



NPR QS10b Academic Appeals
Version 23_01

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Key Related Documents

Document Name	Location
QS09 Assessment Regulations	BCUIC Website, Policy HUB
QS10 Student Complaints and Academic Appeals Form	BCUIC Website, Policy HUB
QS10a Student Complaints	BCUIC Website, Policy HUB
QS11 Student Disciplinary	BCUIC Website, Policy HUB
M1a Safeguarding Children and Vulnerable Adults	BCUIC Website, Policy HUB

Introduction

This document sets out the Birmingham City University International College (BCUIC) policy and procedure for Academic Appeals. BCUIC has, as part of its corporate code of practice, a commitment to continuous improvement and the UPE College* network has demonstrated its adherence to this commitment through the implementation of an Academic Appeal procedure in each College. BCUIC has a long history of and commitment to the provision of quality services and support to students. It recognises the importance of engaging students early in their learning experience and places immense value on the Student Voice. Working together with students our teaching and support staff are committed to providing an education and student experience that is shaped, reviewed and enhanced in spirit of partnership and co-determination.

**Please interpret 'College' as 'Campus' where applicable*

Purpose

The Academic Appeals procedure has been designed to allow students who are enrolled at BCUIC to seek a mutually satisfactory resolution for any disadvantage, damage or distress caused by inappropriate acts, behaviour or omissions of BCUIC or its representatives.

Former students may raise an Academic Appeal provided the Academic Appeal is about a matter which occurred whilst they were enrolled as a student and they comply with the timescales for the submission of Academic Appeal set out below.

The Academic Appeals Procedure for students is one aspect of the College's quality assurance procedures; Academic Appeals are therefore considered as useful feedback and where appropriate, will be used to facilitate improvements to services and facilities. This will be achieved through reporting to the Navitas UPE Academic Board, Navitas United Kingdom Holdings (NUKH) Board of Directors, where appropriate, and the

College Progression Board, to ensure that outcomes and recommendations from the formal procedure are actioned.

Definition of an Academic Appeal

An Academic Appeal is defined by the Office for Independent Adjudicator of Higher Education (OIAHE), as “a challenge to or request for reconsideration of a decision by an academic body that makes decisions on student progress, assessment and awards. This may include a request to change marks or progress decisions or final award classifications”.

Examples of Academic Appeals

The grounds on which students are permitted to lodge an Academic Appeal are restricted to one or more of these four areas:

- A procedural irregularity in the assessment process
- Bias or reasonable perception of bias
- Circumstances affecting the student’s performance where, for good reason, the academic body was not made aware of a significant factor relating to the assessment of a student when it made its original decision
- A challenge to the outcome of a student’s request for additional consideration of personal circumstances which have affected their performance

Exclusions under the Academic Appeals Procedure

The grounds for raising Academic Appeals are restricted to those four areas listed above. However, for the avoidance of doubt, students are explicitly excluded from lodging an Academic Appeal, and may be encouraged to raise a Student Complaint instead, on any of these grounds:

- The view that poor teaching, supervision, academic advice or guidance affected a student’s performance. In such circumstances a student may submit a Complaint under the Student Complaints Procedure (**QS10a Student Complaints**)
- A disagreement with the academic judgment of an examiner or of the Module Panel or Assessment Board in assessing the merits of an individual piece of work, regardless of whether this disagreement is held by the student, a friend, parent or expert in the discipline of study
- Any decision relating to the assessment, progression and/or exclusion based on the marks, grades and other information relating to a student’s performance (In such circumstances a student is advised to request feedback from their tutor)

Behaviour

All parties involved in an Academic Appeal are required to act reasonably, fairly and courteously towards each other and to respect the Navitas UPE procedures. In addition, any student who wishes to raise an Academic Appeal should feel able to do so without fear of subsequent victimisation.

