

# THE ENGINEERING & DESIGN INSTITUTE LONDON

## ACADEMIC APPEALS POLICY

<b>Summary</b>	This Policy outlines the criteria for Academic Appeals and the process for submitting and dealing with Academic Appeals.		
<b>Policy Owner</b>	Registrar		
<b>Policy Sponsor</b>	Academic Board		
<b>Policy applies to</b>	All students of TEDI-London		
<b>Equality impact assessment completed</b>	31/03/2020		
<b>Version</b>	4		
<b>Date of implementation</b>	September 2022	<b>Date of next formal review</b>	September 2025

### DOCUMENT CONTROL

<b>Date</b>	<b>Version</b>	<b>Action</b>	<b>Amendments</b>
31/03/2020	1	Policy created	n/a
25/11/2020	2	Updates made as agreed at Academic Board November 2020	Amendments made to sections 3, 8, 10, 11, 12, 13 and 16. In addition, references have been updated to clarify timeframes, updates made to reflect introduction of Module and Programme Boards.
17/08/21	3	Document Updated	Document updated to reflect replacement of Module and Programme Boards with Assessment Boards

05/2022	4	Document Updated	Document updated to ensure alignment with TEDI-London naming conventions and to ensure information contained is accurate for existing and future cohorts
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## Contents

1.	INTRODUCTION.....	4
2.	POLICY STATEMENT .....	4
3.	SCOPE OF THIS POLICY.....	4
4.	ROLES AND RESPONSIBILITIES .....	5
5.	EQUAL OPPORTUNITIES.....	5
6.	CONFIDENTIALITY .....	5
7.	BEFORE YOU APPEAL .....	6
8.	TIMEFRAMES.....	6
9.	EVIDENCE .....	6
10.	GROUND FOR APPEAL.....	7
11.	APPEALS ON THE GROUNDS OF MITIGATING CIRCUMSTANCES.....	8
12.	APPEALS ON THE GROUNDS OF AN ADMINISTRATIVE ERROR .....	8
13.	ADVICE ON SUBMITTING AN APPEAL .....	9
14.	CONSIDERATION OF APPEALS.....	10
15.	APPEAL REVIEW .....	10
16.	APPEAL PANEL.....	11
17.	EXTERNAL REVIEW .....	12
18.	TRAINING, DISSEMINATION AND IMPLEMENTATION .....	12
19.	MONITORING AND REVIEW.....	13

## **1. INTRODUCTION**

- 1.1. Occasionally things might go wrong, or you might experience circumstances outside your control which impact on your assessment, award or progression. We have support mechanisms in place to ensure these are dealt with as quickly as possible and you should make use of these at the earliest possible opportunity. The Academic Appeals Policy is intended for cases where no resolution or remedy was possible at an earlier stage.

## **2. POLICY STATEMENT**

- 2.1. An Academic Appeal is a process which allows you, in certain circumstances, to ask for a review of an academic decision relating to your progress or award, made by the Assessment Board or an Academic Dishonesty Panel.
- 2.2. To be eligible to submit an Academic Appeal, you must have [grounds](#) as described below.
- 2.3. Academic Appeals are handled in accordance with our Academic Regulations [<https://tedi-london.ac.uk/policies/>] and this Policy adheres to guidance from the [Office of the Independent Adjudicator for Higher Education \(OIA\)](#).

## **3. SCOPE OF THIS POLICY**

- 3.1. This Policy covers all students of The Engineering & Design Institute, London (TEDI-London). For the purpose of this Policy, a student is defined as a student registered for an Award of TEDI-London, an Exchange student taking TEDI-London modules for credit as part of their programme elsewhere, or a Student recently Withdrawn as a consequence of one of the related processes.
- 3.2. There is a separate Admissions Appeals Policy [<https://tedi-london.ac.uk/policies/>] for dealing with admissions issues, and a Student Complaints Policy [<https://tedi-london.ac.uk/policies/>] for dealing with non-academic issues.
- 3.3. We may reclassify your Academic Appeal as a Student Complaint or vice versa if we believe that the submission should be within the remit of the other Policy.

- 3.4. Where legal proceedings are happening in relation to the academic appeal, the academic appeal will be placed on hold until legal proceedings are completed.

