

Appeals Policy

Owner: Head of Quality Assurance (Cross College)	Related Strategies: N/A
Relevant to: Students	

Office Use only:

Corporate Intranet Family: Curriculum and Quality (CQ)	Approval Board/Committee/Group: N/A Executive Owner: N/A	Approval/Re-approval Date: July 2021	Implementation Date: July 2020	Next Review Date: July 2022
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New Policy or Substantive Policy Review

Version	Date	Policy Development Agreed by (Executive Owner)	Policy Development Author	Draft Policy Verified by	Policy Approval	Impact Assessment (if applicable)
6	June 2021	Academic Board	Liam Ward	Head of Quality & Compliance	Yes	

Rationale for new or substantive policy review	
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Please make explicit if change/review relates to procedures, guidelines and associated documents only

Periodic Policy Review / Change History

Version	Date of Review / Revision	Description of Change	Reviewed By	Approved By (Executive Owner)
1	Sept 2014	Initial policy drafted and finalised	Assistant Principal Quality & Learning Enhancement	Student Experience Steering Group
2	March 2016	Policy migrated to 16/17 template	Head of Service Quality Audit & Standards	N/A
3	January 2017	Policy reviewed	Head of Service Quality Audit & Standards	N/A
4	October 2017	Policy reviewed	Head of Service Quality Audit & Standards	N/A
5	July 2018	Policy reviewed and migrated to 18/19 template	Interim Head Quality Audit & Standards	N/A
6	August 2019	Policy updated to reflect changes needed by awarding organisation.	Head of Quality and Compliance: Cross College	N/A
7	July 2020	Policy reviewed and updated in line with Covid-19 content.	Head of Quality and Compliance: Cross College	N/A
8	June 2021	Policy reviewed and updated for Higher Education	Head of Quality and Compliance: Cross College	N/A

Communication

To be agreed by Executive Leadership Team

Announcement on hub <input type="checkbox"/>	SLT email <input type="checkbox"/>
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College newsletter	<input type="checkbox"/>	All staff email	<input type="checkbox"/>
SLT meeting	<input type="checkbox"/>	Cascade brief	<input type="checkbox"/>
External website	<input type="checkbox"/>	Training needed (specify who)	<input type="checkbox"/>

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1.1. Principles

- 1.1.1. This procedure allows for a student or students to appeal against decisions made by the College in relation to assessment procedures and outcomes. Students may appeal an outcome on the basis of evidence or procedure, but not on the basis of disagreement with academic judgement.
- 1.1.2. As per the Quality Assurance Agency (QAA) UK Quality Code, an academic appeal is defined as: "A request for a review of a decision of an academic body around a mark, outcome or decision. Students may appeal an outcome on the basis of evidence or procedure, but not on the basis of disagreement with academic judgement" (QAA Quality Advice and Guidance; Concerns, Complaints and Appeals)
- 1.1.3. The Appeals procedures should not be used where students wish to complain about their experience at the College
- 1.1.4. Students will not be disadvantaged as a result of making an appeal.
- 1.1.5. All information submitted in relation to appeals will be dealt with confidentially and will only be disclosed to the people involved in the investigation, appeal hearing (should there be one), or as is necessary to progress the appeal. This may include the Joint Council for Qualifications (JCQ) or Awarding Organisations.
- 1.1.6. Both the Quality Assurance Agency (QAA) UK Quality and Code and Office of Independent Adjudicator (OIA) Good Practice Guidelines have been referenced in the development of this Appeals Procedure <https://www.oiahe.org.uk/resources-and-publications/good-practice-framework/>
- 1.1.7. The College will review appeals to enable improvements in the experience of students of the College by capturing learning from the appeals process and using the information for quality improvement

1.2. Grounds for an appeal

- 1.2.1. Grounds for appeal can relate to decisions made about procedures such as:
 - A procedural irregularity in the assessment process
 - Bias or perception of bias
 - Mitigating (extenuating) circumstances where, for good reason, the academic body was not made aware of a significant factor relating to the assessment of a student when it made its original decision.
- 1.2.2. Grounds for appeal can include:
 - That there was an error or irregularity in the process
 - That the decision was not in accordance with the relevant regulations
 - That the person or panel making the decision did not take sufficient account of the circumstances
 - That there was an error in terms of the assessment decisions
 - That there was an error in terms of the IQA decisions
- 1.2.3. The following are not normally considered to be legitimate grounds for an academic appeal (as per OIA Good Practice Framework, 2016):

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- “where a student questions the exercise of academic judgment, that is, the decision made by academic staff on the quality of the work itself or the criteria being applied to mark the work (rather than the administrative marking process)”
- “where a student disagrees with the conclusions reached by the individual or panel which considered his or her mitigating (extenuating) circumstances”

- 1.2.4. Failure of the student to follow College procedures and deadlines does not in itself constitute grounds for an appeal.
- 1.2.5. When an external assessment is undertaken and/or related to a Professional, Statutory or Regulatory Body (PSRB), the PSRB is likely to have its own appeals procedures – therefore, PSRB regulations should be referenced

