



UNIVERSITY of
BRADFORD

University of Bradford Regulation 6

Academic Appeal Regulations

Table of Contents

Academic Appeal Regulations.....	0
1. General Principles.....	2
2. Collaborative Partners:	4
3. Grounds for appeal and notice of appeal for students on award-bearing taught programmes of study at undergraduate and postgraduate levels.....	5
4. Grounds for appeal and notice of appeal for research students.....	5
5. Grounds for appeal against an academic transfer decision.....	7
6. Appeals Process.....	7
7. Early Resolution.....	7
8. Submission of appeals.....	7
9. Consideration of appeals	8
10. Student's assessment or progression whilst appeals are pending resolution	10
11. Monitoring and Reporting	11

The following policy and process relates solely to the conduct of appeals made by students against an aspect of their academic assessment.

Allegations of racial, sexual and other forms of harassment are covered by the [Personal Harassment and Bullying Procedures](#).

Disciplinary issues are covered by the [Regulations Governing Disciplinary Procedures for Students](#), and the [Staff Disciplinary Procedures](#) as appropriate.

Students wishing to make a complaint to the University should consult the Student Complaints Procedure. The Regulations have also been [equality impact assessed](#), in line with University of Bradford's commitment to equal opportunities to eradicate any adverse impact that these regulations may have on staff and students in the context of race, gender, disability, sexual orientation, age, gender identity, and religion and belief.

1. General Principles

- 1.1 An 'academic appeal' is defined by the Quality Assurance Agency for Higher Education as "a request for the review of a decision of an academic body charged with decisions on student progression, assessment and awards".

The University will not normally permit an appeal by a student until a Board of Examiners has ratified a decision with regard to a student's progression or award; there are however, exceptions as follows.

- 1.1.1 Students may lodge an appeal in relation to a failed module or placement prior to ratification by a Board of Examiners where that failure prevents progression within their award in such instances as Nursing and Social Work placements. All Social Work placement appeals are initially considered by the Programme Consortium. The Deputy Vice-Chancellor, Academic is mindful of the requirements of Professional, Statutory and Regulatory Bodies when making decisions at University level.
- 1.1.2 Postgraduate Research students may appeal against the outcome of a Capability Procedure initiated against them at or shortly after a PhD transfer meeting. Such appeals should be made directly to the University and will be reviewed by the Faculty Postgraduate Research Committee prior to a recommendation being made to the Deputy Vice-Chancellor, Academic.
- 1.1.3 Students may lodge an appeal at any point in the academic session against withdrawal from their programme of study when the withdrawal results from non-attendance/non-engagement. An appeal against a decision to withdraw a student from a programme of study, which is taken outside a Board of Examiners meeting, must be submitted to the Student Casework Team concerned within 7 days of the date of withdrawal.
- 1.1.4 In the event that the student is dissatisfied with the outcome of the appeal at Faculty level, students have a right of appeal to the Deputy Vice-Chancellor, Academic. Such an appeal must be submitted to the Student Casework Team within ten working days of the date of the Faculty outcome letter. For the purposes of this regulation, the term Faculty, shall be taken to include any academic unit either responsible for the administration of the course of study in question or providing the supervision of the research student concerned, as appropriate.

- 1.2 The principle of equity of treatment will apply across the University. Each appeal will be considered on a case by case basis and the University of Bradford will make every reasonable effort to progress and resolve appeals in a timely and prompt manner. All appeals will be managed in a secure and confidential manner. Where it is necessary to seek evidence from a third party (other than the Faculty in question), and where this might mean the disclosure of information to the third party, the student will be contacted before any disclosure is made to check that they wish to proceed with the appeal.
- 1.3 Once an appeal enters the formal process, the University will apply the principles of natural justice in the consideration of each case. This means that no Faculty will be permitted to be the ultimate judge of a case in which it is involved. The Deputy Vice-Chancellor, Academic has the ultimate authority to act on behalf of the Senate and the University in all matters relating to appeals.
- 1.4 Appeals will not be permitted from parents, sponsors or employers of students. However, in cases where a student is under the age of 18 or has a mental health issue or disability which might impinge on their ability to make an appeal, a third party may be nominated to progress the appeal for them. In all such cases the University will ensure that sensitive personal data is only released to the third party with the express permission of the student concerned.
- 1.5 Where necessary, appropriate adjustments will be made to the process to accommodate the needs of disabled students and/or students with mental health issues; this includes the provision of these procedures in a format accessible to the student concerned.
- 1.6 Appeals data in relation to the University as a whole and each Faculty specifically forms an intrinsic part of the Annual Monitoring Process. The evaluation and monitoring of the appeals process will be the responsibility of the Learning and Teaching Committee of the University. Information to support this process will be presented to the Committee on an annual basis.
- 1.7 Group appeals will be permitted where the issue under consideration affects the work of the group as a whole; for example, an allegation of poor teaching or the resignation of a key member of teaching staff. In such cases the group will be required to nominate a spokesperson and state in writing that this person is qualified to represent the interests of all members of the group. In such an instance the University will issue one Outcome Letter or Completion of Procedures Letter to the nominated representatives. These letters will name all the students who were part of the complaint. An exception to the point above is in instances where aspects of a group appeal relate specifically to one member of the group. In such an instance these aspects will not be disclosed to the other members.
- 1.8 The Deputy Vice-Chancellor, Academic may, in exceptional circumstances, condone a mark which has been ratified by a Board of Examiners.
- 1.9 Where prejudice or bias on the part of one or more of the internal examiners has been determined by the investigation undertaken by the Deputy Vice-Chancellor, Academic the work in question will be remarked and the mark will be subject to ratification by the external examiner.
- 1.10 The appeals process will be conducted as quickly as is reasonably practicable, without compromising the robustness of the investigation into the particular circumstances of the appeal. The appeals process will not exceed a period of 90 days from the start of the process to its completion following the Review Stage. It is expected that the deadlines

