

# Academic Appeals

## City University appeal form and guidance notes for taught students

*Occasionally things might go wrong or you will experience circumstances outside your control which impact on your academic assessment, award or progression. City has a number of support mechanisms in place to ensure these are dealt with as quickly as possible and you should make use of these at the earliest possible opportunity. The appeals process is intended for the very rare cases where no resolution or remedy was possible at an earlier stage (i.e. prior to the Assessment Board approving your results).*

See your **Programme/ Course Handbook**, the **Student Centre intranet** and the **Union Support Service** (<http://www.culsu.co.uk/advice/>) for the full range of advice and services available to you.

These procedures do not apply to students in the School of Law studying for the Bar Professional Training Course (BPTC) or Legal Practice Course (LPC). These programmes have their own appeals procedures in compliance with professional and regulatory body requirements. Students should refer to their Programme Handbook for the correct procedures.

## Introduction

Please read through the guidance notes before making your appeal. This will help ensure your form is complete and your appeal can be dealt with efficiently.

### IMPORTANT STEPS BEFORE YOU APPEAL

Before you appeal you should make sure that you have sought advice and guidance about your concerns. It may be that there are quick steps that can be taken to resolve your problem or that the appeals process is not the best way forward. Check in your **Handbook** who the sources of advice and guidance are in your School. Your **Programme Director** or **Personal Tutor** will be able to advise you and the **Union Support Service** (<http://www.culsu.co.uk/advice/>) is an excellent source of independent guidance and support about problems in general, as well as about appeals.

Use the quick guide below as well as the guidance given for each section of the form to help ensure you avoid some of the common problems people have when preparing an appeal.

## GUIDANCE NOTES

### Data Protection Privacy Notice

City, University of London is the data controller for the personal data processed to investigate your complaint/appeal/extenuating circumstances. City considers that the lawful basis for processing your personal data falls under Article 6(1)(b) (performance of a contract) of GDPR because it is necessary as part of the contract between City, University of London and its students. In addition, City considers the processing of any special category personal data – ( race, ethnic origin, politics, religion, trade union membership, genetics, biometrics ( where used for ID purposes, health, sex life or sexual orientation ) provided as part of the complaints/appeals/extenuating circumstances process will fall under Article 9(2)(a) (explicit consent) of the GDPR as the personal data is provided on a voluntary basis by the student to support their complaint/appeal/extenuating circumstances.

City will share your data with those conducting and assisting the investigation and resolution of your complaint/appeal/case/extenuating circumstances. This will always been done under a duty of confidence and expectation that confidentiality will remain in place once the complaint, appeal, case and/or extenuating circumstances has been resolved. Your personal data will be retained for 6 years after the last action on the case.

The rights you have under the data protection legislation are listed below, but not all of the rights may apply in all circumstances.

- right to be informed
- right of access
- right to rectification
- right to erasure
- right to restrict processing
- right to object to data processing
- right to data portability
- right to object
- rights in relation to automated decision making and profiling

For more information, please visit [www.city.ac.uk/about/city-information/legal](http://www.city.ac.uk/about/city-information/legal)

If you have any concerns about how your personal data is processed, you can raise them with the ACE team or, you may contact the Information Compliance Team at [dataprotection@city.ac.uk](mailto:dataprotection@city.ac.uk) or phone 0207 040 4000, who will liaise with City's Data Protection Officer to answer your query. If you are dissatisfied with City's response you may also complain to the Information Commissioner's Office at [www.ico.org.uk](http://www.ico.org.uk)

## GUIDANCE NOTES

### Quick guide to preparing an appeal

- Read through the form carefully and make sure you follow each instruction.
- Check how much time you have to prepare your appeal straight away so you are not rushed.
- Keep all of your supporting statements clear and to the point. A longer statement does not increase your chances of your appeal being upheld and may make it difficult for the reviewers to identify the key elements in your case. Ask the **Union Support Service** for help if you are struggling to prepare your supporting statements.
- Make sure all your supporting evidence is directly relevant to your case and is objective, independent, third party evidence (see Section 3 page 13 for more guidance). Only send COPIES of your evidence, keep the originals yourself.
- Make sure that you have completed every section. If in doubt ask someone else to read your appeal form for you so they can give you feedback on whether they think the form is complete, correct and clearly states the grounds for your appeal.
- Keep a copy of your appeal form for your records.
- Where possible submit all of your documents together, either by email or in hard copy so that there is no chance of any items going astray.