Anonymity

Where an Academic Appeal is made anonymously, normally no action will be taken. There may, however, be exceptional circumstances where the Investigating Officer deems it appropriate to take action or investigate a matter based on an Academic Appeal that is made anonymously.

Third Party Academic Appeals

No investigation of an Academic Appeal made on behalf of a student will be undertaken without that student's written agreement to the concerns raised and written consent for an investigation to be carried out. This includes Academic Appeals made by the parent or spouse of the student concerned.

False or Malicious Academic Appeals

A false or malicious Academic Appeal is defined as an Academic Appeal which is patently unsustainable, having been put forward so as to abuse the process of the Academic Appeals procedure or for example, to attempt to defame the name or character of another person. The College may consider invoking disciplinary procedures (**QS11 Student Disciplinary**) in cases where Academic Appeals are found to be false or malicious. All such scenarios must be reported to the Navitas UPE Academic Registry.

Academic Appeals Made by Students Under the Age of 18 Years

If an Academic Appeal is made under the Formal Procedure by a student who is under the age of 18, unless it is the student's express wish that this should not be done, the Investigating Officer will notify the parents or guardians of the student in writing and keep them informed of the progress of the Academic Appeal – generally via email or telephone. Navitas UPE will permit the parents or legal guardians of the student to act on the student's behalf during the process, provided the student has confirmed agreement in writing beforehand (**M1a Safeguarding Children and Vulnerable Adults**).

Group Academic Appeals

Where an Academic Appeal is brought by a group of students, one person should be prepared to identify themselves as spokesperson and correspondent for the purposes of the Formal Procedure and each member of the group must be able to demonstrate that they have been personally affected by the matter which is the subject of the Academic Appeal. In addition, all students must agree in writing to the spokesperson acting on their behalf.

Access to Information

Students pursuing an Academic Appeal through the procedure will be entitled to apply for access to information and data pertaining to the Academic Appeal, in accordance with the policies and procedures of the University Partner under the provisions of the **General Data Protection Regulation (GDPR)** (EU) 2016/679. Applications should be made in writing to the Navitas UPE Academic Registry: UPE.AcademicRegistry@Navitas.Com

Sharing of Information

Navitas UPE will only share information about your Academic Appeal with other parties where disclosure is necessary in order to ensure a fair investigation and subject to your written consent.

Accompaniment at the Academic Appeal Hearing

The student, if they wish, may be accompanied to any Academic Appeal Hearing by a friend or representative for support or representation as appropriate. The friend or representative shall be permitted to put forward the student's case under the direction of the Chair of the Hearing and shall be permitted to ask questions of the College representative. In the event that the student is unable to attend, the Academic Appeal Hearing will be rescheduled. This person may not be a lawyer acting in a professional capacity and may not give evidence except on matters of which they have direct knowledge.

Academic Appeals Procedure

Definitions and Advice

The Navitas UPE Academic Registry can provide authoritative advice on how the Academic Appeals procedure works, whom to approach and how to complete the Student Complaints and Academic Appeals Form (**QS10 Student Complaints and Academic Appeals Form**) and submit supporting evidence. Students may also wish to seek advice and help from their Student Representative or Student Union officer.

An Informal Query is “an opportunity for a student to bring an assessment-related result which they believe is incorrect to the attention of Navitas UPE”.

An Academic Appeal is “a challenge to or request for reconsideration of a decision by an academic body that makes decisions on student progress, assessment and awards. This may include a request to change marks or progress decisions or final award classifications”.

Procedure to deal with an Informal Query

A student should raise an issue with any member of staff at a Navitas UPE College or representative, orally or in writing and initially this will be treated as an **Informal Query**. If a Student Complaints and Academic Appeals Form (**QS10 Student Complaints and Academic Appeals Form**) is submitted, it will be treated as an **Academic Appeal**.