1.3. Making the appeal

- 1.3.1. The appeal should be *made within 10 College working days from the date the learner is informed of the assessment* decision about which the appeal is based. Appeals submitted beyond this date will not normally be considered
- 1.3.2. Appeals should be submitted to the Head of Department, or to the Student Services Manager.
- 1.3.3. Head of Department should email all appeals to appeal@sheffcol.ac.uk
- 1.3.4. The submission should state clearly the grounds for the appeal (see section 1.2 above), and must include documentary evidence to support the claim.
- 1.3.5. Where some parts of the academic appeal fall outside the permissible grounds, this will be discussed with the student.
- 1.3.6. The College will provide advice and guidance to students wishing to make an appeal e.g. through the Student’s Union, the Student Services Team or via the student’s personal tutor. Student Services can be contacted via the following link <http://www.sheffcol.ac.uk/form/Get%20in%20Touch/>. However, the student has the right to seek advice from other avenues should they wish.
- 1.3.7. The student may make the appeal submission personally, or may appoint someone to do it on their behalf.
- 1.3.8. The Sheffield College can also offer assistance if you wish to discuss any reasonable adjustments to the formal complaints and appeals procedures.

2.1. Investigating the appeal

- 2.1.1. The Head of Department or Student Services Manager, or an appropriate manager delegated by them, will investigate the student’s case. This will normally include discussions and correspondence with relevant staff, scrutiny of relevant records and documents, and scrutiny of any documents provided by the student with the appeal form to explain or support the appeal. Receipt of the appeal will be acknowledged within 5 working days. The investigation and the outcomes provided to the Appeals Panel to be completed within 15 working days
- 2.1.2. The findings of the investigation must be submitted to the Appeal Panel via the Head of Department or Student Services Manager. The investigation and the outcomes provided to the Appeals Panel to be completed within 15 College working days.
- 2.1.3. Appeals must be emailed to appeal@sheffcol.ac.uk

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2.2. Hearing the appeal

- 2.2.1. The appeal will be considered by an Appeal Panel specially convened for the purpose.
- 2.2.2. A panel will be convened by an appropriate Head within the Faculty (but not the Head of Academy) and should include at least three people, at least two of whom should be managers of appropriate seniority.
- 2.2.3. The panel will consider the written appeal submitted by the student and the findings of the investigation into the appeal; the panel can request further information if required. This may extend the timings in order to ensure that a thorough investigation takes place.
- 2.2.4. The panel can, if desired, meet with the student to ask clarifying questions about the content of the appeal submission.
- 2.2.5. The student has the right to take a supporter to such a meeting. The **supporter** can include a parent/carer, but this must not contravene criteria 2.2.3
- 2.2.6. The panel can separately, if desired, meet with appropriate members of staff to ask clarifying questions about the findings of an investigation into the appeal.

2.3. After the appeal

- 2.3.1. The student has the right of access to information and documents submitted to the panel, subject to considerations of privacy and confidentiality. This can be requested in writing and/or by email.
- 2.3.2. The Appeal Panel will normally make its decision within 30 working days after receipt of the appeal submission; the decision will be formally recorded.
 - Appeal submission > Acknowledgment
 - Acknowledgment > Investigation outcome
 - Investigation outcome > Appeal panel
Appeal panel resolution/outcome
- 2.3.3. The Head within the Faculty, who convened the Panel, will be responsible for informing the student, in writing, of the Panel's decision, which is final for further education routes. For higher education please see 2.4

2.4. After the appeal higher education

- 2.4.1 If dissatisfied with the outcome of the formal stage, students may be able to request an internal review – however, the review stage will not prompt reinvestigation of an appeal submitted on accordance with 2.1. A request for a review may be on limited grounds, including but not confined to:
 - a review of the procedures followed at the formal stage
 - a consideration of whether the outcome was reasonable in all the circumstances
 - new material evidence which the student was unable, for valid reasons, to provide earlier in the process.
- 2.4.2 An academic appeal must have been considered at the formal stage before it can be escalated to the review stage (2.4)

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- 2.4.3 In order to submit a request for review, students must do this in by e-mail, to appeal@sheffcol.ac.uk – identifying that the appeal is a “review request”. The review request must be undertaken within 10 working days of the dated letter, outlining the appeals outcome
- 2.4.4 The request for review will be designated to member of staff (a manager of appropriate seniority) not previously involved at any stage
- 2.4.5 The reviewer can overturn the outcome of the formal stage, and if deemed appropriate, refer back to the formal stage for reconsideration (2.2)
- 2.4.6 If the academic appeal is not upheld, the outcome of the review stage will be communicated to the student in writing by issuing relevant correspondence (e.g., “Completion of Procedures” letter). This is unless the student has the right to escalate to the AO, check with AO regulation.
- 2.4.7 Where an academic appeal is upheld, and referred back to the formal stage for reconsideration, the reconsideration will be concluded as soon as possible and, where practicable, within the 90 calendar days timeframe
- 2.4.8 Students not satisfied with the conduct of the appeal may make a complaint, using the formal College Complaints procedure
- 2.4.9 Students, at this stage, also have a right to submit a complaint to the OIA for review, the time limit for bringing a complaint to the OIA is 12 months. Open University learners have a right to appeal directly to them after they have exhausted the internal college procedures.
- 2.4.10 Appeals can also be referred to the appropriate Awarding Organisation, only if all internal College procedures have been exhausted. Please see OU Assessment Regulations and TSC Student Handbook for details.

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