

Student Academic Appeal Policy and Procedures

Frequently Asked Questions

The Student Academic Appeal Policy and Procedures and the Appeal Forms are available at:
<http://www.hw.ac.uk/students/studies/complaints/student-appeals.htm>

Basic Information

1. Q. **What is an academic appeal?**

- A. An academic appeal is a formal request by a student for the review of a decision affecting him or her that has been made by a Heriot-Watt University academic body or officer with authority for making decisions on student progression, assessment and academic awards.

2. Q. **Who can submit an appeal?**

- A. Any student studying for a University award may submit an appeal.

3. Q. **What can I appeal against?**

- A. Academic appeals may be formally requested by a student with respect to the following:
- A decision by the Board of Examiners about transfer or progression within a programme or from one programme leading to one award to a programme leading to another award;
 - A decision by the Board of Examiners to award what a student believes to be incorrect marks or an incorrect degree classification: an appeal cannot be submitted on a matter of academic judgement;
 - A decision by the University to penalise a student (including terminating his or her registration as a student of the University) for failure to make progress;
 - A decision by the University not to recognise mitigating circumstances considered under the *Policy on Mitigating Circumstances* (there are prescribed procedures for students to report mitigating circumstances that they wish to be brought to the attention of a Board of Examiners);
 - Where there have been procedural, organisational or other material irregularities in the conduct of an examination or assessment, or supervision which may have had an adverse effect on progress.

Requests for further assessment opportunities are considered under a separate procedure by the Undergraduate Studies Committee or the Postgraduate Studies Committee, as appropriate.

4. Q. On what grounds can I appeal?

- A. In order to appeal you must be able to show why the decision you are appealing against is unfair, or does not represent your true academic ability. Every appeal is different but the grounds for appeal should relate to at least one of the following:
- That academic performance was affected by exceptional personal circumstances that you could not report at the time for valid reasons, and that mitigating circumstances have not been taken into account in making the relevant academic decision or before the deliberations of the relevant Board of Examiners;
 - That staff or bodies have not followed approved regulations and procedures or there has been a material lack of clarity which has affected performance;
 - That staff or bodies have not acted fairly towards you by showing bias in the way they have made the relevant academic decision.

5. Q. What are not grounds for appeal?

- A. There are a number of grounds for appeal that are invalid and will not be accepted by the University. Among the reasons an academic appeal will not be considered are the following:
- Misunderstanding or not being aware of the published assessment regulations and procedures;
 - Lack of awareness of published procedures for presenting mitigating circumstances to the Board of Examiners which the University provides for all students;
 - An appeal being made on the grounds of mitigating circumstances without there being any relevant written medical or other evidence to show why it should be considered (e.g. medical or death certificates, counsellor's letter, crime report);
 - An appeal is based on evidence that relates to alleged ill-health or other mitigating circumstances that could have been reported to the University at the time they occurred, but were not, and the student is unable to provide a valid reason for not having provided the evidence at the time; Circumstances that would not normally be considered grounds for appeal include:
 - holidays or other events that were planned or could have been expected to coincide with assessments;
 - assessments that were scheduled close together or on the same day, or that clash due to incorrect enrolment by the student;
 - misreading the timetable for examinations or otherwise misunderstanding the requirements for assessment;
 - inadequate planning or time management;
 - last-minute or careless travel arrangements;
 - consequences of paid employment;
 - examination stress or panic attacks not supported by medical evidence;
 - grounds of an unspecific or general nature or uncorroborated nature such as no medical evidence being presented;
 - The student, when claiming he or she suffered disturbance or illness during an examination, did not report the circumstances to the Invigilator before leaving the examination hall, nor did he or she report the circumstances in writing before the meeting of the Board of Examiners;

- The appeal is a disagreement with the academic judgement of a Board of Examiners in assessing the merits of academic work, or in reaching a decision on progression, or on the final classification for an award, which has been reached in accordance with the published regulations and procedures;
- The appeal is on the grounds that the provision of teaching or guidance affected academic performance. In such circumstances a student must submit a complaint in accordance with the *Student Complaints Policy and Procedures*;
- The appeal is received after the published deadline;
- The appeal is not submitted on the relevant Appeal Form;

A full list of invalid grounds is contained in paragraph 3.5 of the Procedures.