documented below will normally be adhered to, however certain cases may take longer to resolve.

- 1.11 On conclusion of the process at University level, the student will be issued with a formal Completion of Procedures letter, including information which will enable them to seek a review by the Office of the Independent Adjudicator (OIA), should the case be eligible under the OIA's Rules.
- 1.12 The University will apply best practice shared within the HE sector and will adhere to the overall expectation and indicators contained in [Chapter B9 of the UK Quality Code for Higher Education, Academic Appeals and Student Complaints](#). The University will operate within the Rules and guidance published by the Office of the Independent Adjudicator.
- 1.13 The Deputy Vice-Chancellor, Academic may, in certain circumstances, uphold the appeal by a student and overrule a recommendation made by a Board of Examiners where it is felt that there are issues of equity of practice across the Institution, where adherence to the precepts of the Quality Assurance Agency Code of Practice have not been taken into account, where the Rules and guidance issued by the Office of the Independent Adjudicator have been contravened or where, in the view of the Deputy Vice-Chancellor, Academic, the evidence provided by the student demonstrates appropriate grounds for a revised decision.
- 1.14 No student instigating an appeal under these regulations, whether successfully or otherwise will be treated less favourably by any member of staff than if the appeal had not been brought. If evidence to the contrary is found the member of staff may be subject to disciplinary proceedings under University policy.
- 1.15 In the event that the submission by a student falls somewhere between an appeal and a complaint, the student's appeal will first be addressed, as satisfactory resolution at this stage can often remove the need for a complaint to be made. On conclusion of the appeals process the student will be asked if they still wish to make a complaint, and if they do, will be assisted to initiate this process. No further documentation would normally be required to be submitted by students in such circumstances.
- 1.16 Where considered necessary by the Deputy Vice-Chancellor, Academic or the Academic Registrar, the University will seek opinion from a specialist in the subject. This person may be a member of University staff, unconnected with the case in question, or a specialist from another institution.

2. Collaborative Partners:

- 2.1 All appeals made by students studying at Collaborative Partner Institutions will be submitted to the University by the Collaborative Partner via the Student Casework Team, for consideration, in the first instance, at the formal stage by the home Faculty (see section 6.1 below).
- 2.2 Appeals not resolved at local level may be submitted to the Student Casework Team for consideration by the Deputy Vice-Chancellor, Academic under section 7 onwards of the procedures documented below.

3. Grounds for appeal and notice of appeal for students on award-bearing taught programmes of study at undergraduate and postgraduate levels

- 3.1 The grounds for appeal by students against a decision of the Board of Examiners concerning an aspect of their academic assessment may be any of the following:
- 3.1.1 That there exist circumstances affecting the candidate's performance of which the Board of Examiners was not aware when it took its decision and which for demonstrable good cause, were not reported to the Board at the time of consideration;
 - 3.1.2 That there were demonstrable procedural irregularities in the conduct of the assessment or decision-making processes which are of such a nature as to cause reasonable doubt as to whether the result would have been different had they not occurred.

