



## Academic Appeals Policy & Procedure

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<b>Produced by</b>	Compliance Team	<b>Approved by</b>	Academic and Quality Board
<b>Related Policies</b>	<ul style="list-style-type: none"> <li>• Complaints Policy and Procedure</li> <li>• Assessment Policy</li> <li>• Learning Teaching and Assessment Strategy</li> <li>• Student Handbook</li> <li>• Data Privacy Notice and Consent Policy</li> </ul>		
<b>External reference points</b>	<p>Office of the Independent Adjudicator for Higher Education's (OIAHE) Good Practice Framework for Handling Complaints and Academic Appeals</p> <p>UK Quality Code UKSCQA/02 [June 2024]</p> <p>Expectations for Standards Core Practice 1 &amp; 2</p> <p>Related QAA Advice and Guidance:</p> <p>Theme 11: Concerns, Complaints and Appeals 11.3</p> <p>The provider has fair and transparent procedures for handling complaints and appeals which are accessible to all students.</p>		

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## **1. Background and Scope**

The Academy recognises that disputes may occasionally arise because of assessment decisions. This policy describes the principles, reasons, and processes by which students may file an appeal against such decisions. Students who file appeals in good faith are granted the assurance that doing so will not result in any form of disadvantage or discrimination. The Academy is dedicated to carrying out assessments and facilitating appeals in compliance with the UK Quality Code for Higher Education. The purpose of the appeals process is to resolve any assessment errors and guarantee fairness for all parties concerned. The policy places significant importance on the equitable, transparent, and timely resolution of appeals, with the aim of resolving any issues that may arise. It is anticipated that everyone involved will conduct themselves in an impartial manner and disclose any current or possible conflicts of interest.

## **2. Aims and Objectives**

This policy outlines a timely, fair, and evidence-based appeals process with the following main objectives:

- To inform students of their right to appeal assessment decisions and to ensure they are aware of this throughout their studies, especially after assessments.
- To take academic appeals seriously, ensuring that students are not disadvantaged or subject to discrimination for submitting an appeal in good faith.
- To ensure the Academy accounts for reasonable adjustments when making assessment decisions.
- To use all available means to maintain the validity, reliability, and consistency of assessment decisions throughout the Academy.

### **3. Application**

Staff and students at all study locations of the Academy are bound by this Academic Appeals Policy and Procedure. The term "student" refers to any individual who has affixed their signature to a Student Declaration, which outlines the terms and conditions of the agreement between the individual and LCK Academy. As a result, this policy applies to all students at the Academy's study centres, whether engaged in full-time, part-time, short courses, or online learning.

The policy places a particular focus on appeals that relate to the outcomes of one or more assessments. Appeals are allowed for assessments listed in an assessment plan for a module, unit, or course, and apply to all levels of study offered by the Academy.

### **4. Definition of an Academic Appeal**

In line with the UK Quality Code for Higher Education (UK Quality Code) and for this policy, an academic appeal is defined as follows:

"a request for a reconsideration of the decision made by an academic governing body assigned with deciding on student progression, assessment, and awards."

An academic appeal is considered a formal request to review a student's assessment mark or grade, or a decision regarding their academic progression or award, which has been confirmed by the Assessment Board or Exam Board.

### **5. Precedence**

The Academic Appeals Policy and Procedures of external awarding organisations as well as those of LCK Academy's university or college partners, will supersede this policy and procedures in the following situations:

- If the appeal concerns a student enrolled in a course that leads to a qualification issued by an external awarding organisation or if the course is offered in partnership with a university or Academy.
- If the awarding organisation, partner university or college mandates that LCKA adhere to their Academic Appeals policy instead of the one established by LCKA.

In these cases, the applicable policy will be the one specified by the relevant awarding body, university, or college partner, overruling LCKA's internal policy.

## 6. Values

The policy is based on values of fairness and openness and aims to ensure:

- Transparency in the procedures, decisions, and justifications for assessment decisions allowing for independent review as necessary.
- Timely handling of appeals, with an emphasis on resolution at the earliest opportunity.
- Students receive support during every stage of the assessment process, and their opinion is considered.
- Students are provided with information regarding the justifications behind assessment and appeal decisions and are advised on methods for improving their grades.

The Academy will make reasonable adjustments at any stage of the proceedings to accommodate the needs of students.

## 7. Grounds for an Academic Appeal

### 7.1. Early Resolution & Results Surgery

Students are not entitled to appeal assessment decisions solely based on their disagreement with the assessor's academic judgement. However, students have the option to request a results surgery during which the assessor will provide clarification on the assessment decisions. This will assist in managing students' expectations and promote an early resolution.

