

REGULATION 20b

STUDENT APPEALS – TAUGHT PROGRAMMES AT VALIDATED INSTITUTIONS¹

City, University of London validates programmes offered at other institutions leading to awards of City. Assessment Boards for validated programmes are subcommittees of City's Senate and so appeals fall under Senate.

City defines an appeal as a request from a student for a review of a decision made by an Assessment Board regarding his/her assessment, progression, or award. These internal regulations of City will be operated in accordance with its Equal Opportunities and Equality and Diversity Policies. The Equal Opportunities and Equality and Diversity Policies of the Validated Institution will also be followed.

Appeal claims can be made after an Assessment Board. A student who submits an appeal claim against one decision may submit an appeal claim against another decision at a later date, as long as the appeal is submitted within the appropriate timescales.

The Regulations refer at various points to 'Officers' and 'members of staff'; Appendix A outlines who should fulfil these roles.

A. Stage 1: Validated Institution-level appeal

1. Grounds for appeal

- a) An appeal may only be made on one or both of the following grounds:
- 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
 - that the student was subject to previously undisclosed extenuating circumstances at the time of the assessment which:
 - meet the definition of extenuating circumstances as set out in the Assessment Regulations, and
 - were unknown to the Assessment Board, and
 - 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 the student's control².

Dissatisfaction with the decision or academic judgement of the Assessment Board is not alone a valid ground for an appeal.

- b) An appeal, with appropriate evidence, should be submitted to the City, University of London Officer within 28 calendar days of the release of results following the Assessment Board.

2. Initial scrutiny

- a) The student will receive an acknowledgement of receipt.

¹ Students on research programmes at Validated Institutions should refer to Regulation 21b. City, University of London students should refer to Regulation 20 (taught programmes) or Regulation 21 (research programmes).

² The following will not normally be considered as acceptable reasons for delay: that the student says that s/he was unaware of the extenuating circumstances arrangements at the time; or that the student made an assumption at the time of the assessment that his/her performance would not be affected by an event which s/he has since decided has resulted in extenuating circumstances.

- b) The appeal will be scrutinised by two members of City staff.
- c) The possible outcomes of initial scrutiny are:
 - upheld (in full or part) with a recommendation for immediate corrective action by the Chair of the Assessment Board ('material error' cases only);
 - upheld (in full or part) with recommendations being made to the Assessment Board (normally for an opportunity for re-assessment) ('material error' cases only);
 - Extenuating Circumstances form submitted for consideration by the Extenuating Circumstances Panel in accordance with section 12 of the Assessment Regulations ('undisclosed extenuating circumstances' only);
 - returned with an opportunity for the student to resubmit the appeal within 14 calendar days;
 - rejected because the form was incomplete, incorrect, not accompanied by supporting evidence, or did not demonstrate grounds for appeal;
 - referred for consideration by Validated Institution Appeal Panel because a hearing with the option for representation by the student is warranted.
- d) The student will be informed of the outcome of the initial scrutiny, normally within 28 calendar days of receipt. The notification will include the reasons for the decision.
- e) A student whose appeal has been rejected may be entitled to request a review of that decision under section B of these Regulations.
- f) The process and outcomes of the initial scrutiny will be documented and a record retained for report to the Course Board and Senate.

3. Validated Institution Appeal Panel

- a) A Validated Institution Appeal Panel will normally be convened within 28 calendar days of the outcome of the initial scrutiny being notified to the student. The panel will have three members and the Principal of the Institution or his/her nominee will be the Chair.

A senior member of City administrative staff, who will not be part of the Validated Institution Appeal Panel, will attend the hearing to ensure that the conduct of the panel is in accordance with City's requirements.
- b) The student will be invited to attend the Validated Institution Appeal Panel hearing and can choose to be accompanied by one other person. If the student chooses to be accompanied s/he must provide information about that person to the Secretary of the panel at least 7 calendar days in advance. The information will include the person's relationship to the student and the reason for the person's attendance. A student should note that s/he may only be represented in his/her absence in exceptional circumstances. Any request for this requires the agreement of the Chair of the Panel. If a student chooses not to attend, or fails to attend without submitting written notification of valid reasons for postponement, the panel may meet in the student's absence.
- c) The Programme Director may attend the hearing but does not form part of the panel and will not be present during the panel's deliberations. The Programme Director's role is to provide information and/or clarification to the panel.
- d) The possible outcomes of the hearing are:

- upheld (in full or part) with a recommendation to the Assessment Board to permit the student to resit some/all failed assessments as a first or additional attempt, reinstating him/her on the programme if necessary;
 - 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);
 - rejected as the grounds for appeal have not been demonstrated.
- e) The outcome of the Validated Institution Appeal Panel hearing will be provided to the student in writing by the Validated Institution, normally within 14 calendar days of the hearing.
- f) A record of the outcome of the Validated Institution Appeal Panel hearing will be retained for report to the Course Board and Senate.

B. Stage 2-level review

1. Grounds for review

- a) A student may request a review of the Validated Institution decision on one or both of the following grounds:
- that there was a material error in the proceedings associated with the Validated Institution decision, which affected that decision; AND/OR
 - 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.

This is not a reopening of the original appeal. Dissatisfaction with the decision of the Validated Institution is not alone a valid ground for a review.