When an appeal form is submitted a student must confirm that they understand what the invalid grounds for appeal are and that their grounds of appeal are valid.

6. Q. What are mitigating circumstances?

- A. There are circumstances which, through no fault of the student, mean that the assessment has not accurately measured the student's ability or else could not be completed in a timely manner. Such circumstances are unfair to the student(s) and are not an accurate representation of the expected level of performance. Examples include a student being ill on the day of an exam. Such circumstances are described as 'mitigating circumstances'.

The University has a *Policy on Mitigating Circumstances*. This policy sets out processes and responsibilities for dealing with mitigating circumstances in relation to assessment so that there is an open and transparent procedure, as well as to provide a framework to ensure that all students are treated equally irrespective of their mode of study, location or School.

The Policy is available at:

<http://www1.hw.ac.uk/committees/ltb/resources/mc-policy.pdf>

7. Q. I am an international student, how will appealing affect my visa?

- A. Where circumstances allow, international students studying under the UKBA (or any successor body) immigration regulations will be permitted to progress with their studies pending the outcome of the appeal within the period of their current visa. The University will endeavour to resolve any academic appeal from an international student before the end of the student's current visa expiry date, however this may not always be possible. Students should seek advice from the International Student Advisors within Student Support and Accommodation.

The Procedure

8. Q. Where can I get advice on the appeals procedure?

- A. The detailed procedures are available at:
<http://www.hw.ac.uk/students/studies/complaints/student-appeals.htm> . You can also ask

for advice from your Mentor, Course Leader, Supervisor or other member of staff or from the Student Union Advice Hub.

9. Q. How is an appeal considered?

- A. There are two stages to the academic appeal process:

Stage 1: Appeal to the Head of School;

Stage 2: Appeal to the Vice Principal.

Stage 1 of the process must be completed first. Only if you consider that your appeal has not been dealt with satisfactorily, and feel that the matter should be taken further, should you submit a Stage 2 appeal to the Vice Principal.

Appeals at both stages must be submitted on the correct Appeal Form. The various sections of the Form will ask you for the information required in order that your appeal can be given full consideration. The Form will provide information on where to submit your appeal.

Details of the procedures are available in the *Student Academic Appeal Policy and Procedures*.

10. Q. How long do I have to submit an appeal?

- A. Stage 1 Appeal (to a Head of School): not later than 10 working days after receipt of the information which forms the basis of the appeal coming to the appellant's knowledge. The University will be able to check the date on which a student accessed their electronic results.

Stage 2 Appeal (to the Vice Principal): not later than 20 working days after confirmation of the outcome of the Stage 1 appeal has been issued to the appellant.

11. Q. Who can I speak to for advice about my appeal?

- A. Before you submit a formal appeal you are strongly advised to try to resolve the matter informally, normally as closely as possible to the level at which it has arisen, by contacting your Mentor, Supervisor or other relevant member of staff to discuss the issue and ascertain if it can be clarified or resolved without resorting to formal procedures. The School Office may be able to advise you on how a particular decision was determined.

You can contact the Student Union Advice Hub to seek advice, support and assistance. If such assistance is sought it remains the responsibility of the student to prepare and submit an appeal for consideration and to liaise directly with the relevant University authorities.

12. Q. How long will it take for a decision to be made on an appeal?

- A. Stage 1 (appeal to a Head of School) and Stage 2 (appeal to the Vice Principal): normally 30 working days for each stage. If the decision on the appeal is expected to take longer you will be notified of this and the reason why it has not been possible to meet the deadline. There are

a number of reasons why an appeal may take longer than 30 days to consider (e.g. requesting and/or considering additional information, the complexity of an appeal).