Examples of this may include irregularities in a formal examination, in assessment or in communications about an assessment. Another example might be noncompliance with published University procedures such as failure to take sufficient account of a student's extenuating circumstances which would appear, under University criteria, to be worthy of consideration;
 - 3.1.3 That there is evidence of an administrative error of such a nature as to cause reasonable doubt as to whether the examiners would have reached the same conclusion if it had not been made;
 - 3.1.4 That there is evidence of prejudice or bias on the part of one or more of the examiners;
 - 3.1.5 The inadequacy of supervisory or other arrangements for a project or dissertation;
- 3.2 A student may not appeal against a matter of academic judgement; for example appeals will not be permitted against a specific mark or grade awarded by an examiner in instances where the student or a third party, believe the work merits a higher grade or mark.
- 3.3 An appeal may not be made to the University where the decision taken by the Board was appropriate and in line with the University Regulations Governing Undergraduate or Postgraduate Awards.
- 3.4 An appeal on the grounds set out in 3.1.2, 3.1.3 or 3.1.4 above will only be permitted if there was good cause for the student not to have informed University, in writing, of the circumstances or complaint no later than 7 days after the examination/assessment deadline to which they apply.
- 3.5 An appeal on the grounds set out in 3.1.5 above will only be permitted if the complaint was submitted in writing to the Dean of the Faculty before the date of submission of the project, or dissertation, unless there were exceptional reasons for the situation not having to come to light until after the assessment.

4. Grounds for appeal and notice of appeal for research students

- 4.1 The University will not normally permit an appeal by a student until a Board of Examiners and/or the Faculty Postgraduate Research Committee has ratified a decision with regard to a student's progression or award.

Postgraduate Research Students may also appeal directly to the University against the outcome of a [Capability Procedure](#).

4.2 A student may submit an academic appeal against the following decisions of the Faculty Postgraduate Research Committee:

4.2.1 To require withdrawal following a report of unsatisfactory progress;

4.2.2 Not to transfer registration from MPhil to PhD;

4.2.3 To permit revision and re-presentation of a thesis;

4.2.4 Not to allow re-presentation of a thesis;

4.2.5 Not to award a degree for which the student was registered;

4.3 A student may also appeal under the following categories:

4.3.1 That there exist circumstances affecting the candidate's performance of which the Faculty Postgraduate Research Committee was not aware when it took its decision and which for good demonstrable good cause, were not reported to the Board at the time of consideration;

4.3.2 That there were demonstrable procedural irregularities in the conduct of the assessment or decision-making processes which are of such a nature as to cause reasonable doubt as to whether the result would have been different had they not occurred.

Examples of this may include irregularities in a formal examination, in assessment or in communications about an assessment. Another example might be noncompliance with published University procedures such as failure to take sufficient account of a student's extenuating circumstances which would appear, under University criteria, to be worthy of consideration.

4.3.3 That there is evidence of an administrative error of such a nature as to cause reasonable doubt as to whether the examiners would have reached the same conclusion if it had not been made;

4.3.4 That there is evidence of prejudice or bias on the part of one or more of the assessors (with regard to 4.2.1 or 4.4.4 above) or of the examiners (with regard to 4.2.3, 4.2.4 or 4.2.5 above);

4.3.5 The inadequacy of supervisory or other arrangements;

4.4 An appeal on the grounds set out in 4.3.2, 4.3.3, or 4.3.4 above will only be permitted if there was good cause for the student not to have informed the Dean of the Faculty, in writing, of the circumstances of the appeal no later than 7 days after the examination/assessment deadline to which they apply.

4.5 An appeal on the grounds set out in 4.3.5 against a decision specified under 4.2.1 or 4.2.2 above will only be permitted if the appeal was submitted in writing to the Dean of the Faculty at least two working days in advance of the meeting of the Faculty PGR Committee, unless there was good cause for the student being unable to comply with this requirement.

4.6 An appeal on the grounds set out in 4.3.5 above against a decision specified under 4.2.3, 4.2.4 or 4.2.5 above will only be permitted if the appeal was submitted in writing to the Dean of the Faculty before the date of the submission of the thesis, unless there were exceptional reasons for it not having come to light until after the assessment of the thesis.

5. Grounds for appeal against an academic transfer decision

- 5.1 The grounds for appeal by students against an academic transfer decision be any of the following:
- 5.2 That there were demonstrable procedural irregularities in the conduct of the transfer decision-making processes which are of such a nature as to cause reasonable doubt as to whether the result would have been different had they not occurred.
- 5.3 That there is evidence of an administrative error of such a nature as to cause reasonable doubt as to whether the assessors would have reached the same conclusion if it had not been made;
- 5.4 That there is evidence of prejudice or bias on the part of one or more of the assessors.
- 5.5 A student may not appeal against a matter of academic judgement; for example appeals will not be permitted against a specific mark or grade awarded by an assessor in relation to the student self-evaluation or against instances where the student or a third party, believe the self-evaluation submission merits a higher grade or mark.

