

# COLLEGE OF INTEGRATED CHINESE MEDICINE

## ACADEMIC APPEALS POLICY

### 1. Introduction: Information for Students

- 1.1 In certain circumstances, you have the right of appeal against the decision of an Examination Board. If you think you have grounds that entitle you to exercise this right, you are required to inform the Academic Director CICM in writing.
- 1.2 CICM will endeavour to consider all appeals at an early stage. We are committed to dealing openly and fairly with you if you decide to make an appeal. You will not be penalised for appealing, and there will be no reduction in your grade or classification of award as a result of appeal. Nothing will appear on your academic record to indicate that you have made an appeal.
- 1.3 CICM will only consider an appeal from you if you are directly affected by the Board of Examiners' decision. Appeals by third parties, or appeals which are made anonymously, will not be considered. If you are one of a group of students affected by the same set of circumstances, you may wish to make a collective appeal through a single spokesperson with the agreement of all members of the group.
- 1.4 The appeals process is subject to quality assurance procedures which are approved by the Academic Council and which conform to the guidance issued by the Quality Assurance Agency in its Code of Practice.
- 1.5 Your attention is drawn especially to the statement that sets out the grounds of an appeal and to the timescale, which should be adhered to in connection with the submission of an appeal.
- 1.6 You may only appeal if you are a registered student. Your acceptance of an award certificate at graduation implies acceptance of the award and the closure of any action/appeal within CICM's procedure. This equally applies if you do not return a certificate that has been sent to you in the post within 5 working days.
- 1.7 This code of practice applies to all students registered for a course leading to an award from the UCO.
- 1.8 If your appeal is not based on the grounds specified in this Policy or accompanied by appropriate supporting evidence, CICM will inform you that no action will be taken. You will receive a Completion of Procedures Letter and you may, if you so wish, to pursue the matter further with the Deputy Vice Chancellor (Education) at the UCO and following that the Office of the Independent Adjudicator for Higher Education.
- 1.9 The college operates a system for considering Special Circumstances and a Complaints Policy. These procedures must be used for matters brought to CICM's attention before a specified deadline immediately preceding the relevant Examination Board. Academic appeals are only valid in respect of Examination Board decisions already made.
- 1.10 Requests to suspend studies will require academic appeal only where the suspension requested includes a period of time and /or possibly assessment grades already considered by an examination board.
- 1.11 If you submit information that is false, as part of your appeal, CICM will refer the matter for consideration as a disciplinary offence.

- 1.12 The outcome of a successful academic appeal may provide you with a further opportunity to demonstrate your knowledge and skills. It will not alter the grade you have already been awarded. Additional opportunities will normally be offered at the next formally scheduled offering of a particular unit or assessment.
- 1.13 You may appeal if you are a registered student in good financial and academic standing or (if an appeal is lodged after a final award/withdrawal decision) in relation to a period in which you were in good financial standing and academic standing. You may not appeal if you have not yet registered or are sanctioned for financial or academic reasons.

## **2. Academic Appeal Policy and Process**

- 2.1 An academic appeal is a request for review of an Examination Board decision related to assessment, progression and/or award.
- 2.2 Where a complaint is specified as having an impact on assessment, progression and/or award, it must be treated as an academic appeal.
- 2.3 Issues raised and processed through the Student Complaints Policy and Procedure may not lead directly to the review of an Examination Board decision (see the Complaints Policy).
- 2.4 As far as possible, within the effective operation of this process, confidentiality of both individuals and proceedings will be maintained.

