

Appeals Procedure Guidance
(University – delivered provision)
[AS12 Appendix I](#)

Contents

What is an Appeal?	2
Stage 1 – Informal Stage - ‘Early Resolution’	2
Is this an Academic Appeal, or a Complaint?.....	3
Stage 2 – Formal Stage – ‘Formal Appeal’	3
What is a Formal Appeal?	3
What are the grounds for Formal Academic Appeal?	4
Challenging Academic Judgement:	4
How do I submit a Formal Appeal?	4
What is the deadline for a Formal Appeal to be submitted?	5
What support is available to help with my formal appeal?	5
What happens after I have submitted my Formal Appeal?	5
Formal Appeal Processing.....	5
What if my case does not meet the grounds for Formal Appeal?	5
Setting realistic expectations:	5
Investigating the Formal Appeal	6
What is considered by the investigating member of staff when reading a Formal Appeal?	6
What happens next?	6
OIA Case study on student’s mental health:.....	6
Closing the Academic Appeal at Formal Stage	7
The Letter of Decision	7
The Formal Appeal Decision	7
Request for Vice-Chancellor Review - Final Stage	8
When can a Request for Vice-Chancellor Review be submitted?.....	8
What support is available to help with my Request for Vice-Chancellor Review?	8
How do I Request for Vice-Chancellor Review Submitted?	8
What if I submit my Request to the Vice-Chancellor late?	9
What is considered by the investigating officer when reading a Request for Vice-Chancellor Review?	9
What happens next?	9
Closing the Academic Appeal at Formal Stage	10
The Vice-Chancellor’s Letter of Decision	10

Completion of Procedures Letter.....	10
External Review.....	11
Confidentiality.....	11

What is an Appeal?

An Academic Appeal is defined as “a request for a review of a decision of an academic body charged with making decisions on student progress, assessment and awards”. This may include a request to change marks or progress decisions, or final award classifications.

Stage 1 – Informal Stage - ‘Early Resolution’

It is always preferred for students to resolve queries or concerns via the initial Informal stage. Any communication of student results will need to contain a reference to the Early Resolution Request Form: <https://go.herts.ac.uk/earlyresolution>. Students can contact Herts Academic Skills HAS@herts.ac.uk (for help in completing this form).

After submitting an Early Resolution Request, students will receive an initial response within five (5) working days. The Early Resolution Team within Herts Academic Skills will initially ascertain whether:

- (i) further information is required from the student;
- (ii) immediate early resolution is possible – this may be the case when the Early Resolution Team is able to clarify an issue or explain a procedure that the student has not fully understood;
- (iii) referral to the Fit-to-Sit team, the student’s academic school, or another university service is required;
- (iv) The student’s request cannot be addressed through the Early Resolution process.

For (i) above, students will be contacted via their preferred method of communication (specified in the Early Resolution Request form). All other outcomes will be communicated via email. Communication of outcomes will include an Early Resolution Reference Number and details of how a student can make a formal appeal if they wish to do so.

Issues which can be resolved by the Early Resolution process include the following:

1. The concern relates to a mark or grade of an individual item of coursework, which can be addressed directly with the marker, module leader, or programme leader;
2. The concern relates to an overall result of an individual module, which can be addressed directly with the module leader:

3. The concern relates to stage progression, entitlement to an award, or the class or grade of an award, which can be addressed directly with the programme leader:
4. The concern relates to the students' personal circumstances, which can be addressed via their Personal Tutor, Academic Support Tutor, Year or Programme Leader, or the Fit-to-Sit team.
5. The concern relates to suspected administrative error or procedural irregularity, which can be addressed via the relevant Chair of the Short Course/Module or Programme Board of Examiners

Is this an Academic Appeal, or a Complaint?

If the student has raised dissatisfaction regarding the university's action or lack of action, or about the standard of service provided, this would be considered as a complaint, rather than an academic appeal. A complaint can also be about the quality of other aspects of student life, for example about accommodation services, facilities, or behaviours, whether provided directly by the provider or by a third party on behalf of the provider.

Where a student wishes to have an academic decision overturned this is not normally dealt with as a complaint. Students may seek impartial advice from Herts SU Advice if they are not sure which process to proceed with.

Seek clarification if necessary. This can provide an opportunity to manage the student's expectations before deciding whether to submit a formal appeal, and ensure they are signposted to the appropriate procedure.