Once an **Informal Query** has been received, resolution should be sought from the area in which the Informal Query arose, by discussing the Informal Query with the most appropriate member of College staff (e.g., the academic tutor or their line manager) or the Student Services Officer. In those areas where a local procedure to deal with an Informal Query exists, that procedure should be followed. A student should normally expect to receive a written or verbal acknowledgement of the Informal Query and the process to be undertaken within **ten working days** and a full response within **one calendar month** from the acknowledgement. This timescale may need to be extended during College vacations.

It is anticipated that most Informal Queries will be resolved through informal and local means and the student should be given the opportunity for early resolution at a local level. However, should a student wish to submit an Academic Appeal, they should in the first instance, review whether they have fulfilled their responsibilities under the particular Navitas Policy Regulations (NPR) about which they are appealing.

Academic Queries may be made on:

- The result of an individual module
- Completion of a stage or part of a programme
- Progression to the next stage of a programme
- Entitlement to an award

No formal restriction is placed on the nature of Informal Queries, including those which amounts to requests for confirmation, clarification or elaboration of a recommendation or decision. However, each Informal Query should be noted to the College Learning and Teaching Board. Note that the College may not be able to answer all possible questions or provide as full a response as may be desired by the candidate raising the Informal Query.

Questions to be considered at the Informal Query stage:

- Is it a Student Complaint or Academic Appeal?
- What is it about, and who is involved?
- What outcome is the student hoping for and is it achievable?
- Can it be resolved on the spot with an explanation, solution or apology?
- What support can be provided to the student going forward?

Procedures to Deal with an Academic Appeal - Stage 1 (Formal)

The student may invoke Stage 1 of the Formal Procedure where they are dissatisfied with the outcome of early resolution or where early resolution is not possible. This is done by completing the Student Complaints and Academic Appeals Form (**QS10 Student Complaints and Academic Appeals Form**) and submitting it to the Navitas UPE Academic Registry: UPE.AcademicRegistry@navitas.com

The Student Complaints and Academic Appeals Form (**QS10 Student Complaints and Academic Appeals Form**) should include the following information:

- The grounds upon which the Academic Appeal is being made and reasons why it was not resolved informally
- Facts and evidence to support the Academic Appeal
- The remedy which the student is seeking

The Navitas UPE Academic Registry will appoint an Investigating Officer to investigate the Academic Appeal. Navitas UPE Academic Registry shall acknowledge receipt of the Academic Appeal, normally within **ten working days**. Before proceeding further, the Investigating Officer may require further clarification of the Academic Appeal.

The Investigating Officer will attempt resolution at this stage either by correspondence between the parties, negotiation with the individuals or issue about which the Academic Appeal is being made and where appropriate, other senior members of the College or facilitation of a conciliation meeting between the student concerned and those individuals involved. The circumstances of the Academic Appeal will dictate which of these methods is considered most likely to result in a resolution of the Academic Appeal to the satisfaction of the student.

It is anticipated that Stage 1 of the Formal Procedure would normally be completed, with a response in writing from the Navitas UPE Academic Registry within **one calendar month** of the receipt date of the completed

Student Complaints and Academic Appeals Form (**QS10 Student Complaints and Academic Appeals Form**). This timescale may need to be extended during College vacations.

Relevant Academic Appeals may be escalated to the Academic Board who will consult with the Consumer Protection Steering Committee where relevant.

Questions to be considered at the Formal stage:

- Was Early Resolution attempted?
- Is the Academic Appeal and the people involved clear?
- Would reference to any policies be relevant to the case?
- What outcome is the student hoping for and is it achievable?
- Has the student provided evidence?

Procedures to Deal with an Academic Appeal - Stage 2 (Review)

If the student is not satisfied with the response from the Investigating Officer at the Formal stage or if a response is not received within the procedure's timescales, the student can appeal to a higher level within the provider for a review of the process of the Formal stage to make sure that appropriate procedures were followed and that the decision was reasonable.

To do this the student must write to the Navitas UPE Academic Registry within **ten working days** from the Stage 1 response letter or the deadline for the Stage 1 response. If a response has not been received.