#### **4. ROLES AND RESPONSIBILITIES**

- 4.1. You are responsible for submitting your Academic Appeal on the correct [form](#) and within the correct [timeframe](#). You should also ensure that all necessary [evidence](#) is included.
- 4.2. The Registry will be responsible for receiving Academic Appeals and for allocating these to be investigated.
- 4.3. The final decision regarding a matter raised under this Academic Appeals Policy or any of the associated Policies will be the final decision of TEDI-London; there is no right to further consideration of the same matter under a different associated Policy.

#### **5. EQUAL OPPORTUNITIES**

- 5.1. This Policy will be operated in accordance with TEDI-London's Equality and Diversity Policy [<https://tedi-london.ac.uk/policies/>].
- 5.2. We will not treat you less favourably and you will not or suffer any detriment or disadvantage if you submit an Academic Appeal, regardless or not of whether the Appeal is successful.
- 5.3. Academic Appeals Panels will have a reasonable gender balance where possible and will actively consider representation from people from other protected backgrounds.

#### **6. CONFIDENTIALITY**

- 6.1. Academic Appeals will be handled with an appropriate level of confidentiality, with information released only to those who need it for the purposes of responding to an Appeal.

- 6.2. Where it is necessary to obtain information from a third party in relation to the Appeal, we will only give them as much detail about the Appeal as is necessary to obtain the information required from them.

## **7. BEFORE YOU APPEAL**

- 7.1. Before submitting an Academic Appeal, make sure that you have sought advice and guidance about your concerns. It may be that there are quick steps that can be taken to resolve your problem or that the Academic Appeals process is not the best way forward. For example, if you are worried that there is an error in the calculation of your marks you can request a mark check; if there is an error, this can be remedied without the need for an Appeal.
- 7.2. The Student Hub can provide independent guidance and support for Appeals. All TEDI-London students are affiliate members of King's College Students' Union (KCLSU), they can also offer support for Appeals.

## **8. TIMEFRAMES**

- 8.1. You should submit an Appeal within 10 working days of being notified of the academic decision which you want to challenge. Appeal Reviews should be submitted 10 working days after the outcome of the Appeal.
- 8.2. We will aim to respond to Appeals within 15 working days, and to Appeal Reviews within 15 working days of submission. Where this is not possible you will be notified of any increases to this timeframe.
- 8.3. Timescales may need to be extended if the case being considered is complex. You will be kept informed of any delays to the process throughout.

## **9. EVIDENCE**

- 9.1. If you are submitting evidence with your Appeal, it should be directly relevant to your case. The evidence should be objective, independent and from a third party. It should be valid and capable of verification. All evidence should be written in English or, if not, certifiably translated.

- 9.2. If you are unable to submit evidence by the deadline, you should still submit your Appeal without this. You should not delay submitting your Appeal based on not having supporting documentation by the deadline for submission – this will not be considered a valid reason for a late submission of an Appeal. If you need to submit evidence after you submit your Appeal, you will be able to note this during the Appeal submission process and suggest a date by which you hope to provide the evidence.
- 9.3. Evidence should come from an objective third party and relate to facts, not opinion. It should contain:
- Date that the document was written
  - Signature or evidence that it has come from the person making the statement
  - Evidence that it is independent
  - Evidence that the person has the experience or expertise to make the statement

## **10. GROUNDS FOR APPEAL**

- 10.1. Appeals may only be made on one or both of the following grounds:
- a. That there was an administrative error, either in the conduct of the assessment, or in the proceedings of the Assessment Board, the handling of a mitigating circumstances claim or the handling of procedures under the Academic Integrity Policy, which was relevant and significant to the decision made by the Assessment Board in respect of your progression; and/or
  - b. That you had previously undisclosed Mitigating Circumstances at the time of the assessment, which:
    - meet the definition of Mitigating Circumstances as set out in the Mitigating Circumstances Policy [<https://tedi-london.ac.uk/policies/>], and
    - were unknown to the Assessment Board, and
    - were not disclosed via the Mitigating Circumstances Process for a valid reason outside of your control
- 10.2 The following will not be considered grounds for an academic appeal:

- Academic judgment (the decision made by academic staff on the quality of your work or the criteria being used to mark the work)
- Disagreement with the conclusions reached by the Mitigating Circumstances Panel or Academic Dishonesty Panel unless there is evidence of administrative error or new information regarding mitigating circumstances as outlined in section 11 and 12 below
- Academic appeals that are considered frivolous or vexatious. This includes academic appeals that are obsessive, harassing, or repetitive; unrealistic or unreasonable outcomes requested; designed to cause disruption or annoyance; outcomes requested have no serious purpose of value

## **11. APPEALS ON THE GROUNDS OF MITIGATING CIRCUMSTANCES**

- 11.1. You should use the Mitigating Circumstances Policy [<https://tedi-london.ac.uk/policies/>] to inform us of issues that may impact on your performance. You should ensure that you adhere to the deadlines outlined within the Mitigating Circumstances Policy.
- 11.2. If you believe that you had mitigating circumstances which affected your assessment, progression or award and these were undisclosed by you at the time of the event, you can submit an Appeal based on Mitigating Circumstances. You will need to put forward a case for why it would not have been reasonable for us to expect you to disclose the circumstances at the time of the assessment.
- 11.3. We will not usually accept the following as reasons for not submitting a Mitigating Circumstances claim:
- That you say you were unaware of the process for submitting a Mitigating Circumstances claim at the time; or
  - That you assumed at the time of the assessment that you would not be impacted by an event that you have since decided could count as Mitigating Circumstances.
- 11.4. If you believe that there was an error in the handling of your mitigating circumstance claim you can also submit an appeal.

## **12. APPEALS ON THE GROUNDS OF AN ADMINISTRATIVE ERROR**



- 12.1. An administrative error is a mistake or omission made by TEDI-London in the way an assessment and/or the proceedings of a Assessment Board, mitigating circumstances claim, or procedures under the Academic Dishonesty Panel were handled, which has significantly affected the outcome.
- 12.2. When you receive your results, you will have the opportunity to discuss any concerns with your Personal Tutor in the first instance. If you believe that an administrative error has occurred, you can submit an Appeal. You must clearly explain what administrative error has occurred and how it affected your progression or result and provide copies of any relevant evidence to corroborate your statement where available.
- 12.3. An administrative error must be relevant and significant to the decision made:
  - **Relevance** indicates that the evidence is directly relevant to the case you are making. For example, a note from a friend saying you are upset about your examination would not be relevant, whereas a note from the examination invigilator confirming that there was a page missing from your examination questions would.
  - **Significance** means that the error is likely to impact on the decision made regarding your progression or award. For example an error in the information sent to you resulting in you arriving late for an examination or without the texts you were allowed to refer to would be significant, whereas a typing error which did not alter the meaning of the information sent to you would not.

### **13. ADVICE ON SUBMITTING AN APPEAL**

- 13.1. You will be required to state your preferred outcome of either correction of an administrative error or an opportunity to be reassessed. Your preference will be taken into consideration however, the agreed outcome will be based on what is practical and so may differ to the preference stated. You will be given an opportunity to explain if a different solution won't be practical for you.
- 13.2. You should keep your supporting statements clear and to the point. A longer statement won't necessarily strengthen your case and may make it difficult for the reviewers to determine the salient points of your case. The Student Hub can support you with writing your application.

## 14. CONSIDERATION OF APPEALS

- 14.1. Your Appeal will be considered by someone who was not involved in the decision that you are appealing.
- 14.2. The Appeal Process includes an **Initial Scrutiny** to enable a quicker process where appropriate. Referral to a Panel is usually reserved for cases which cannot be decided during the Initial Scrutiny.
- 14.3. The Initial Scrutiny will be conducted by two members of staff, who will determine if the Appeal should be:
  - a. Upheld, and immediate corrective action taken by the Chair of the Assessment Board to rectify the issue
  - b. Upheld with a recommendation made to the Assessment Board that you should be given an opportunity to be reassessed
  - c. Considered via the Mitigating Circumstances Process
  - d. Returned to you with a request for further information
  - e. Rejected because the form was incomplete, incorrect, not accompanied by supporting evidence, or did not demonstrate grounds for appeal
  - f. Referred for consideration to an [Appeal Panel](#).
- 14.4. You should receive the outcome of the Initial Scrutiny within 15 working days of receipt of the submission of your Appeal. Where this is not possible you will be notified of any increases to this timeframe.
- 14.5. If you are unhappy with the outcome, you can request a [Review](#).