A written outcome of the informal stage should be provided to the student.

Stage 2 – Formal Stage – 'Formal Appeal'

What is a Formal Appeal?

Once the Early Resolution Request process has been completed, and if the student remains dissatisfied with the outcome, a formal academic appeal may be submitted. A formal academic appeal is a request to the Dean of School to review an assessment decision made by the Board of Examiners about the following:

- mark or grade for an individual item of coursework
- result of an original module
- progression on to the next stage of your Programme of Study
- entitlement to an Award
- class or grade of an Award

What are the grounds for Formal Academic Appeal?

There are limited permitted grounds on which a Formal Academic Appeal can be made in accordance with the University's Policies & Regulations - UPR AS12:

- i. the assessment procedures were not followed properly.*
- ii. there has been an administrative error that would affect the outcome of the assessment decision.*
- iii. the examinations or other assessments were not conducted in accordance with the approved programme regulations*
- iv. University and/or programme-specific regulations on progression and awards were not complied with*
- v. relevant information, including information that has already been provided by the student, was overlooked*
- vi. there is new evidence that would affect the outcome of the decision that the student was unable, for good reason, to provide earlier in the process*
- vii. there is a reasonable perception of bias during the process*

Challenging Academic Judgement:

The University will not admit queries which consist solely of a challenge to the academic judgment of Examiners or individual markers in assessing the merits of a candidate's work or in reaching a decision or recommendation on progression, award or the class or grade of award based on the marks, grades and other information relating to the candidate's performance.

How do I submit a Formal Appeal?

The student will complete a [University Request for Review \(Appeal Form\)](#) and submit it to the Student Cases Team at: appeals-support@herts.ac.uk

The form must be fully complete, including a summary of the case and grounds for requesting a review.

Students will need to provide as much **evidence** as possible to support their Appeal, this must relate to the **date of the examination/assessment submission**. E.g., medical evidence/hospital/GP letters, proof of any communication with the tutor(s) regarding the issue, supporting letter from the University's [Student Wellbeing Service](#) (if the student has been engaging with the service at the time of examination/assessment submission).

An appeal cannot be considered without supporting evidence.

What is the deadline for a Formal Appeal to be submitted?

*Requests for a Formal Academic appeal must be received within **10 working days of the Early Resolution Outcome**.*

What support is available to help with my formal appeal?

The [Herts Student Union Advice & Support Centre](#) can offer impartial and practical guidance and support for students considering submitting a Formal Academic Appeal. To arrange an appointment, please contact the team direct via advice@hertssu.com.

Students requiring reasonable adjustments for this process should seek further support and guidance from the [Student Wellbeing team](#).

What happens after I have submitted my Formal Appeal?

The formal stage should be dealt with by staff who have not been involved with the case previously.

Formal Appeal Processing

On receipt of a formal academic appeal staff will check that the academic appeal is submitted under the correct procedures, falls within the grounds upon which an appeal may be made, is submitted within the deadline (as per the UPR), and is in the required format.

This process may result in:

- the student being referred to a different procedure.
- the academic appeal proceeding to formal consideration
- the academic appeal being rejected because it is not made under the permissible grounds.

What if my case does not meet the grounds for Formal Appeal?

Where some or all parts of the student's academic appeal fall outside the permissible grounds, this should be explained to the student. The appropriate member of staff should consider meeting with the student to do this.

Setting realistic expectations:

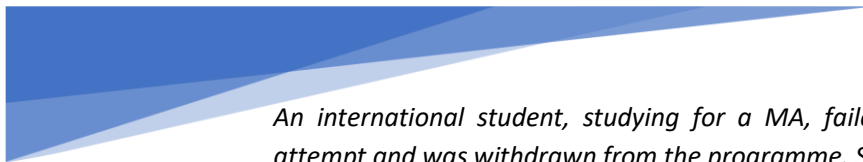
If the student's expectations appear to go beyond what the provider can reasonably deliver or what is in its power to deliver, the staff member should explain this to the student as soon as possible in writing. This helps to manage expectations about possible outcomes.

Investigating the Formal Appeal

What is considered by the investigating member of staff when reading a Formal Appeal?

1. Has the student set out clearly what the academic appeal is about, and which area(s) of the university are involved?
2. Has the student provided evidence in support of the academic appeal?
3. What outcome is the student hoping for and can it be achieved?
4. What assistance or support can be provided to the student in taking this forward?