Students must first attempt to resolve issues informally by making an Academic Appeal, either verbally or via email, to the Tutor/Assessor, or the Head of Programme. If a student wishes to escalate to a formal Academic Appeal, they should follow the procedures outlined below. Students may submit a formal appeal directly to the Academy's university or college partner in line with the partner's Academic Appeals Policy. After making an appeal and asking for a review of the appeal decision by the LCKA Academic Dean, students who are studying on a Pearson Higher National Diploma course at the Academy can appeal directly to the Pearson awarding organisation.

Students may appeal against assessment decisions only on specific grounds, which are detailed in the following sections.

## **7.2. Procedural Irregularity**

A procedural error occurred during the assessment process, placing the student at a disadvantage. For example, if the student was given only two hours to finish a three-hour exam. This may also include an administrative error that occurred during the assessment and had a significant impact on the approved grade or mark assigned. For example, if the assessor unintentionally recorded the wrong result. This appeal may only be made if a student wishes to amend an assessment/exam or progression board decision.

## **7.3. Adverse Circumstances**

Students may appeal an assessment decision in the following example. During the assessment period, there were circumstances that significantly impacted the student's performance, which the student could not communicate to their Tutor, Assessor, Internal Verifier, or the Academy's assessment/exam or progression board before the assessment decision was made. To request a review in this circumstance, the student must provide valid documentary evidence where applicable. The student must also offer valid reasons for their inability to inform the Academy's assessment/exam or progression board of the adverse circumstances before the initial decision was made.

It should be noted that retrospective medical certification will not be accepted as valid evidence. A "good reason" means the student must demonstrate that uncontrollable circumstances prevented them from disclosing relevant information at the proper time.

## **7.4. Prejudice or Bias**

The student demonstrates that the decision-making process of the assessment/exam or progression board was impacted by prejudice or bias.

## **7.5. Distinction Between Appeals and Complaints**

If a student is dissatisfied with aspects of their studies, such as teaching quality, supervision, academic guidance, or any other service, they may file a complaint under the Student Complaints and Appeals Policy. Addressing these concerns promptly is essential, as they cannot be used later as reasons for an academic appeal. If an appeal is submitted but is more appropriate for the complaints process, the Head of Programme may decide to refer the student to the complaints policy, process and procedure.

An appeal addresses issues related to assessment decisions or procedural irregularities, as detailed above, while a complaint covers a broader range of concerns impacting a student's overall experience. If students are uncertain about whether to file an appeal or a complaint, they should seek guidance from the Head of Programme or another staff member.

The Academy assesses each concern individually and directs students to the appropriate procedure. If there is a potential overlap between issues, a joint investigation may be conducted with the student's consent.

## **8. Confidentiality**

All information gathered during the appeal process will be handled in compliance with data protection laws and the Academy's Data Privacy Notice and Consent Policy. Students should understand that the information related to appellants will be kept confidential, except in cases where disclosure is necessary to proceed with the appeal, implement a decision, or if required by law or for the public interest.

When a student submits an appeal, they acknowledge that the appeal will be shared with the staff member responsible for investigating the issues raised. The details of the appeal may also need to be shared with relevant personnel to conduct a thorough investigation and find a resolution. If a student has particularly sensitive information in their appeal and is concerned about confidentiality, they should discuss this with the Head of Programme or Academic Dean, who can determine if or how disclosure can be minimised.

Students should avoid disclosing unnecessary personal information such as medical conditions in their appeal unless it is relevant to the issues raised. Students must also avoid disclosing another person's personal information in their appeal or complaint without their permission.

## 9. Appeals Process

### 9.1. Formal (Written) Academic Appeal

A student may submit an Academic Appeal to the **Head of Programme** using the Appeals Form found in Appendix 1. The student must fill out the form with a detailed explanation of the reasons for the appeal and attach any supporting documents, such as email communications with faculty or medical certificates, if relevant. The student should avoid including personal information about others unless they have consent. The appeal should also indicate the specific outcome or remedy sought.

**Formal academic appeals must be submitted within 21 days of the publication of assessment results, following an attempt at early resolution. An acknowledgement of the written appeal will be sent via email within 5 working days of receipt. If not received, the student should contact the Head of Programme.**

The Head of Programme will review the appeal to determine if it aligns with the defined grounds for appeal outlined above. If the appeal does not meet these criteria, it will be dismissed. The student will be informed of the rejection, usually within 5 working days from the date of submission and is responsible for ensuring all relevant issues are addressed and that all necessary information is included with the appeal.

If the appeal is found to meet the defined grounds, the Head of Programme may request that the grades for the student be amended.