6. Appeals Process

- 6.1 The Appeals process comprises of three stages. The stages are as follows:
 - Early Resolution stage;
 - Formal Stage;
 - Review Stage.

7. Early Resolution

- 7.1 Except in cases covered by 1.1.2 above, wherever possible, in the first instance, student appeals should be resolved locally and informally at Faculty level. For example, in cases where a Faculty is made aware of an error having been made, this should be corrected out via Chair's action, without the student being put to the unavoidable inconvenience and delay arising from the case progressing through the appeals system.

8. Submission of appeals

- 8.1 Students must submit their appeal to the Student Casework Team within 10 working days of the date of the publication of the recommendations of the Board of Examiners or Faculty Postgraduate Research Committee (as appropriate), unless there is good cause for the student being unable to comply with this requirement. Late appeals must include a detailed explanation and evidence of the circumstances that have led to late submission.

- 8.2 Students will normally be expected to submit a properly completed copy of the University Formal Stage Appeals Form and a Letter of Appeal setting out, in writing and in full, the grounds for and the nature of the appeal; no additional grounds may be cited nor additional substantive points made at any later time in the consideration of the appeal. Witness statements should be included in the original appeal submission and will not be accepted at a later time.
- 8.3 Students may approach the Student Advisor ubu-advice@bradford.ac.uk in the Students' Union for assistance with the preparation and submission of an appeal. Faculties should ensure that students who have declared a mental health difficulty are offered the support of a Mental Health Advisor in completing the Appeals Form and that, where appropriate, students are assisted in the acquisition of the Appeals Form and supporting documentation in a format suitable to their requirements. Where appropriate, students will be advised to seek assistance in completing the Form from the Disabilities Office.
- 8.4 In the case of an appeal based on 3.1.1 or 4.3.1 above, students may request that detailed information relating to their personal circumstances shall remain confidential to the Student Casework Team, the Deputy Vice-Chancellor, the Dean of the Faculty, the Chair of the Board of Examiners or Faculty Postgraduate Research Committee (as appropriate), and (where relevant) the external examiner(s).
- 8.5 In the case of an appeal based on 3.1.1 or 4.3.1 above, a student must submit, with their appeal, verifiable documentary evidence corroborating their extenuating circumstances. Advice on the nature of appropriate written evidence may be obtained from the Student Casework Team or the Student Union Advice Centre ubu-advicec@bradford.ac.uk and is also available online.

9. Consideration of appeals

9.1 Stage 1: Formal Stage

- 9.1.1 Students will be required to submit an appeal to the Student Casework Team within ten working days of the results of the Board of Examiners being made known to them, or in the case of placement results, as soon as possible after the result has been made known to them. (See section 5.2 above)
- 9.1.2 The Student Casework Team will triage all appeals submitted to ensure that they fall under the remit of the academic appeal regulations, are submitted within the relevant time period and/or meet the grounds for appeal. If the appeal meets the requirements for consideration, the Student Casework Team will allocate the appeal to a member of staff of the appropriate superiority within the Faculty the student is registered within. This would normally be the relevant Associate Dean, who should not have had any prior involvement with the issues that the student is appealing against, or where required, another senior academic. The Associate Dean or other senior academic will review the appeal, considering any evidence provided by the student, and any information held by the Faculty which is considered relevant.
- 9.1.3 The Faculty will provide the outcome of their considerations to the Student Casework Team, who will be required to inform the student of the outcome of their appeal and the reasons why the appeal was upheld or rejected, in writing, normally within 15 University working days of receiving the appeal.

- 9.1.4 Where a decision is made in the student's favour the matter will be dealt with by the Faculty by Chair's action as soon as is reasonably practicable.
- 9.1.5 A central record of all appeals submitted, and their outcome, should be maintained by the Student Casework Team.
- 9.1.6 Faculties will be provided with data relating to their students annually. It will be the responsibility of each Faculty to undertake an impact assessment on appeals data by diversity categories and provide an analysis for inclusion, by the Student Casework Team, in the overview document for consideration as part of the AMR process.

This document will include a full data set (at University and Faculty level) and recommendations for policy/procedural development in response to issues arising from Faculty level impact assessments.