What happens next?



An international student, studying for a MA, failed an assessment at the second attempt and was withdrawn from the programme. She submitted an academic appeal against the decision to withdraw her, on grounds of procedural error in an assessment. She also provided independent medical evidence which confirmed that the withdrawal has been affecting her mental health. The provider expedited the formal stage of her academic appeal to minimise any further detriment to the student's health.

1. The Investigator should consider meeting with the student, if necessary.
2. Gather documents and information relating to the appeal.
3. Is further investigation needed? (i.e., do other members of staff need to be contacted?)
4. Does this case need to be referred to an appeal hearing or meeting?
5. Explain the outcome to the student.

Remember, some academic appeals may **require swift action**.

These may include, but are not limited to:

- cases where the impact of the issues raised has detrimental consequences for the student's mental health or where the student displays significant distress.
- cases where external time limits apply for example in meeting regulatory requirements for the completion of professional courses.

OIA Case study on student's mental health:

The procedures followed should be **proportionate to the nature of the academic appeal** and the complexity of the issues raised. **The member of staff investigating the academic appeal may talk to**

key staff and consider documents and other evidence. The student's school or department will usually be asked to comment on the academic appeal.

Closing the Academic Appeal at Formal Stage

The provider **should write to the student setting out the outcome of the formal stage within 20 working days** (Letter of Decision), including any decision to reject the appeal because it is not made under the permissible grounds, giving a clear explanation, and outlining the reasons for each decision in straightforward language. This will help the student decide whether to pursue the matter further.

The Letter of Decision

The Dean of School (or nominee) will communicate their decision to the student in writing. The Dean of School only has the ability to decide upon whether an academic decision should be reviewed (referred back to the Board) or not; it is the responsibility of the Board to decide whether the academic decision needs to change.

The Letter of Decision will:

1. Inform the student of the decision;
2. Give the reasons why the decision was taken (including linking to the appropriate policies and procedures to justify decision);
3. Where the matter has been referred to the Board of Examiners, advise the student that the proceedings of the Board of Examiners are confidential, that its decisions are a matter of academic judgement, cannot be influenced and are final;
4. Explain any further rights of appeal that the student might have. Included with the letter will be a copy of the report or record of any meetings or hearings which has taken place.

The Dean of School will provide a copy of the Letter of Decision to the Head of Student Administration, and to the Chair of the Short Course/Module or Programme Board of Examiners.

Where the Dean of School has referred the matter to the Board of Examiners, the Chair of the Board of Examiners concerned will notify the student, in writing, of the decision.

Where the Board of Examiners finds evidence of administrative error or procedural irregularity, the Board of Examiners will take the appropriate action.

The Formal Appeal Decision

The decision should also provide information about:

1. The student's right to take the academic appeal to the VC Review stage.
2. The grounds on which they can do so.
3. The time limit for escalating to the VC Review stage.

4. The appropriate procedure.
5. Where and how to access support ([Herts Student Union Advice & Support Centre](#)).

Where an academic appeal is **upheld**, the provider should explain how and when it will implement any remedy, whether that includes an apology and what the student can do if they remain dissatisfied with the outcome.

All records of academic appeals and their outcomes should be kept on file (Letters of Decision to be saved in the Confidential Student File).

Request for Vice-Chancellor Review - Final Stage

When can a Request for Vice-Chancellor Review be submitted?

If the decision of the Short Course/Module or Programme Board of Examiners **remains unchanged** after the request has been referred to it by the Dean of School,

or a student has had their request **dismissed by the Dean of School** then a student may, in limited circumstances, make representations to the Vice-Chancellor, in their capacity as Chair of the Academic Board.

The request for Vice-Chancellor Review can only be submitted on the grounds that **exceptional circumstances** apply.

It is important to remember that any submission to the Vice-Chancellor should not be regarded as another opportunity to present the same arguments as those submitted to the Dean of School and **should be made only** if the student can evidence one or more of the following grounds:

- (i) that the correct procedure has not been followed and/or
- (ii) that all the relevant circumstances have not been considered and/or
- (iii) that there is new evidence not previously considered by the Dean of School.

What support is available to help with my Request for Vice-Chancellor Review?

The [Herts Student Union Advice & Support Centre](#) can offer impartial and practical guidance and support for students considering submitting a Formal Academic Appeal. To arrange an appointment, please contact the team direct via advice@hertssu.com.