### Completing and submitting your form

This is a digital version of the form. You can save a copy and complete it in your own time. If you need the form to be provided in an alternative format please email [ace@city.ac.uk](mailto:ace@city.ac.uk).

If you wish to add information or expand on your appeal, you can do so on a separate sheet of paper but it is helpful if you explain your appeal as concisely as possible.

You must submit your form within **28 calendar days** of the release of your results.

#### The form is in four sections:

- 1) **My details**
- 2) **Grounds for my appeal**
- 3) **Supporting evidence**
- 4) **Declaration**

Sections 1, 2 and 3 each have a guidance note before the section of the form telling you how to complete the section. There is also a **Feedback** section which is optional and does not form part of your appeal and an additional guidance note at the end of the document which tells you what to expect after you have submitted your appeal.

If you are submitting your form in hard copy you don't have to print off any pages headed 'Guidance Notes' – but you can if you prefer.

#### Where do I send my form?

Your Programme/ Course Handbook will tell you where to submit your form. For taught students in Schools this will be to a School contact. Students in Validated Institutions should submit their form to Academic Services by emailing [ace@city.ac.uk](mailto:ace@city.ac.uk) or submit a hard copy for the attention of the Appeals Administrator ( see <http://www.city.ac.uk/about/education/academic-services> for address).

## GUIDANCE NOTES

You can submit your form by email with your attachments or by hard copy with your documents enclosed with the form. We would recommend that you send your form and accompanying documents together so you can be sure they have all been received.

### What happens next?

You will be sent an acknowledgement of receipt of your appeal. At the end of the form on page 17 there is guidance on the possible outcomes of your appeal.

### Useful information

You are encouraged to read through the **Regulation and Policy** related to appeals as these govern the way that your appeal will be processed and considered.

- **Regulation 19 – Assessment Regulations** – govern the work of Assessment Boards including the consideration of Extenuating Circumstances should your Undisclosed Extenuating Circumstances appeal be successful
- **Regulation 20 – Appeals Procedures: Taught Programmes OR Regulation 20b – Appeals Procedures: Taught Programmes in Validated Institutions**
- **Student Appeals Policy**
- **Student Appeals Flowchart: Taught Programmes**

<http://www.city.ac.uk/about/education/academic-services/academic-policies-and-regulation/assessment/appeals>

### Case studies and FAQs

The **case studies** and **FAQs** are designed to help students avoid common problems and identify the right route to follow when encountering problems. You may find these useful to refer to when considering whether to appeal and subsequently preparing your appeal documentation. You will find them on the Academic Services web pages <http://www.city.ac.uk/about/education/academic-services/student-appeals-and-complaints>.

### Further advice and support

Please check your **Programme/ Course Handbook** for more information on the sources of advice, guidance and support in your School or Validated Institution.

The **Union Support Service (USS)** provides advice to students on appeals. It is a free and confidential service for students experiencing academic issues including appeals. Visit <http://www.culsu.co.uk/advice/> or telephone 020 7040 5600.

The **Learning Success team** has four teams: Disability Services, Dyslexia Support, Student Mental Health and Wellbeing, and Academic Learning Support. Visit <https://intranet.city.ac.uk/students/learning-success/index.html> or telephone 020 7040 0246.

## GUIDANCE NOTES

### Section 1: My details

#### Contact details

You are asked to supply your most up-to-date contact details to ensure that all correspondence concerning your appeal reaches you.