Stage 2: Review Stage

- 9.1.7 In the event that a student is dissatisfied with the outcome of their appeal at the formal stage, the student has the right to make an appeal to the University via the Review Stage. A request to invoke the Review Stage appeals procedure must be made by the student to the [Student Casework Team](#) within 10 working days of the date of the Formal Stage outcome letter.
- 9.1.8 The student is required to submit a Review Stage appeal form and a letter explaining why they disagree with the decision made at the Formal Stage.
- 9.1.9 A student may not change the nature or category of their appeal from that submitted at the Formal Stage level when submitting the case for further consideration at the Review Stage.
- 9.1.10 The appeal will be investigated by the Student Casework Team on behalf of the Deputy Vice-Chancellor, Academic. The Student Casework Team may request further information from the student and/or the Faculty in order to determine the outcome of the case. The student and/or Faculty will normally be required to produce such further information within 5 working days.
- 9.1.11 The Faculty may be asked to explain the basis for the Board of Examiners's decision and include a detailed explanation of whether any evidence was discounted and why. The Faculty may also be asked to make available the minutes of the relevant Extenuating Circumstances Sub-committee and the Board of Examiners or Faculty Postgraduate Research Committee (as appropriate), relevant mark sheets and pass lists and any documents relating to extenuating circumstances which are relevant to the case.
- 9.1.12 The Deputy Vice-Chancellor, Academic may seek the view of external examiners in considering the case.
- 9.1.13 The Student Casework Team will be required to inform the student of the outcome of their appeal and the reasons why the appeal was upheld or rejected, in writing, normally within 15 working days of receiving the Review Stage appeal.
- 9.1.14 The Deputy Vice-Chancellor will make a decision as follows:

- That the appeal be upheld
- That the appeal be partially upheld
- That the appeal will not be upheld
- That the appeal will be dismissed as out of time

9.1.15 In making a decision the Deputy Vice-Chancellor, Academic will consider the possible effects on other students (who may or may not have appealed) and, as far as possible, will ensure that equity of treatment is preserved. Notwithstanding, each student's appeal will be considered on a case by case basis and a judgement made in accordance with the particular circumstances of the appellant.

9.1.16 When taking a decision of this kind, the Deputy Vice-Chancellor, Academic will take into account the requirements of any relevant Professional, Statutory and Regulatory Bodies and any fitness to practice issues. The Deputy Vice-Chancellor, Academic will inform the Faculty, in writing via the Student Casework Team, of instances where the decision of the Board of Examiners has been overturned.

9.1.17 The decision made by the Deputy Vice-Chancellor on behalf of the University is final and represents the completion of the University of Bradford's procedures for consideration of the appeal.

9.2 In the case of an appeal based on a combination of either 3.1.1 or 4.3.1 above and one or more of the other grounds for appeal, that part of the appeal which relates to 3.1.1 or 4.3.1 will take precedence and will be considered by means of a review of the original decision by the Board of Examiners or the Faculty Postgraduate Research Committee (as appropriate). The Deputy Vice-Chancellor, Academic's decision will be final in these matters.

10. Student's assessment or progression whilst appeals are pending resolution

10.1 In order not to disadvantage students who have appeals which are pending consideration, where such cases are not affected by Professional Body requirements, Faculties will permit such students to undertake supplementary assessment at their own risk in the modules which are the subject of review.

10.2 Students who are awaiting the outcome of an appeal will be permitted to undertake reassessment in modules in which they have not achieved the required pass mark. However, such supplementary assessments are undertaken at their own risk and will only be marked and considered by an Assessment Committee/Board of Examiners if their appeal is upheld. If the appeal is not upheld, the work will not be marked, the attempt will be deemed null and void and the decision of the June Board of Examiners will stand.

10.3 It should be made clear to affected students that any notification of supplementary assessment is independent of and separate from the outcome of the appeal and should in no way be taken as an indication thereof.

10.4 Likewise, students who would otherwise be progressing into the next stage of their studies will be permitted to re-register, on the understanding that the outcome of their appeal may necessitate their withdrawal or intercalation from the course.

11. Monitoring and Reporting

- 11.1 It will be the responsibility of the Student Casework Team to provide Faculty's with data relating to the outcomes of appeal cases involving their students annually.
- 11.2 It will be the responsibility of the Student Casework Team to provide a University overview for consideration during the Annual Monitoring Process. This document will include a full data set (at University and Faculty level) and recommendations for policy/procedural development in response to issues arising from Faculty level impact assessments. An annual report on academic appeals will also be made to the Learning and Teaching Committee.
- 11.3 The Student Casework Team will undertake an Impact Assessment of the data on academic appeals by diversity categories, and include this in the annual report to Learning and Teaching Committee.

All enquiries regarding these regulations should be directed to the Student Casework Team at complaintsandappeals@bradford.ac.uk