

# Administrative 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 which affect their experience at university.

## Purpose

2. This Policy sets out the procedure available to students who wish to request reconsideration of administrative or non-academic decisions, such as those related to their enrolment, fees or accommodation, and the principles for considering such requests.

## Key Definitions

3. **Confirmed decisions** are final decisions or instructions. For example, a notice that a student may be deregistered if they do not meet a particular deadline is not a confirmed decision until and unless the deregistration occurs.
4. **Formal Appeal** is the formal stage of reviewing a confirmed decision, for students who meet specified grounds and have been unable to resolve their queries informally.
5. **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 available to the student internally.
6. **Good reason** refers to the circumstances sufficiently impactful that a student would be unable to make information known earlier. Personal embarrassment, unwillingness, or failure to realise requirements are not normally considered 'good reason'.

## Legislative and Regulatory context

7. 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, and ensure the access and participation of students from all backgrounds.
8. 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 administrative Appeal. The OIA's Good Practice Framework outlines principles and guidance that the University's procedures are expected to comply with.

## Scope

9. The Administrative Appeals Policy applies to all students at Queen Mary.
10. The Policy also applies to recent graduates of Queen Mary, provided that any timeframes stipulated in this Policy are observed.
11. The Policy can be used to appeal non-academic decisions confirmed by Queen Mary, where the relevant grounds for appeal are met, including:

- a) Decisions to terminate the registration of a student on non-academic grounds, such as failure to complete enrolment or meet fee payment requirements
  - b) Disciplinary action taken under the Library Regulations
  - c) Disciplinary action taken under the Residence Disciplinary Procedure
12. This Policy cannot be used for appealing results which arise from a decision made under the Academic Integrity & Misconduct Policy, Student Discipline Policy or de-registration from a programme on academic grounds (such as academic failure). Separate appeals procedures are available for those situations.

## Key Principles

- 13. **Proportionality.** Wherever possible Queen Mary encourages the early resolution of issues through direct discussion with the relevant department, without the need for formal procedures. Where Queen Mary believes that alternative resolution may deliver a more timely resolution to the concerns raised in a Formal Appeal, a flexible approach outside of the formal stages outlined in this Policy may be recommended. Students will always be informed where this occurs.
- 14. **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.
- 15. **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.
- 16. **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.

## Roles and Responsibilities

- 17. Students are responsible for a commitment to their own education, engaging with the resources, opportunities and advice available to support their success. This includes familiarising themselves with Fee Regulations, responding to communications from the University, and meeting any relevant timeframes for enrolment, and abiding by the conditions of their enrolment and/or accommodation.
- 18. Students are also responsible for engaging with this Policy in good faith and with respect.
- 19. Heads of Departments are responsible for nominating a key point of contact for information requests during investigations by the Appeals, Complaints & Conduct Office.
- 20. 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 Formal Appeals, and the outcome of eligible appeals.
- 21. 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.
- 22. 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

23. All decisions stand until and unless an appeal has been upheld. For example, where a student has been deregistered for failure to pay their fees, they will not be reinstated unless an appeal has been upheld and the original decision modified.

### Informal Resolution

24. Queries relating to fee or enrolment deadlines are best resolved informally with the relevant department. Students are encouraged to ask for clarification as soon as possible if they believe there has been an error in their enrolment details, fee invoices, or other administrative tasks.
25. 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

26. Students should submit a Formal Appeal within 15 working days from the confirmed decision. 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

27. 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) Reasonableness. This means that the outcome of the original decision cannot be sustained and that no reasonable person could reach the same decision in light of the available evidence.
28. 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.
29. 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.
30. 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.

### Eligibility

31. When a Formal Appeal is submitted, it will be reviewed by a member of the Appeals, Complaints & Conduct Office who will determine whether the Formal Appeal is eligible for consideration.

32. If the Formal 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.
33. Students who have submitted ineligible appeals will be provided with information about alternative support, advice and/or the eligibility criteria.
34. Formal 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 decisions
  - b) Appeals which are out of time
  - c) Appeals which are not accompanied by appropriate evidence
  - d) Appeals about failure to pay fees where the payment remains outstanding
  - e) Appeals that fall outside the scope of the Administrative Appeal Policy
  - f) Frivolous or vexatious requests

### Consideration

35. Eligible appeals will be considered by a nominated staff member of the Appeals, Complaints & Conduct Office.
36. 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.
37. 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.
38. 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.
39. Where a student is contacted about their appeal but fails to respond within 5 working days, the nominee will proceed with their consideration. The process will not be invalidated by a student's failure to respond.
40. 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.
41. Consideration of appeals is strictly limited to the specific grounds set out in paragraph 27. Appeal outcomes will not normally respond to questions or issues raised which fall outside these grounds.
42. Students will normally be notified of the outcome of a Formal Appeal within 20 working days. Where this is not possible, students will normally be notified.

### Outcomes

43. Where an appeal is upheld, the nominated staff member from the 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
44. Where an appeal 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.

## Office of the Independent Adjudicator

45. 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

46. 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.
47. The Appeals, Complaints & Conduct Office will normally conduct a detailed review and consultation on more substantive changes to the Policy at five year intervals.