**You will need to inform us of any changes in your contact details while your appeal is being considered. It is helpful to let us know in advance if you are going to be away, or unavailable while we are dealing with your appeal.**

#### Preferred contact method

After supplying your contact details you should select your preferred contact method for correspondence concerning your appeal. **Many students use personal email addresses, however, we will send your appeal acknowledgement to your University email address to prevent any possibility that an appeal has been lodged without your knowledge** – all further correspondence will be sent via your preferred method of contact.

#### Your School/ Validated Institution and Programme

You can find the name of your School/ Validated Institution and programme in your [Programme/ Course Handbook](#). Select your School/ Validated Institution from the drop down list and indicate your programme of study.

**APPEAL FORM****Section 1: My details**

Surname/ Family Name	
First Name	
Student ID number	
University email	
Alternative email	
Telephone	

**Address**

Street	
Town	
County	
Country	
Postcode	

**Preferred contact method**

University email

Alternative email (supplied above)

Hard copy

**School/ Validated Institution and programme:**

My School / Validated Institution: \_\_\_\_\_

My programme: \_\_\_\_\_

## GUIDANCE NOTES

### Section 2: Grounds for my appeal

#### Appeal deadline:

An appeal must be made within **28 calendar days** of the release of your results (by electronic publication or the date on your results letter, whichever is first). Exceptions to this deadline would be unfair to fellow students so if you are having problems preparing your evidence contact your School or Validated Institution immediately to seek advice (contacts in your **Programme/ Course Handbook**). You will still need to submit your form by the deadline but may be given an extension for submission of your evidence.

#### Grounds

There are two grounds for appeal 1) 'Material error' and 2) 'Undisclosed extenuating circumstances'.

**Appeals are only considered when one, or both, of these grounds are met; you cannot appeal simply because you are unhappy with your performance or results.**

Appeals cannot be made against academic judgement. Academic judgement is the considered application of academic expertise in the assessment and grading of a student's academic work.

#### What is a material error?

A 'material error' is an error that is both relevant and significant to the decision made by the Assessment Board in respect of your award or progression.

'Relevance' indicates that the evidence is directly relevant to the case you are making. For example, a note from a friend saying you are upset about your examination would not be relevant, whereas a note from the examination invigilator confirming that there was a page missing from your examination questions would.

'Significance' means that the error is likely to impact on the decision made regarding your progression or award. For example an error in the information sent to you resulting in you arriving late for an examination or without the texts you were allowed to refer to would be significant, whereas a typing error which did not alter the meaning of the information sent to you would not.

#### What are undisclosed extenuating circumstances?

The University sets strict deadlines for the submission of requests for consideration of 'extenuating circumstances' relating to assessment, progression or award. The University must think very carefully about any request for extenuating circumstances being given consideration *after* you have received your results. This is done to safeguard the fairness of our assessment process. Any decision about whether you are given extra opportunities or special provisions unavailable to your peers must be because of your circumstances, not because you are unhappy with your results. You, and all other students, have the right to expect that everyone is treated fairly which is why the reasons for your claim being late must be considered via the Appeals procedures.

In some cases you may be able to demonstrate that the extenuating circumstances which you believe affected your assessment, progression or award were unknown or unrecognised by you at the time of the assessment. In other cases the circumstances may have been known to you but you chose not to disclose them at the time. In both cases you will need to put forward a case for why it would not have been reasonable for the University to expect you to disclose the circumstances at the time of the assessment.

#### Information, guidance and forms for extenuating circumstances

**procedures:** <http://www.city.ac.uk/about/education/academic-services/academic-policies-and-regulation/assessment/assessment-and-feedback>

## GUIDANCE NOTES

### Possible remedies

An appeal based on **material error** will normally be remedied through the correction of an administrative error or an opportunity for re-assessment. If your appeal is upheld the Assessment Board will decide what remedy is offered; your preference will be taken into account but is not binding.