If the Head of Programme is uncertain, an **Investigating Officer (IO)** who has not been previously involved in the case will be assigned to investigate. The outcome of the investigation will be communicated to the student through the final section of the Appeals Form, typically within 5 working days of receiving the appeal.

### 9.2. Appeal Outcomes

After the investigation by the Investigating Officer (IO), there are two possible outcomes:

- If the grounds for appeal are accepted, the assessment decision will be revised, and an explanation will be provided to the student.
- If the grounds for appeal are denied, the reasons for the denial will be explained to the student either verbally or in writing.



### 9.3. Actions where an Appeal is Accepted

The outcome of the written appeal will be communicated to both the student and the Chair of the assessment/exams board.

If the appeal results in a grade change that is favourable to the student and the student accepts the revised grade, the appeal will be considered resolved.

If the appeal is denied, the student will be informed that they have the right to request a Completion of Procedures (COP) letter. This letter confirms the student's right to escalate the matter to the Office of the Independent Adjudicator (OIA), as detailed below.

### 9.4. Actions where an Appeal is Denied

If an appeal is not upheld by the Investigating Officer (IO), the student can request an **Appeal Review** from the **Academic Dean**. This request must be submitted within **5 days** of the original decision. It is important to understand that an Appeal Review is a review of the appeal process, not a new investigation of the case.

The Academic Dean will appoint someone who has no previous connect with the case to review the original appeal and all related documents within **20 days** of receiving the request and supporting evidence. If a response is not possible within the specified period for valid reasons, the student will be informed of the cause of the delay and given an estimated date for the appeal review outcome. However, the entire appeal process must be completed within **90 calendar days** from the start of the formal appeal stage.

The Academic Dean will decide whether to maintain or dismiss the original decision issued by the IO.

If the Academic Dean upholds the original decision made by the IO, the student will be issued with a Completion of Procedures letter. This letter informs the student of their right to escalate the matter to the Office of the Independent Adjudicator (OIA), as outlined below.

## 10. Appeals to External Bodies

Students retain the right to appeal to external organisations such as an awarding organisation, depending on the programme in which they are enrolled. However, they should only raise an appeal to external organisations after they have pursued all available avenues within the Academy's

internal processes, as outlined in the sections above. For students enrolled in programmes delivered through the Academy's partnership with a university or college, formal Academic Appeals must be directed to the university partner following attempts to resolve issues informally at LCKA.

### **10.1. University and College Partners**

Students may make a formal appeal to the university or College partner that is relevant to their programme of study. Students may obtain the relevant contact details from our website, or they may request the contact details of the relevant partner from the Academy's academic or administrative staff.

### **10.2. Pearson Awarding Body**

Students enrolled in the Academy's BTEC HND courses who pursued all available avenues and have received a Completion of Proceedings document may appeal directly to Pearson awarding body for academic appeals by following the link provided below.

<https://support.pearson.com/uk/s/article/Results-Post-Results-Appeals#six>

### **10.3. Office for the Independent Adjudicator for Higher Education (OIAHE)**

Students enrolled in any Higher Education course, regardless of their specific programme, can reach out to the Office of the Independent Adjudicator (OIA) via the following link.

[Can you complain to us? - OIAHE](#)

If a student has gone through all stages of the Academy's internal appeals process without a resolution, the Academy will provide them with a Completion of Procedures letter. If the student decides to escalate their appeal to the Office of the Independent Adjudicator (OIA), they must do so within 12 months of receiving the Completion of Procedures letter. This letter will specify the deadline for submitting the appeal to the OIA.

### **10.4. Office for Students**

Students enrolled in any Higher Education course, regardless of their specific program, may contact the Office for Students through the following link.

<https://www.officeforstudents.org.uk/for-students/ofs-and-students/complaints/complaints-about-a-university-or-college/>