## 15. APPEAL REVIEW

- 15.1. If you are dissatisfied with the outcome of your Academic Appeal, you can request a **Review** of the decision on one or both of the following grounds:
  - a. That there was an error in the proceedings of the Appeal which affected the decision on your Appeal; and/or
  - b. That new information has become available which could not have been made known in the original Appeal for a demonstrated, valid and overriding reason.

- 15.2. You should submit a request for Review within 10 working days of receiving the outcome of your Academic Appeal.
- 15.3. The Appeal Review is a review of the Academic Appeal process. It will not consider the issues afresh or involve further investigation.
- 15.4. The Appeal Review will receive Initial Scrutiny from two members of staff who will determine whether the Appeal Review can be:
  - a. Upheld, and immediate corrective action taken by the person who made the decision on the Academic Appeal to rectify the issue
  - b. Upheld and referred to an appropriate body for consideration. This might be the Assessment Board, or a Panel, depending on the stage the Academic Appeal reached in the process
  - c. Referred to an Appeal Panel
  - d. Returned to you with a request for further information
  - e. Rejected because the form was incomplete, incorrect, not accompanied by supporting evidence, or did not demonstrate grounds for appeal.
- 15.5. A Completion of Procedures letter will be issued at the end of the Academic Appeal Review Stage. The final decision regarding a matter raised under this Academic Appeals Process will be the final decision of TEDI-London; there is no right to further consideration of the same matter under a different associated Policy or Process.

## **16. APPEAL PANEL**

- 16.1. If your appeal is referred to a Panel, the Panel will be convened within 15 working days of the outcome of the Initial Scrutiny being communicated to you. Where this is not possible you will be notified of any increases to this timeframe.
- 16.2. The Panel will have three members, and a member of Academic Board will act as Chair. The Appeal Panel Servicing Officer will be a member of the Registry. The Servicing Officer will attend to advise the panel on relevant Regulations, Policy and Process, and to take notes.
- 16.3. You will be invited to attend the Panel and should attend yourself; you will not

usually be allowed to send a representative in your absence; this is not allowed unless there are exceptional circumstances. In these cases, you should ask permission from the Chair via the Servicing Officer.

- 16.4. You may bring someone with you to the Panel. You should advise the Servicing Officer of their name, relationship to you, and the reason that they will be attending, at least 2 working days before the Panel takes place.
- 16.5. If you choose not to attend, or do not attend without notifying the Panel of valid reasons for your absence, the Panel will meet in your absence.
- 16.6. The possible outcomes of a Panel are for the Appeal to be:
  - a. Upheld with a recommendation made to the Assessment Board that you should be reassessed some or all your failed assessments as a first attempt, reinstating you on the programme if necessary
  - b. Upheld with referral of the case back to the Assessment Board with commentary. Note that the panel is not allowed to recommend changes to your original mark(s)
  - c. Rejected on the grounds that the grounds have not been met.
- 16.7. We will write to you with the outcome of the Appeal Panel and the reason for the decision within 5 working days. Where this is not possible you will be notified of any increases to this timeframe.
- 16.8. The outcome of the Panel will be communicated to the Assessment Board.

## **17. EXTERNAL REVIEW**

- 17.1. Once our internal procedures have been concluded, if you are not satisfied with the outcome of your Appeal Review, you have the option to apply to the [Office of the Independent Adjudicator for Higher Education](#) for an external review of our decision. The Completion of Procedures letter will explain how to do this.

## **18. TRAINING, DISSEMINATION AND IMPLEMENTATION**

- 18.1. All TEDI-London staff will be made aware of this Policy at induction.

- 18.2. The Policy is available on the TEDI-London website and it will be highlighted to students when they join.

## **19. MONITORING AND REVIEW**

- 19.1. Academic Board will monitor the effectiveness of this Policy by considering key indicators such as number of Academic Appeals and timescales for their resolution.
- 19.2. This version of the Policy is valid from September 2022 and will be reviewed in September 2025.