

Academic Appeals Policy 2024/25

Introduction

1. Queen Mary University of London aims to deliver an outstanding, inclusive, world-class education that aligns with our core values: inclusive, proud, ambitious, collegial and ethical. To deliver education that is inclusive and ambitious, Queen Mary recognises students may sometimes wish to appeal decisions reached about their academic studies.

Purpose

2. This Policy sets out the procedure available to students who wish to request reconsideration of a decision made about their academic studies or results, and the principles for considering such request.

Key Definitions

3. **Academic judgment** is a judgment that is made about a matter where the opinion of an academic expert is essential. This includes a judgment about marks awarded, degree classification, research methodology, whether feedback is correct or adequate, and the content or outcomes of a course.
4. **Confirmed results** are results which have been through the University's quality and standards procedures and ratified by the Subject Examination Board and/or Degree Examination Board, and formally published.
5. **Formal Appeal** is the first formal stage in the appeal process, for students who meet specified grounds and have been unable to resolve their queries informally.
6. **Final Review** is the second and final stage in the formal appeals process, where a matter has not been resolved earlier and specified grounds are met.
7. **Appeal Panel** is a panel of decision makers who decide the outcome of cases referred to a formal hearing.
8. **Completion of Procedures** refers to a formal letter stating that the decision of the University is final, and that there are no further avenues of appeal or review available to the student internally.
9. **Extenuating circumstances** refer to circumstances beyond a student's control that have a negative impact on their ability to undertake or complete an assessment.
10. **Good reason** refers to the circumstances beyond a student's control and sufficiently impactful that a student would be unable to make information known to the university. Personal embarrassment, unwillingness, or failure to realise requirements are not normally be considered 'good reason'.

Legislative and Regulatory context

11. The Higher Education and Research Act 2017 states that all universities and colleges that register with the Office for Students must follow its regulatory framework. This framework requires universities to ensure students receive a high quality academic experience and provide them with the resources and support needed to ensure this. This policy protects the interests of all students by outlining procedures for ensuring valid and reliable assessment results.

12. Queen Mary subscribes to the Office of the Independent Adjudicator for Higher Education (OIA) student complaints scheme, in line with the Higher Education Act 2004. The OIA is an independent review body to which students have recourse should they be dissatisfied with the University's handling of an academic appeal. The OIA's Good Practice Framework outlines principles and guidance that the University's procedures are expected to comply with.

Scope

13. The Academic Appeals Policy applies to all students at Queen Mary.
14. The Policy also applies to recent graduates of Queen Mary, provided that any timeframes stipulated in this Policy are observed.
15. The Policy can be used to appeal results confirmed by Subject Examination Boards (SEBs), Degree Examination Boards (DEBs), and/or the Research Degree Programmes and Examinations Board (RDPEB), where the relevant grounds for appeal are met.
16. Appeals based on academic judgement are not eligible and will not be considered. Academic judgement is not a qualifying complaint for under the Office of the Independent Adjudicator Complaint Scheme.
17. The Policy can also be used to appeal the outcome of an Extenuating Circumstances claim made in relation to assessment(s).
18. This Policy cannot be used for appealing results which arise from a decision made under the Academic Integrity & Misconduct Policy, or de-registration from a programme on non-academic grounds (such as failure to pay fees or complete enrolment). Separate appeals procedures are available for those situations.

Key Principles

19. **Proportionality.** Wherever possible Queen Mary encourages the early resolution of academic appeals through direct discussion with the School/Institute, without the need for formal procedures. Where Queen Mary believes that alternative resolution may deliver a more timely resolution to the concerns raised in an appeal, a flexible approach outside of the formal stages outlined in this Policy may be recommended. Students will always be informed where this occurs.
20. **Fairness.** All formal outcomes will be decided by an independent person who has not been involved in previous stages of the process. Students will not be subject to any disadvantage for exercising their right to appeal.
21. **Inclusive.** Students have the right to request reasonable adjustments and to access support or procedural advice at all stages of this procedure. Queen Mary is committed to ensuring that the implementation of this Policy, and all associated documents (such as forms, guidance and correspondence) is inclusive by design, reducing barriers to participation or access.
22. **Ambitious.** Queen Mary is ambitious in utilising feedback to improve the overall student experience, in addition to resolving individual student's concerns. Appeals provide valuable feedback about students' experience of their feedback, assessment and/or educational and support services.
23. **Proud.** In line with the Academic Regulations, all marks awarded must be a true reflection of a student's achievement. Marks will not be raised on the basis of extenuating circumstances.