## **3. Circumstances for Academic Appeals**

- 3.1 Full-time and part-time students of CICM who are in good academic and financial standing, and who are registered or whose period of registration has ended following an Examination Board decision may submit appeals against decisions of Examination Boards, which either (a) relate to an award made at the end of the final stage of a course or (b) would result in an interruption of studies at an intermediate stage of a course (i.e. an interruption of the normal progress of a student arising from a requirement either to withdraw from a course, to undertake referrals or to repeat an element of a course).
- 3.2 Valid bases for appeal in respect of an academic outcome are:
  - a) Exceptional Extenuating Circumstances: These arise where a student establishes to the satisfaction of the Academic Appeals Board (by submitting medical certificates or other documentary evidence acceptable to the Academic Appeals Board) that his/her assessment performance was adversely affected by illness or some other reason which he/she was unable, or for valid reasons unwilling, to divulge before the Board of Examiners reached its decision.
  - b) Academic appeals may not be submitted on the basis of bereavement. CICM's Special Circumstances process must be used in such cases, at the time of the bereavement. Medical and other circumstances that should have been informed to CICM at the time of their occurrence will not normally be considered. Where a student has been absent from their studies without CICM's knowledge, they may not subsequently appeal in relation to that period.
- 3.3 Operational Problems Impacting On Academic Outcome: This arises where the Academic Appeals Board is satisfied on the basis of evidence produced by the student or derived from any other source that the assessments were not conducted in accordance with the relevant regulations or that a material administrative error or some other material irregularity occurred in relation to teaching or assessment, such that assessment performance was materially and adversely affected. Where the claim of operational problems includes allegations of

victimisation or unfair discrimination, CICM will, in the first instance, investigate the appeal through CICM's complaints process.

- 3.4 The Academic Appeals Board will not consider any appeal that is based solely on a request for the student to be given another opportunity to change a grade. Neither will it consider appeals that constitute an attempt to alter the outcomes of academic judgement reached through due academic process.
- 3.5 Appeals may not be made in respect of matters relating to academic performance before Examination Boards have reached their decisions in regard to such matters.
- 3.6 The Academic Director will respond to any issues lodged as academic appeals but which fall outside the scope of academic appeal, confirming that the appeal is not valid and indicating alternative approaches where relevant.
- 3.7 It is expected that the need to appeal will only occur as a last resort; students must ensure that, as far as possible, the Examination Board is informed prior to its meeting using CICM's processes of any circumstances which might have adversely affected their performance.
- 3.8 Acceptance of an award certificate or an award letter, or a failure to respond to an award letter within five days of receipt constitutes acceptance of the award and the closure of any appeal within CICM's procedures.

#### **4. Functions and Responsibilities of the Academic Appeals Board**

- 4.1 The functions of the Academic Appeals Board are to review cases in which it is claimed by a student that relevant evidence was not available to the Examination Board at the time it reached its decision and to consider alleged instances of maladministration, and which, at Stage 1, were not upheld.
- 4.2 The Management Committee will nominate a member of the CICM Council as Chair of the Academic Appeals Board.
- 4.3 The Academic Director will report to Management Committee and the Council after the end of each academic year on the activity and outcomes of the Board.
- 4.4 Where issues of common occurrence and/or impact arise in the course of an academic year, the Academic Director will take action to enhance CICM's processes and systems, and this will be included in the annual report by the Academic Director to the Quality Assurance Committee and to the UCO.
- 4.5 The Academic Appeals Board is empowered to take three courses of action following its consideration of an appeal, either:
  - a) To reject an appeal, in which case its decision shall be final, or
  - b) To require an Examination Board to revise its decision where one or both of the two grounds for appeal is found to have had material impact on the performance or progression of a student:
  - c) To require an Examination Board to revise its decision where an appeal, as presented, is not upheld, but other material factors emerge in the course of investigation or appeal.
- 4.6 A revised decision of an Examination Board resulting from this process shall be final.
- 4.7 An Academic Appeals Board is not constituted as an Examination Board and has no authority to set aside the decision of the examiners and thereby to recommend the award of a degree.