We recognise that there are some circumstances when an opportunity for re-assessment in the affected component, assessment or module may not be a practical option for you (e.g. through permanent injury). You have the opportunity to make a case for an option other than re-assessment. You may find it helpful to discuss your concerns with your **Programme Director**, **Personal Tutor** or other appropriate individual before you complete the statement. Your statement will be considered by the Appeals Panel and, if your appeal is upheld, referred to the Assessment Board for consideration under the Assessment Regulations.

An upheld **undisclosed extenuating circumstances appeal** means that your form will be forwarded to the Extenuating Circumstances Panel; it does not mean your extenuating circumstances have been upheld – this is for the Extenuating Circumstances Panel to decide.

## APPEAL FORM

### Section 2: Grounds for my appeal

Date of my results letter/ email/ publication by my School or Validated Institution:

I am appealing on the grounds of **MATERIAL ERROR** and have completed section 2a.

I am appealing on the grounds of **UNDISCLOSED EXTENUATING CIRCUMSTANCES** and have completed section 2b.

I am appealing on the grounds of both **MATERIAL ERROR** and **UNDISCLOSED EXTENUATING CIRCUMSTANCES** and have completed both section 2a and 2b.

## APPEAL FORM

### Section 2a: MATERIAL ERROR

I am asking for:

Correction of administrative error

An opportunity to be re-assessed

As detailed in the guidance under 'Remedies that can be offered', there are cases where the Assessment Board *may* offer a remedy other than the correction of administrative error or re-assessment (e.g. through permanent injury that makes it impossible for you to complete the original assessment again).

My circumstances mean that I would not be able to undertake re-assessment. I would like the reviewers to consider my case and make a recommendation to the Assessment Board.

Supporting statement:

If you don't have enough room continue on another sheet of paper marked with your student ID number

# APPEAL FORM

## Section 2a continued: Information about the material error

Explain what you believe the material error to be:

If you don't have enough room continue on another sheet of paper marked with your student ID number

Explain why the material error is relevant to your assessment, progression or award:

If you don't have enough room continue on another sheet of paper marked with your student ID number

Explain how the evidence you have submitted (listed in Section 3 below) supports your case:

If you don't have enough room continue on another sheet of paper marked with your student ID number

## Section 2b: UNDISCLOSED EXTENUATING CIRCUMSTANCES

Please confirm **all** of the below:

I have attached my **Extenuating Circumstances form** and understand that, if the reviewers accept my reasons for non-disclosure of my extenuating circumstances, then the form and evidence will be forwarded to the Extenuating Circumstances Panel for consideration. (Forms and guidance can be found at <http://www.city.ac.uk/about/education/academic-services/academic-policies-and-regulation/assessment/assessment-and-feedback> )

I have attached my **evidence to accompany my Extenuating Circumstances form**. I understand that this will not be looked at as part of my appeal and will be forwarded to the Extenuating Circumstances Panel with my form should the appeal reviewers accept my reasons for non-disclosure.

My circumstances outlined on my Extenuating Circumstances form meet the criteria for extenuating circumstances

I could not have reasonably been expected to make my extenuating circumstances known via the normal extenuating circumstances procedures

My reasons for not disclosing the extenuating circumstances at the time of the assessment were outside my control

# APPEAL FORM

## Section 2b continued: Information about my undisclosed extenuating circumstances

What were your **reasons** for not submitting your Extenuating Circumstances form to the panel in time for the normal deadline?

If you don't have enough room continue on another sheet of paper marked with your student ID number

Please explain why the reasons for not submitting your Extenuating Circumstances form to panel in time for the normal deadline were **outside your control**.

If you don't have enough room continue on another sheet of paper marked with your student ID number

## GUIDANCE NOTES

### Section 3: Supporting evidence

You must provide evidence in support of your appeal. You must provide a copy of the **notification of your results**. This is the final decision made by the Assessment Board on your progression or award (you will normally be told about your option to appeal in your notification from the Assessment Board). Where possible you should also include a copy of your **transcript**. If your supporting evidence is in a language other than English then you will need to submit a **certified translation**.

