



## **Regulation 20B: Student Academic Appeals (Taught Programmes at Validated Institutions)**

### **Introduction**

1. In this regulation “you” and “your” means a student registered for a programme taught by City, University of London. “We”, “us” and “our” means the University or any of its staff, depending on context.
2. This regulation says what you can do if you are unhappy with a decision made by an Assessment Board about your assessment, your progression within your studies, or about the award we make.
3. We use criteria, set out below, in considering appeals. A successful appeal must meet (at least) one of the criteria – your being unhappy with the decision of the Assessment Board is not in itself a valid reason for an appeal.
4. The [Academic Appeals Policy](#) sets out more detail of
  - a. how we will manage the various stages of the process; and
  - b. how you can access support.
5. This regulation sets out the key steps and forms part of our terms and conditions.
6. Where this regulation refers to meetings, they may be held face-to-face or virtually.

### **Overview**

7. Our appeals process has two internal stages:
  - a. Consideration within your Validated Institution (Validated Institution-level appeal)
  - b. An independent review of the Validated Institution-level appeal (University-level review)
8. The Office of the Independent Adjudicator provides a final level of scrutiny.

### **Validated Institution-level appeal**

9. You may appeal only if you think:
  - a. that there was a material error, either in the conduct of the assessment itself, or in the proceedings of the Assessment Board, which affected the Assessment Board’s decision; and/or

- b. that you were subject to previously undisclosed extenuating circumstances at the time of the assessment which:
    - i. meet the definition of extenuating circumstances as set out in the Assessment Regulations, and
    - ii. were unknown to the Assessment Board, and
    - iii. were not made known to the Assessment Board via the Extenuating Circumstances provisions in the Assessment Regulations for a demonstrated, valid and over-riding reason outside your control.
10. In judging your reasons for delay we will not normally accept the following:
- a. You say that you were unaware of the extenuating circumstances arrangements at the time; or
  - b. You made an assumption at the time of the assessment that your performance would not be affected by an event which you have since decided resulted in extenuating circumstances.
11. You must submit your appeal within 28 calendar days of the release of results following the relevant Assessment Board. This must be submitted to the Programmes or Course Officer at the Validated Institution.
12. The Validated Institution will acknowledge receipt of your appeal, which will be given initial consideration by at least two members of staff within the Validated Institution.
13. Possible outcomes of this consideration are:
- a. Your appeal is upheld (in full or part) with a recommendation for immediate corrective action by the Chair of the Assessment Board (this will be done only in 'material error' cases – see paragraph 9.a above);
  - b. Your appeal is upheld (in full or part) with recommendations being made to the Assessment Board (normally for an opportunity for re-assessment) (this will be done only in 'material error' cases – see paragraph 9.a above);
  - c. The Validated Institution may submit an Extenuating Circumstances form for consideration by the relevant Extenuating Circumstances Panel convened by the Validated Institution in accordance with the Assessment Regulations (this will be done only in 'undisclosed extenuating circumstances' cases– see paragraph 9.b above);

- d. The Validated Institution reserves the right to return a submitted Extenuating Circumstances form to you with an opportunity for you to revise it and resubmit the appeal to the Validated Institution's Extenuating Circumstances Panel within 14 calendar days of the date the decision was made;
  - e. The Validated Institution may reject your appeal because the form was incomplete, incorrect, not accompanied by supporting evidence, or did not demonstrate grounds for appeal;
  - f. The Validated Institution may refer your appeal for consideration by a Validated Institution Appeal Panel because a hearing with the option for your representation is warranted.
14. The Validated Institution will tell you, in writing, the outcome of the initial consideration (normally, within 28 calendar days from the date they receive your appeal).
15. If your appeal was rejected under paragraph 13 (e) above you may be able to ask for a review of that decision – please see paragraph 18 below
16. If the Validated Institution refers your appeal to a Validated Institution Appeal Panel under paragraph 13.f above you will be invited to participate in the panel meeting. You can see more information about the Panel in the Academic Appeal Guidance. The possible outcomes of the Validated Institution Appeal Panel are:
- a. That your appeal is upheld (in full or part) with a recommendation to the Assessment Board to permit you to resit some/all failed assessments as a first or additional attempt, reinstating you on the programme if necessary;
  - b. That your appeal is upheld (in full or part) with referral of the case back to the Assessment Board with commentary (the panel may not recommend any alteration to the original marks);
  - c. That your appeal be rejected as you have not demonstrated the grounds for appeal.
17. The Validated Institution will write to you, to inform you of the decision of the Validated Institution Appeal Panel, including the reasons for the decision.

### **University-level review**

18. You may ask us for a review of the Validated Institution decision about your appeal on either or both of the following grounds:
- a. that there was a material error in the proceedings associated with the Validated Institution decision, which affected that decision; and/or

- b. that new information has become available, which is material to the original appeal, and which could not have been made known to the Validated Institution for a demonstrated, valid and over-riding reason.
- 19. A University-level review is not a re-hearing of your original appeal. Your being unhappy with the outcome of the appeal will not be a sufficient reason to uphold a request for review.
- 20. You must submit a request for a review in writing, together with your supporting evidence, within 21 calendar days of the Validated Institution's notification to you of their decision. Your request for review should be submitted to the Quality & Academic Development team within Student & Academic Services, or their nominee.
- 21. We will acknowledge receipt of your appeal, which will be given initial consideration by at least two members of staff from City.
- 22. The possible outcomes of the University-level review are:
  - a. That the case for a review is upheld (in full or part) with a recommendation for immediate corrective action (this outcome is only for 'material error' cases – see paragraph 18.a above);
  - b. That the case for a review is upheld (in full or part) and referred back to the appropriate body in the Validated Institution for consideration. Following this consideration, you may then only request a further review of the decision on the ground of a material error – see paragraph 18.a above;
  - c. That your request is returned with an opportunity for you to revise and to resubmit within 14 calendar days;
  - d. That your request is rejected because the form was incomplete, incorrect, not accompanied by supporting evidence, or did not demonstrate the grounds for review;
- 23. We will write to you, with reasons for the decision, normally within 28 calendar days receipt of the University-level review.

**Office of the Independent Adjudicator (OIA)**

- 24. When our internal procedures have been concluded we will send to you a Completion of Procedures (CoP) Letter.
- 25. Following this, if you are dissatisfied with the final decision on your case you may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education. Information and eligibility rules are available at:  
[www.oiahe.org.uk/](http://www.oiahe.org.uk/)

Approved by Senate: 5<sup>th</sup> October 2020

Effective from date of publication: 12<sup>th</sup> October 2020