Roles and Responsibilities

24. Students are responsible for a commitment to their own learning, engaging with the resources, opportunities and advice available to support their success. This includes familiarising themselves with the extenuating circumstances procedures, and the Disability & Dyslexia Service should they require reasonable adjustments due to a long-term health condition or disability.
25. Students are also responsible for engaging with this Policy in good faith and with respect.
26. Schools and Institutes are responsible for providing feedback and assigning marks for students' work, in line with the Marking Policy.
27. School/Institute Managers are responsible for nominating a key point of contact for information requests during investigations by the Appeals, Complaints & Conduct Office.
28. Nominated staff members of the Appeals, Complaints & Conduct Office are responsible for ensuring that cases are considered and heard in accordance with this Policy. This includes reaching decisions about the eligibility of appeals, and the outcome of eligible appeals.
29. The Head of the Appeals, Complaints & Conduct Office is responsible for the implementation and interpretation of this Policy. The Appeals, Complaints & Conduct Office provides advice, training and resources that support the implementation of this Policy.
30. The Appeals, Complaints & Conduct Office will present an annual report to the Education Quality Standards Board and Senate with statistics and trends arising from appeals, as well as any educational or support activities undertaken to support informal resolution.

Appeal Procedures

31. All results stand until and unless an appeal has been upheld. For example, where a student has been deregistered for academic failure, they will not be reinstated unless an appeal has been upheld and the original decision modified.

Informal Resolution

32. Queries relating to marks or feedback are most effectively resolved informally with the School/Institute. Students are encouraged to ask for clarification as soon as they receive provisional results or feedback if they have a concern or question about their mark.
33. Clerical or administrative errors, such as missing or incorrect mark entry, should also be raised directly with the School/Institute, who will resolve any genuine errors without the need for a formal appeal.
34. Appeals solely based on questioning marks or feedback will not be considered, and students will be redirected to seek clarification from their School/Institute.
35. Students are reminded that appeals may be submitted up to 15 working days (three weeks) after a confirmed decision, and encouraged to make use of this time to seek clarification and informal resolution before submitting a Formal Appeal.

Formal Appeals

Submission

36. Students should submit a Formal Appeal within 15 working days from the confirmed results. Where a student is unable to submit their appeal within this timeframe for good reason, they may contact the Appeals, Complaints & Conduct Office to request an extension. Appeals submitted late will only be considered where there is a good reason and supporting evidence for the delay.

Grounds

37. There are two grounds on which an appeal will be considered:
 - a) Procedural Error. This means that Queen Mary processes were not followed correctly when the original decision was reached, and the error was sufficiently significant to call into question the original decision.
 - b) Extenuating circumstances. This is where the student has experienced significant adverse circumstances that negatively impact their ability to complete their studies, and where there is a good reason that these circumstances could not have been made known before the original decision was reached.
38. Appeals must be accompanied by independent evidence demonstrating the grounds have been met. Students should provide all relevant evidence and information that they wish to be taken into account with their appeal submission.
39. The 'burden of proof' rests with the student. This means that it is the student's responsibility to demonstrate that the grounds have been met. It is not the responsibility of the University to prove that a procedural error did not occur, where there is no evidence provided to indicate one.

Eligibility

40. When a Formal Appeal is submitted, it will be reviewed by a member of the Appeals, Complaints & Conduct Office who will determine whether the appeal is eligible for consideration.
41. If the appeal is not eligible, the student will be informed via a Completion of Procedures letter. The merit of issues raised in the appeal will not be considered or responded to directly.
42. Students who have submitted ineligible appeals will be provided with information about alternative support, advice and/or the eligibility criteria.
43. Appeals are eligible where they meet the timeframes for submission, and provide evidence that further consideration of one, or both, of the grounds is warranted. Examples of appeals which are not eligible, and will not be accepted, include (but are not limited to):
 - a) Appeals based on provisional results
 - b) Appeals which are out of time
 - c) Appeals against academic judgement
 - d) Appeals which are not accompanied by appropriate evidence
 - e) Appeals based solely on the marginal failure to obtain a higher classification
 - f) Appeals that fall outside the scope of the Appeals Policy
 - g) Frivolous or vexatious appeals

Consideration

44. Eligible appeals will be considered by a nominated staff member of the Appeals, Complaints & Conduct Office.
45. The nominee will review the information and evidence provided by the student and available on their student record. The nominee may also make necessary enquiries from other areas of the University.
46. Appeals are normally investigated and considered in writing only. However, the nominee may meet with the student or relevant staff when it is proportionate and necessary.
47. Where substantial new information comes to light during the investigation of an appeal, which the student could not reasonably have known, the student will normally be given the opportunity to comment on the information before a final decision is reached. This will not normally be necessary for academic regulations or policies, information available on the

student's own record, or prior correspondence between the student and another staff member.

48. Where a student is contacted about their appeal but fails to respond within 5 working days, the nominee will proceed with consideration of the appeal. The process will not be invalidated by a student's failure to respond.
49. The nominee will decide whether either, or both, of the applicable grounds for appeal have been met. They will write to the student informing them of the decision in an outcome letter, which will state the evidence considered and reasons for the decision.
50. Consideration of appeals are strictly limited to consideration of the specific grounds set out in paragraph 37. Appeal outcomes will not normally respond to questions or issues raised which fall outside of these grounds.
51. Students will normally be notified of the outcome of an appeal within 30 working days. Where this is not possible, students will normally be notified.