#### What constitutes 'evidence'

Evidence should be both relevant and significant. Evidence normally takes the form of written confirmation from an objective, independent, third party. Evidence should relate to facts, not personal opinions. Evidence will often come from an expert or person in authority and will be provided in the form of an official document (e.g. a police report or doctor's note). When you are providing a piece of evidence check its relevance and significance and try to ensure it includes some, if not all, of the following:

- Date that the document was written
- Signature or evidence that it comes from the person making the statement (e.g. from an official email address)
- Evidence that it is independent (e.g. the name of their company or organisation)
- Evidence that the person has the experience or expertise to make the statement (e.g. their job title or qualifications)

'Relevance' indicates that the evidence speaks directly to the case you are making. For example, a relevant doctor's note would confirm that you were seriously ill during the full period in which you would normally have submitted your extenuating circumstances form. An irrelevant note might cover a different period of time or testify that you had told the doctor you were sick but did not attend the surgery at the time of the illness.

'Significance' means that the evidence is likely to impact on the decision of the reviewers. For example, a note from a friend or relative indicating that they expected you would do better would not be significant, but a copy of your transcript and results letter evidencing an error in the calculation of your marks would be.

**List** the supporting evidence you are submitting and mark whether it is being submitted by **email** or in **hard copy**. Where possible send your form and supporting evidence in a single email or letter. Mark all supporting evidence with your **student number**.

Where you cannot get the evidence in time for the deadline mark it as 'To follow'. **You must still submit your form by the deadline** and you must notify your School or Validated Institution in advance to agree a deadline for submission of the late evidence.

#### **REMEMBER THAT THE EVIDENCE YOU SUBMIT WITH YOUR EXTENUATING CIRCUMSTANCES FORM WILL NOT BE CONSIDERED AS PART OF YOUR APPEAL**

The appeal procedure only looks at your justification for not submitting your extenuating circumstances form according to the standard deadline. You should attach your Extenuating Circumstances form and supporting evidence with your appeal documentation so it can be submitted directly to the Extenuating Circumstances Panel if your appeal is successful. **The appeal reviewers won't look at your Extenuating Circumstances form or accompanying evidence.**

We recognise that there may be occasions when your evidence for extenuating circumstances is the same as your evidence for non-disclosure (e.g. in the case of a very serious illness spanning a number of weeks). When this is the case you can either **submit two copies of the piece of evidence (one for the appeal and one for the extenuating circumstances panel) or clearly mark one copy as RELEVANT BOTH TO MY APPEAL AND MY EXTENUATING CIRCUMSTANCES CLAIM.**

# APPEAL FORM

## Section 3: Supporting evidence

List each item of evidence and indicate whether you are submitting it by email or hard copy. When evidence is 'To follow' you must have agreed deadline for receipt of the evidence with your School Appeals Administrator (or University Appeals Administrator for Validated Institutions) and must give that date under 'To follow'

By email    By hard copy    To follow

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Copy of my results notification

Copy of my transcript

Continue the list on a separate page if required. Make sure you label the page with your student ID number.

# APPEAL FORM

## Section 4: Declaration

Please confirm both of the following statements:

I confirm that I have read the guidance accompanying this form

I confirm that the information I have given is true and accurate to the best of my knowledge

In submitting this appeal, I understand that the information I provide and information held by City, University of London will be shared in a confidential way with those managing and considering the appeal and resolution of my case.

Signature:

Date:

A signature is not required if you have sent your form via email. Your appeal acknowledgement will be sent to your University email account (as well as to your preferred contact) to confirm your identity.

## Advice and guidance

It will help us improve our services if you let us know which sources of advice and guidance you consulted when preparing your appeal. **This section is optional and your answers will not affect the conduct or outcome of your appeal.**

Union Support Service

Learning Success

Personal Tutor

Dissertation supervisor

Programme Director

School/ Validated Institution Office

School/ Validated Institution Welfare Officer

Other academic advisor in the School/ Validated Institution

Other

For 'Other' please provide details below:

## Feedback

If you have any comments and suggestions that could help us improve this form or the advice and guidance you have received when preparing your appeal please email [ace@city.ac.uk](mailto:ace@city.ac.uk). Your feedback will not affect the conduct or outcome of your appeal.

