines that the appeal does provide evidence of permissible grounds, the appeal shall move to Stage 2.

STAGE 2: Consideration by the Assessment Board

4.7 Where it is determined by the Registrar's Officer that the appeal shall progress to Stage 2, the Registrar's Officer will investigate all of the relevant issues detailed in the appeal. The Registrar's Officer will normally complete this investigation **within 20 working days** of receipt of the appeal, or within 20 working days of the conclusion of the review of the Deputy Registrar.

4.8 Upon the completion of these investigations, the Registrar's Officer will:

4.8.1 in the case of an appeal based on grounds of material irregularity in the assessment process, report his/her findings in writing to the Chair of the Assessment Board whose decision is being appealed. The Chair of the Assessment Board shall consider these findings on behalf of the Assessment Board, and where appropriate should liaise with

and seek views and opinions from relevant academic and other staff. The Chair shall, on behalf of the Assessment Board, reach one of the following determinations:

- a) that a material irregularity in the assessment process did occur and that, had it not been for that irregularity, the original decision of the Assessment Board would have been different. In such cases the Chair shall uphold the appeal and modify the Board's original decision as appropriate; or
- b) that a material irregularity in the assessment process did occur, but even had the irregularity not occurred the original decision of the Board would not have been different. In such cases the Chair shall reject the appeal and the Board's original decision will stand; or
- c) that a material irregularity in the assessment process did not occur. In such cases the Chair shall reject the appeal and the Board's original decision will stand.

4.8.2 in the case of an appeal based on grounds of material irregularity in the conduct of the Extenuating Circumstances process, report his/her findings in writing to the Registrar's Office, with a copy to the Chair of the Assessment Board whose decision is being appealed. The Chair shall consider these findings on behalf of the Registrar's Office, and where appropriate should liaise with and seek views and opinions from relevant academic and other staff. The Chair shall, on behalf of the Registrar's Office, reach one of the following determinations:

- a) that a material irregularity in the conduct of the Extenuating Circumstances process did occur and that, had it not been for that irregularity, the original decision of the Registrar's Office would have been different; or
- b) that a material irregularity in the conduct of the Extenuating Circumstances process did occur, but even had the irregularity not occurred the original decision of the Board would not have been different; or
- c) that a material irregularity in the conduct of the Extenuating Circumstances process did not occur.

The Registrar's Office shall notify his/her findings and determination to the Chair of the Assessment Board. The Chair of the Assessment Board shall consider these findings on behalf of the Assessment Board. The Chair shall, on behalf of the Assessment Board, reach one of the following determinations:

- a) that, in light of the findings of the Registrar's Office, the original decision of the Assessment Board would have been different. In such cases the Chair shall uphold the appeal and modify the Board's original decision as appropriate; or
- b) that, in light of the findings of the Registrar's Office, the original decision of the Assessment Board would not have been different. In such cases the Chair shall reject the appeal and the Board's original decision will stand.

4.9 Written confirmation of the Stage 2 decision, along with the full reasons for that decision, should be provided by the Registrar's Officer to the student within **30 University working days** of receipt of the appeal. Where the outcome of the appeal may impact on a student's progression, and any delay in considering the appeal may adversely impact the student's academic career, the University will do all that it can to expedite the consideration of the appeal, however this cannot be guaranteed as it is important that a robust process is followed, and full consideration is given to the appeal.

4.10 Where the Chair of the Assessment Board modifies the Board's original decision, this shall be reported to the next meeting of that Assessment Board.

4.11 The decision made in Stage 2 is final and not subject to change.

Revision History

Version	Approved by	Approval Date	Description of Change
3	Academic Council	April 12 th , 2023	This policy should be reviewed in June 2024, when new Senior Staff are onboard and some of the responsibilities mentioned herein can be devolved.



Rector Conrad Ozóg