4.8 No decision will be revised within this Academic Appeals Policy to the detriment of a student.

## **5. Procedure for Submitting an Appeal**

- 5.1 A student who wishes to exercise his/her right to appeal to the Academic Appeals Board against a decision of an Examination Board must do so in writing to the Academic Director.
- 5.2 They must specify precisely the grounds on which the appeal is based (see above) and any supporting documentary evidence that the student wishes to be considered by the Academic Appeals Board.
- 5.3 Appeals must be received by the Academic Director within three weeks from the date on which the student received formal notification of a decision of an Examination Board.
- 5.4 Students will be deemed to have received formal notification of their assessments 48 hours after confirmation by the Examination Board.
- 5.5 Students who state in writing only an intention to appeal within the period allowed following receipt of the formal notification of an Examination Board decision must submit full details of their grounds of appeal within a further seven working days of the date on which this was stated. Grounds of appeal or other information submitted after this period of time will only be considered by the Academic Appeals Board under exceptional circumstances.
- 5.6 The Academic Appeals Board has the right, under exceptional circumstances, to waive these timescales.

## **6. Stage 1: Investigation and Response**

- 6.1 On receipt of an academic appeal that specifies the basis of appeal and provides relevant supplementary evidence, the Academic Director will confirm receipt to the appellant and request the relevant Unit Leader to investigate the circumstances surrounding the appeal and to provide a report to the Management Committee by a specified deadline.
- 6.2 The role of the investigator will be to identify and examine all evidence that may support the appeal on behalf of the appellant.
- 6.3 The college will aim to respond to the student submitting the appeal within two weeks of its receipt (in full), in order to do one of the following:
  - a) to inform the student of the findings of the investigation and confirm that the relevant Examination Board will be required to revise its decision (through Chair's action) in respect of the student;
  - b) to inform the student of the findings of the investigation and confirm the basis on which CICM does not find the appeal to be substantiated;
  - c) to confirm to the student a deadline for response (where the appeal circumstances require a protracted investigation) in respect of a) or b) above; d) in exceptional circumstances to confirm that a case cannot be addressed adequately at Stage 1 and will therefore proceed to Stage 2.
- 6.4 The Academic Director will inform the Examination Board Chair of the requirement for revision and specify any parameters for that revision in the context of UCO regulations.
- 6.5 Where the Academic Director confirms Examination Board review, no further appeal will be permitted, either prior to or following that review.

- 6.6 Where it is confirmed that CICM does not find the appeal to be substantiated, a student will have the right to proceed to Stage 2 of this appeals procedure, only where additional and new evidence or information directly related to the initial appeal is provided.

## **7. Stage 2: The Academic Appeals Board**

- 7.1 Where a student is not satisfied that the outcome of the investigation is founded on full or accurate consideration of the circumstances of the appeal, they may request that the Academic Appeals Board reviews the case only on the basis of new and significant information or evidence.
- 7.2 A student who wishes the Academic Appeals Board to review their appeal must inform the Registrar within one week of receipt of the Stage 1 outcome (students will be deemed to have received notification 48 hours after posting to the last known registered address if based in the UK and ten working days after posting if based outside the UK).
- 7.3 In requesting Academic Appeals Board review, a student may not introduce new grounds for appeal or any supplementary evidence beyond that directly related to the initial basis of appeal.
- 7.4 Where the basis of appeal remains the same, but additional new, directly relevant evidence or information is presented, the college will respond to the student within ten working days to confirm, after consultation with the Academic Director, the date, time and location of the Academic Appeals Board meeting at which their case will be heard.
- 7.5 Where there is a substantive alteration or addition to the initial basis of appeal, or where the original appeal is restated without new evidence or information directly related to that initial appeal, the college will respond, after consultation with the Academic Director within ten working days to confirm the outcome of the Stage 1 investigation along with a Completion of Procedures letter.
- 7.6 Students have the right to appear in person at meetings of the Academic Appeals Board at which their appeals are considered, and to be accompanied at such meetings by a UCO Students' Union representative or a currently registered CICM student if they so wish. Students who decide to avail themselves of either of these courses of action are required to notify the CICM of the name and affiliation of the person who will accompany them.
- 7.7 The role of any such accompanying student will be to assist in the clarification of any matters raised by the panel. They may not otherwise represent the appellant throughout the proceedings.
- 7.8 The Academic Appeals Board may request a student to attend the meeting at which his or her appeal is heard and in the event he/she will be notified by the Registrar of the time and place of the meeting.
- 7.9 Where a student is unable to attend the meeting of the Academic Appeals Board, but wishes to participate, he or she may do so through videoconferencing facilities where these are available or by representation by another individual (for example, a representative of the UCO's Students' Union), subject to the approval of the Academic Appeals Board Chair.
- 7.10 The Academic Appeals Board may require appropriately qualified, senior academic representation from the faculty associated with the Examination Board decision that is appealed.