Students requiring reasonable adjustments for this process should seek further support and guidance from the [Student Wellbeing team](#).

How do I Request for Vice-Chancellor Review Submitted?

Students must submit the request via the [Request by the Vice-Chancellor Form](#) within **ten (10) working days** of:

1. the date of the Letter of Decision sent on behalf of the Dean of School, stating that the Formal Appeal has been dismissed, or
2. the date of the written notification from the Short Course/Module or Programme Board of Examiners that its decision is unchanged.

The Request by the Vice-Chancellor Form **must** contain a statement detailing the grounds upon the review is requested, together with any relevant documentary evidence to support the circumstances included within the statement. This may be a letter from a relevant professional, on headed paper, either externally or internally from UH.

The form and attached documents should then be emailed to the Student Procedures team (Dean of Students Office) via studentprocedures@herts.ac.uk.

What if I submit my Request to the Vice-Chancellor late?

If the student does not escalate the Formal Academic Appeal to the Request for VC Review stage within the time limit for doing so (as explained in the previous section), the provider may close the matter and notify the student in writing. This will be dependent on whether the student is able to provide **evidence** of mitigating circumstances for why their request has been submitted outside of the standard timeframe.

An example of this may be because the student has been unwell in hospital at the time of the deadline, or other personal circumstances that has caused unforeseen and exceptional circumstances.

If the appeal is not considered for final stage review, it is good practice to issue a Completion of Procedures (COP) letter, at the request of the student, but the COP letter should explain that the student has not completed the provider's internal processes, and the reasons for this.

What is considered by the investigating officer when reading a Request for Vice-Chancellor Review?

In the first instance, the Vice-Chancellor will consider the students' request form and determine whether there is sufficient justification for the review to be considered.

The investigating officer will then review all evidence on behalf of the Vice-Chancellor, including all documents available at previous stages of the process. The Vice-Chancellor's decision will be based on the evidence available.

What happens next?

If the request for review is accepted for consideration, the Student Procedures team will issue a Letter of Acknowledgement to the student.

Within **20 working days** of the date on the Letter of Acknowledgement, or as soon as possible thereafter, the Vice-Chancellor will:

- a) dismiss the request and advise the student accordingly by providing a Vice-Chancellor's Letter of Decision or
- b) determine that there is sufficient justification to require the Module or Programme Board of Examiners, as appropriate, to reconsider the case and advise the student accordingly by means of a Vice-Chancellor's Letter of Decision or
- c) determine that a more detailed review should be made involving, possibly, the gathering of additional evidence and/or the seeking of further guidance and advise the student accordingly in writing.

Please remember that **the Vice-Chancellor does not possess the power to alter decisions**, however the Vice-Chancellor may request that the appropriate Board of Examiners review the case in view of any exceptional circumstances.

Closing the Academic Appeal at Formal Stage

The Vice-Chancellor's Letter of Decision

The Vice-Chancellor will communicate their decision to the student in writing, and sent to the email address the student has provided to the University for all correspondence.

The Letter of Decision will:

- a) inform the student of the decision;
- b) provide a clear explanation for why the decision was taken;
- c) where the matter has been referred to the appropriate Board of Examiners, it will be explained to the student that the proceedings of the Board of Examiners are confidential, that its decisions are a matter of academic judgement, cannot be influenced and are final.

Completion of Procedures Letter

The Vice-Chancellor's Letter of Decision will be followed by a 'Completion of Procedures' Letter (COP). This letter will confirm that the student has completed the University's internal processes and may be used in relation to any future dealings with the Office of the Independent Adjudicator (OIA).

If the students' request for Vice-Chancellor Review has been upheld or partially upheld, the student may contact studentprocedures@herts.ac.uk within one month of the date on the Vice-Chancellor Letter of Decision, to request a Completion of Procedures Letter.

External Review

If a student is still dissatisfied, they may take the case to the Office of the Independent Adjudicator for Higher Education, which provides an independent scheme for the review of student complaints. The OIA will consider cases only when the University's own internal complaints procedure has been exhausted. It will not intervene in matters which turn purely on academic judgment. Further information about the scheme is available at www.oiahe.org.uk

Confidentiality

Academic appeals should be handled with an appropriate level of confidentiality, with information released only to those who need it for the purposes of investigating or responding to the academic appeal. No third party should be told any more about the investigation than is strictly necessary when obtaining the information required from them.