Outcomes

52. Where an appeal is upheld, the nominated staff member from Appeals, Complaints & Conduct Office may:
 - a) Take corrective action (where appropriate), or
 - b) Refer the case back to the original decision-making body for reconsideration
 - c) Refer the case to an Appeal Panel
53. Where an appeal is not upheld, the student will be informed of their right to request a Final Review, they believe they meet the relevant grounds in paragraph 57.

Final Review

Submission

54. Students who believe they have grounds for a Final Review should submit their request within 10 working days from the outcome of their Formal Appeal. Final Reviews submitted late will only be considered where there is a good reason and supporting evidence for the delay.
55. If a Final Review is determined to be out of time, the merits of the request will not be considered or responded to. A Completion of Procedures letter will be provided.

Grounds

56. Final Review does not normally involve reinvestigation or rehearing of the issues raised in the Formal Appeal.
57. There are two grounds on which a Final Review will be considered:
 - a) Procedural Error. This means that the Formal Appeal was not considered in line with this Policy, and the error was sufficiently significant to call into question the original decision.
 - b) Reasonableness. This means that the outcome of the Formal Appeal cannot be sustained and that no reasonable person could reach the same decision in light of the available evidence.
58. New information will not normally be considered at the Final Review, unless there is a good reason that it could not have been previously provided.
59. As with Formal Appeals, the 'burden of proof' for a Final Review rests with the student. This means that the student must provide evidence that the grounds have been met. Dissatisfaction with an outcome is not evidence of unreasonableness, rather,

reasonableness will consider whether the decision is proportionate and consistent with regulations, policies and other comparable decisions.

Consideration

60. A Final Review will be considered by a nominee of the Appeals, Complaints & Conduct Office who was not involved at any previous stage. Where there is no member of the Appeals, Complaints & Conduct Office who has not previously been involved, another decision maker will be nominated, normally from the Directorate of Governance & Legal Services.
61. A Final Review will normally involve a review of the existing casefile, and will normally be conducted in writing only. However, where the reviewer considers it proportionate and necessary, they may seek clarification or further information.
62. Students will normally be notified of the outcome of a Final Review within 20 working days. Where this is not possible, students will normally be notified.

Outcomes

63. Where a Final Review is upheld, the nominated staff member from Appeals, Complaints & Conduct Office may:
 - a) Take corrective action (where appropriate)
 - b) Refer the case to an Appeal Panel
 - c) Refer the case back to the original decision-making body for reconsideration, or
 - d) Refer the case back to the Formal Appeal stage for reconsideration
64. Where a Final Review is not upheld, the student will be informed of the decision via a Completion of Procedures letter which will state the evidence considered and reasons for the decision.

Appeals Panel

65. Where a case is particularly sensitive or complex, or a nominated decision maker considers the matter to warrant review by an Appeal Panel, a panel will be convened to consider the merits of the case, normally within one month of the decision to refer the case to the Panel.
66. Membership of an Appeals Panel:
 - a) A Chair, normally a nominee of Senate
 - b) A second academic staff member, normally drawn from either the membership of Senate, or the Chair (or Deputy) of a Subject Examination Board
 - c) A student representative nominated by QMSU
67. No person who has previously been involved in an earlier stage of the decision will be a member of the Appeal Panel.
68. The Appeal Panel will be accompanied by a Secretary, who will provide procedural advice and take notes, but will not be involved in decision-making.
69. The Appeal Panel will be provided with a copy of the existing casefile, including all evidence to be considered as part of the appeal.
70. The student and a representative from Queen Mary will be invited to attend the Panel hearing, address the Panel members to outline reasons for their appeal or decision.
71. A student will be notified that an Appeal Panel has been convened with at least 5 working days notice.
72. The Panel will deliberate in private, and decide whether or not the appeal should be upheld.
73. If the Panel decide that the appeal is upheld, they may take one of the following decisions:
 - a) Take corrective action (where appropriate)
 - b) Refer the case back to the original decision-making body for reconsideration

74. The outcome of the Appeal Panel will be communicated to the student as soon as possible, normally no later than 3 working days after the Panel.

Office of the Independent Adjudicator

75. Queen Mary subscribes to the Office of the Independent Adjudicator for Higher Education student complaint scheme. Where a student remains dissatisfied at the completion of Queen Mary's internal procedures, they may submit a complaint for review by the OIA. Information about the OIA and a student's rights to access this scheme will be provided in any Completion of Procedures letter.

Review

76. This Policy will be reviewed annually by the Education Quality Standards Board and Senate for approval of any minor amendments ahead of the next academic year.
77. The Appeals, Complaints & Conduct Office, in consultation with the Assessment sub-Board of EQSB will normally conduct a detailed review and consultation on more substantive changes to the Policy at five year intervals.

This Policy was approved by Senate on XXX 2024