- 7.11 Where student and Faculty/Department representation is required, the Academic Appeals Board will meet the representatives together.
- 7.12 The Academic Appeals Board will be chaired by a member of the CICM Council nominated by the Management Committee, a representative of which will be joined by two additional members to be nominated by the Chair of the CICM Council. No member of the Academic Appeals Board shall act who is a member of the Examination Board responsible for the decision against which an appeal is being made.
- 7.13 The CICM Council will annually review the operation of the appeals procedure in order to evaluate its effectiveness.

## **8. Outcome of the Academic Appeals Board Review**

- 8.1 The review conducted by the Academic Appeals Board will lead to one of the following outcomes:
- a) to inform the student of the conclusion of the review and confirm that the relevant Examination Board will be required to revise its decision in respect of the student;
  - b) to inform the student that the review has upheld the Stage 1 outcome and that no revision of Examination Board decision will be initiated, and to provide a Completion of Procedures letter;
  - c) to inform the student that the review has upheld the Stage 1 outcome but identified other factors leading to a requirement for revision of the Examination Board decision. No revision will be undertaken within this process to the detriment of the appellant.
- 8.2 The college on the advice of the Academic Director will inform the student of the Stage 2 outcome within fourteen working days of the Academic Appeals Board Review, and a Completion of Procedures letter will be issued where required.
- 8.3 The outcome of the Stage 2 review will be final.
- 8.4 Complaints about the procedural operation of the Academic Appeals Board must be raised through the Student Complaints Process (final stage). Such complaints may not request further review of the academic decision previously appealed, but must be confined to the expression of a specific concern related to the operation of the appeal process.
- 8.5 Where there is evidence that an appellant or their representative may have provided misinformation to influence the outcome of an academic appeal, disciplinary action may be taken after the conclusion of the appeal process.

## **9. University College of Osteopathy and the Office of the Independent Adjudicator for Higher Education**

- 9.1 The decision of the Academic Appeals Board after reference to the Examination Board is final within the CICM's procedures, however students registered on a course validated by the UCO have the right to refer the CWS's decision to the Deputy Vice-Chancellor (Education) at the UCO for consideration.
- 9.2 Students should contact the Registrar at the UCO ([registry@uco.ac.uk](mailto:registry@uco.ac.uk)) providing a copy of their CICM Completion of Procedures letter and an explanation and evidence of why they are not satisfied with the outcome of Stage 2.

- 9.3 The decision of the Deputy Vice-Chancellor (Education) will be final and a Completion of Procedures Letter shall be provided to the student.
- 9.4 Thereafter the student has the right to refer the matter to the Office of the Independent Adjudicator for Higher Education (<http://www.oiahe.org.uk/>).

#### **10. The Provision of Information to External Examiners**

- 10.1 Where the outcome of an appeal (at either Stage 1 or Stage 2) requires the revision of an Examination Board decision, external examiners responsible and/or involved in that decision will be informed.
- 10.2 In exceptional cases, it may be necessary to inform an external examiner's home institution of the circumstances of an appeal.

#### **11. Monitoring & Review of this Policy & Procedure**

- 11.1 The Academic Director will be responsible for agreeing and implementing a system of monitoring, recording and reporting of allegations, outcomes and penalties for presentation to the Quality Assurance Committee and the UCO covering the operation of this procedure at least annually.