## GUIDANCE NOTES

### What happens next?

You will receive an acknowledgement of receipt of your appeal. The majority of cases can be dealt with via our 'initial scrutiny' stage which normally takes up to 28 calendar days from receipt. Some material error cases are referred to a School/ Validated Institution Appeal Panel which you will be invited to attend.

### Initial scrutiny

The outcomes of initial scrutiny depend on whether your appeal was made on the grounds of **material error** or **undisclosed extenuating circumstances** (if both you may have more than one outcome).

For **MATERIAL ERROR** your appeal may be:

**UPHELD** either resulting in:

- **correction of error** or
- **recommendation to the Assessment Board**, normally the recommendation will be that you are given an opportunity to be re-assessed in the affected element.

**REJECTED** because your form was incomplete, incorrect, not accompanied by supporting evidence, or you have not met the grounds for appeal

**REFERRED** to full School/ Validated Institution Panel for a hearing which you will be invited to attend.

**RETURNED** with the opportunity to re-submit because your form was incomplete, incorrect, not accompanied by supporting evidence, or the grounds for your appeal were not clear (you will have 14 calendar days from the date of notification to re-submit). Normally reviewers reserve this option for cases where they have reason to believe a re-submission may demonstrate a more substantive case for appeal. The reviewers are *not* obliged to offer this option and do so at their discretion.

For **UNDISCLOSED EXTENUATING CIRCUMSTANCES** your appeal may be:

**SUBMITTED TO EC PANEL** - your **Extenuating Circumstances form** will be forwarded to the EC Panel for consideration. Your appeal only relates to whether it is reasonable for your case to be considered after the normal deadline; an upheld appeal does *not* automatically mean that your EC application will be successful.

**REJECTED** because your form was incomplete, incorrect, not accompanied by supporting evidence, or you have not met the grounds for appeal

**RETURNED** with the opportunity to re-submit because your form was incomplete, incorrect, not accompanied by supporting evidence, or the grounds for your appeal were not clear (you will have 14 calendar days from the date of notification to re-submit). Normally reviewers reserve this option for cases where they have reason to believe a re-submission may demonstrate a more substantive case for appeal. The reviewers are *not* obliged to offer this option and do so at their discretion.

### School/ Validated Institution Panel

More complex cases will be referred to a *panel* to which you will be invited. It will normally take up to 28 days to convene the appeal panel following referral from the initial scrutiny reviewers. You will be informed of the outcome of the panel within 14 days of it meeting.

The possible outcomes are:

**UPHELD** with a **recommendation to the Assessment Board**, normally the recommendation will be that you are given an opportunity to be re-assessed in the affected **element**.

**REJECTED** – as it is clear that you have **not met the grounds for appeal**

## GUIDANCE NOTES

### When will I hear?

You will receive an acknowledgement of receipt. The Initial Scrutiny stage normally takes no more than 28 calendar days following receipt.

The School/ Validated Institution Appeal Panel stage normally takes no more than 28 calendar days and you will be informed of the outcome of the Panel within 14 days of the panel meeting.

You can also look at the Appeals Flowchart for taught programmes: <http://www.city.ac.uk/about/education/academic-services/academic-policies-and-regulation/assessment/appeals>

You will receive written notification of the outcome of your appeal which will include feedback on the reasons for the decision. The University does its best to ensure that appeals are considered swiftly and you will be notified if we are not able to meet the standard deadlines.

### What are my options after my appeal?

If you have evidence that there has been material error (i.e. a significant and relevant error) in the handling of your School/ Validated Institution appeal, or you have new information that you could not reasonably have been expected to provide at the time of your appeal, then you can submit a request for review to the University within 21 calendar days of the date of your notification letter. The University review will decide whether to uphold your case and, where your request for review is upheld, can either take executive action (normally in consultation with your School/ Validated Institution) or refer your appeal back to your School/ Validated Institution for further consideration.