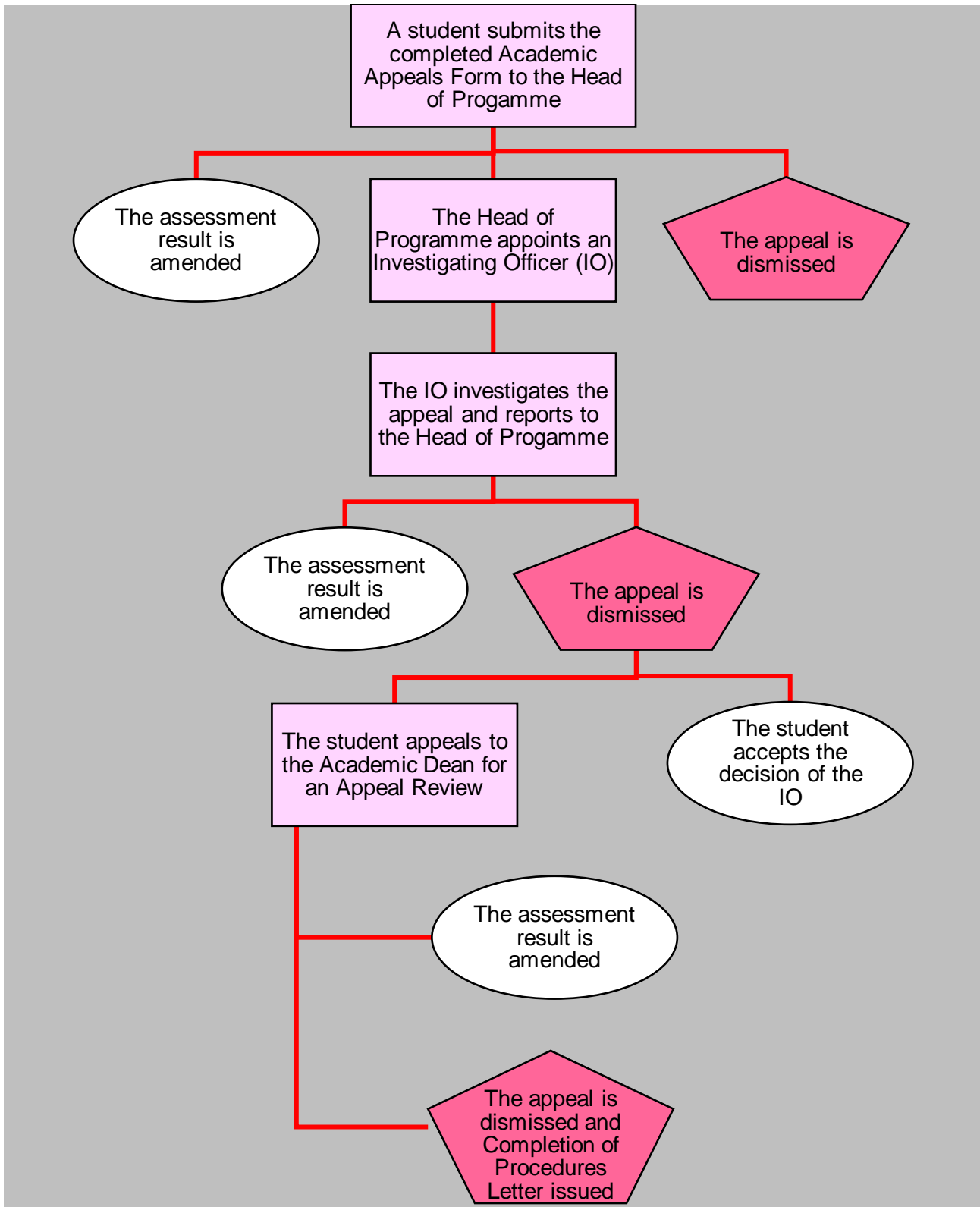
## **11. Recording, Reporting and Organisational Learning**

The Academy will maintain records of academic appeals with enough detail to enable thorough analysis and management reporting. This approach allows the Academy to identify and address the underlying causes of appeals, creating opportunities for training and implementing improvements where needed.

Each year, an anonymized report detailing the number and types of academic appeals, along with their outcomes, will be submitted to the Academic Board. This process ensures proper oversight of appeals and encourages learning from their outcomes.

The Academy will retain and dispose of records associated with academic appeals in accordance with its Data Protection Policy, following the established guidelines for record retention.

## 12. Academic Appeals Process Flowchart



## Appendix 1 Academic Appeals Form

This form requires a valid reason to support an appeal. Expressing dissatisfaction with a grade without providing any justification could result in the appeal being denied. However, all appeals will be reviewed once this form is submitted. Examples of unjustified reasons for an appeal that would result in the appeal being denied may include, but are not limited to:

- The desire for a higher grade (e.g. wanted a Merit or Distinction)
- Importance of a higher grade (e.g. needed it for University entry)
- Time management issues (e.g. If I had had more time, I would have done better)
- Effort expended (e.g. I worked hard so I should pass)

Name of Student:

Date:

Course:

Unit Number:

Assessment Title:

Assessor:

Internal Verifier:

Details of the Appeal and why you believe the original grade is incorrect:

Procedural Irregularity

Adverse Circumstances

Prejudice or Bias <input type="checkbox"/>
Please Explain
Student Signature _____ Date: _____

Outcome of the Appeal:
Staff Signature _____ Role _____ Date: _____