- b) A review request, with appropriate evidence, should be submitted to the Stage 2-level Officer or his/ her nominee within 21 calendar days of confirmation of the Validated Institution decision.

2. Initial scrutiny

- a) The student will be sent a receipt of their review request.
- b) Two members of City staff will scrutinise the review submission.

The possible outcomes of initial scrutiny are:

- upheld (in full or part) with a recommendation for immediate corrective action by the Officer responsible for the Validated Institution decision or his/ her nominee ('material error' cases only);
- upheld (in full or part) and referred back to the appropriate body in the Validated Institution for consideration³. Following this consideration, a student may then only request a review of the decision on the ground of a material error. ('material error' cases only);
- returned with an opportunity for the student to resubmit the request for review within 14 calendar days;
- rejected because the form was incomplete, incorrect, not accompanied by supporting evidence, or did not demonstrate grounds for appeal;

³ This would be the Chair of the Assessment Board or the Validated Institution appeal panel, depending on the stage at which the Validated Institution decision was made.

- referred for consideration by Stage 2-level Review Panel because a hearing with the option for representation by the student is warranted.
- c) The student will be informed of the outcome of the initial scrutiny, normally within 28 calendar days of receipt. The notification will include the reasons for the decision.
 - d) The process and outcomes of the initial scrutiny will be documented and a record retained for report to Senate.
3. Stage 2-level review panel
- a) A Stage 2-level review panel will normally be convened on behalf of Senate within 28 calendar days of the outcome of the initial scrutiny. The panel will have three members and the Chair will be the Stage 2-level Officer or his/ her nominee. The Stage 2-level Appeals Administrator or his/her nominee will attend the hearing to ensure the conduct of the panel is in accordance with City's requirements (the Administrator will not be part of the Appeal Panel).
 - b) The student will be invited to attend the Stage 2-level review panel hearing and may choose to be accompanied by one other person. If the student chooses to be accompanied s/he must provide information about that person to the Secretary of the panel at least 7 calendar days in advance. The information will include the person's relationship to the student and the reason for the person's attendance. A student should note that s/he may only be represented in his/her absence in exceptional circumstances. Any request for this requires the agreement of the Chair of the Panel. If a student chooses not to attend, or fails to attend without submitting, in writing, valid reasons for a postponement, the panel may meet in the student's absence.
 - c) A representative from the Validated Institution with authority to comment on the Validated Institution decision at the first stage will be invited to attend the panel. The representative does not form part of the panel and will not be present during the panel's deliberations.
 - e) The possible outcomes of the Stage 2-level appeal are:
 - upheld (in full or part), normally resulting in permission for the student to resit some/all failed assessments as a first or additional attempt, reinstating him/her on the programme if necessary;
 - 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);
 - rejected as the grounds for appeal have not been demonstrated.
 - d) The outcome of the Stage 2-level review panel hearing will be provided to the student in writing, normally within 14 calendar days of the hearing. The notification will include the reasons for the decision.
 - e) The outcome of the Stage 2-level review panel hearing will be reported to Senate and a record will be retained.

C. Office of the Independent Adjudicator

When City's internal procedures have been concluded, a student will be issued with a Completion of Procedures (CoP) letter. Following this, a student who is dissatisfied with the final decision on his/her case may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education. Information and eligibility rules are available at: [Office of the Independent Adjudicator](#)

Reapproved as a regulation: Senate 01.10.14 and will come into effect for all new and continuing students from the 2014-15 academic year.

The previous Regulations can be accessed via the Academic Services web pages http://www.city.ac.uk/_data/assets/word_doc/0005/69224/s20b.doc.

The Student Appeals Regulations should be read in conjunction with the Student Appeals Policy.

Contact Student and Academic Services for information and advice on these regulations.

APPENDIX A: Responsibilities within the Validated Provision Taught Programmes Appeal Regulations

Validated Providers should provide students with information on the specific people who will fulfil these roles, for example in Programme Handbooks or website.

Role	Appointed by	Role holder*
Stage 2-level Officer	Senate	Deputy President or his/her nominee
City staff undertaking initial scrutiny	Stage 2-level Officer	Staff within City with knowledge of the Appeal Regulations and other relevant Regulation, Policy and procedure
Stage 2-level Appeals Administrator	Student & Academic Services	Senior administrative officer responsible for recording and reporting Validated appeal cases
Chair of the Validated Institution Appeal Panel	Validated Provider	Principal of the Institution or his/her nominee
Panel advisor	Student & Academic Services	Senior member of Academic Services with knowledge of the Appeal Regulations and other relevant Regulation, Policy and procedure
Validated Institution Appeal Panel Member	Chair of Validated Institution Panel	Staff from Validated Provider (including at least one academic on every panel)
Validated Institution Appeal Panel Secretary	Validated Institution	Senior administrative officer responsible for servicing Validated Institution appeal panels
Stage 2-level Officer	Senate	Deputy President or his/her nominee
Stage 2-level Appeal Panel Member	Senate	City staff (including at least one academic on every panel)

*Potential conflicts of interest must be identified and remedied – the Appeals Policy provides more information on addressing potential conflicts of interest.

Approved by Chair's Action (Senate) 24.08.16