The request must clearly state:

- (a) that the student would like to appeal the decision that was taken in Stage 1;
- (b) the reasons why the student believes that the response is unsatisfactory
- (c) the remedy the student is seeking

Considering the substance of the Academic Appeal and the previous attempts at resolution, the case will then be reviewed by the Navitas UPE Academic Registry where a decision will be made about whether the matter should be referred to an Academic Appeal Hearing.

If the Appeal is considered at Stage 2 (Review), a senior representative from the University Partner's Academic Registry or nominee (who should not have been previously involved in the process) and two independent Module Panel or Assessment Board Chairs will review the Stage 1 response.

The review will consider the student's submission at Stage 2 (Review), their reasons for requesting a review of Level 1 and any new information that has been provided. A member of the Navitas UPE Academic Registry

may act as an advisor to this committee, but it will be typically chaired by a representative of the University Partner as that is the awarding institution. They will chair the review meeting and will be responsible for providing a response to the student.

Should the Appeal be upheld at either Stage 1 or Stage 2, the Investigating Officer or Academic Registry may make recommendations/conditions to the College Management. Recommendations/conditions may also be made to the College Module Panel or Progression Board in respect of quality assurance procedures or policies.

If the Appeal is not upheld, the student will be informed in writing with reasons for its rejection.

Any conclusions and recommendations of the Panel will be communicated in writing to the student, the College Director/Principal and the Navitas UPE Academic Registry. A report on each case which comes before an Academic Appeal Hearing will also be prepared and noted by the Academic Registry.

Timescales

Stage of Procedure	Timescale	Responsibility
INFORMAL		
Informal Query raised (Informal Academic Appeal)	Within ten working days of the publication of the Examination result	Student (s)
Acknowledgement of Receipt of Informal Query	Within ten working days of receipt of the informal query	College Representative
Written response to Informal Query	Within one calendar month of the receipt of the informal query	College Representative
FORMAL		
Submission of Student Complaints and Academic Appeals Form QS10	Within two months of the publication of the examination result	Student (s)
Acknowledgment of Receipt of Student Complaints and Academic Appeals Form QS10	Within ten working days of submission of form	Navitas UPE Academic Registry

Stage 1 Response	Within one calendar month of the receipt of the Student Complaint and Academic Appeals form	Navitas UPE Academic Registry
Request to progress to Stage 2	Within ten working days from the Stage 1 response letter or the deadline for the Stage 1 response, if a response has not been received	Student (s)
Response to Stage 2 Request - Review	Within ten working days of receipt of request	UPE Academic Registry
Response to Stage 2 - Review	Within one calendar month of referral to Stage 2	Chair of the UP Appeals Committee or nominee

Time Limits

Time limits should usually be met by all parties. Time limits may be extended by the Investigating Officer where necessary to ensure a fair outcome.

Further Review (OIAHE)

If a student has completed the Navitas UPE Internal Academic Appeals procedure outlined above and they are still dissatisfied with the outcome, they may be able to refer their Academic Appeal to the Office of the Independent Adjudicator for Higher Education (OIA) providing that the Academic Appeal is eligible under the OIA's Rules.

In such cases Navitas UPE Academic Registry will provide on request a letter stating that a student has completed the Navitas internal Academic Appeals procedure. The letter will include information on the OIA and will comply with the OIA's guidance for a 'Completion of Procedures' letter.

Reference Points

This policy is guided by the *OIAHE Good Practice Framework: Handling Student Complaints and Academic Appeals* and *OIAHE Delivering Learning Opportunities with Others*.

For further information:

[OIAHE Good Practice Framework](#)

Students may refer to the OIAHE's information for students on its website [here](#).

Policy Review

This policy will be reviewed every two years by the Navitas UPE Academic Board unless there are internal or legislative changes that necessitate earlier review. The policy was last reviewed on 19 April 2023 and approved as a Chair's action on behalf of the UPE Academic Board.