13. Q. I am appealing against an award will I be able to graduate?

- A. If you are appealing against an award to be conferred by the University you will not be entitled to receive the award until the process of appeal has been concluded or the appeal has been withdrawn.

14. Q. What is academic judgement?

- A. Academic judgment is professional and scholarly knowledge and expertise which members of the University staff and Examiners draw upon in reaching an academic decision. Academic judgment therefore includes, but is not restricted to, decisions about the academic standards attained by students, marks and grades to be awarded for individual pieces of work or courses, and degrees and degree classifications to be awarded, or not.

Robust mechanisms exist within the University to ensure that marking standards are fair and appropriate. Students who are uncertain why they received a particular outcome or mark should discuss this with their Mentor, Course Leader, Supervisor or other member of staff as appropriate.

Students may not appeal against matters of academic judgement which include:

- The marking standards of academic staff (unless there has been a procedural irregularity);
- The content or learning outcomes associated with courses or programmes that have been approved by the University;
- The merits of work submitted for assessment;
- The research methodology used.

15. Q. I felt that the mark/grade I received in a piece of work should have been higher – which ground for appeal should I appeal under?

- A. This would depend on why you have not done as well as you expected and whether there are any particular circumstances that affected performance. If there were mitigating circumstances, these should have been reported under the procedures for reporting mitigating circumstances at the appropriate stage so that they could have been considered by the Board of Examiners. If you didn't report mitigating circumstances at the time they occurred and before you received your results you will need to provide with your appeal compelling and substantiated evidence why you were not able to comply with the *Policy on Mitigating Circumstances* at the appropriate time.

If you are not sure why your mark was lower than expected you should meet with your Mentor, Supervisor or other relevant member of staff to discuss your mark and see whether the issue can be clarified or resolved.

16. Q. **I had a bereavement just before I sat my examinations. I didn't want to bother anyone and thought that I could cope, however I wasn't able to perform at my best during the examination. Can I appeal now?**

You will need to be able to provide compelling and substantiated evidence why you were not able to comply with the *Mitigating Circumstances Policy* at the time of the bereavement. You will also need to submit documentary evidence (e.g. death certificate).

17. Q. I did not tell the Examiners about my personal circumstances and I am disappointed with my Result, what should my letter of appeal include?

In the first instance you should meet with your Mentor, Supervisor or other relevant member of staff to discuss your mark and see whether the issue can be clarified or resolved.

In order to submit an appeal you will need to be able to identify specific reasons why you did not perform as well as expected. If you decide to submit an appeal you will need to be able to give reasons and provide written evidence explaining why you did not perform as well as expected and why you did not report mitigating circumstances at the time they occurred and before you received your results. This should include compelling and substantiated evidence why you were not able to comply with the *Policy on Mitigating Circumstances* at the appropriate time.

18. Q. **Do I have a right to see my examination script?**

- A. You should look at the *Policy on Feedback to Students on Examination Performance* at: <http://www.hw.ac.uk/registry/resources/examperformancefeedback.pdf>

This Policy provides information on how to obtain feedback.

- A. I handed in a mitigating circumstances form with medical evidence before my examinations and now have my results. I do not believe that the circumstances have been considered. What should I do?
- A. Under the procedures for the consideration of mitigating circumstances all students are informed of the outcome of their application after the meeting of the Board of Examiners. In the first instance you should meet with your Mentor, Supervisor or other relevant member of staff to discuss your mark and see whether the issue can be clarified or resolved.

19. Q. **What if I don't have evidence with which to substantiate my appeal?**

- A. An appeal made on the grounds of mitigating circumstances will not be accepted without there being any relevant written medical or other evidence to show why it should be considered (e.g. medical or death certificates). Evidence from parents or friends is not considered to be independent, and may not be deemed sufficient to verify the circumstances claimed.

20. Q. What can I do if I am not satisfied with the outcome of my appeal?

- A. If an appellant considers that his or her Stage 1 appeal to the Head of School has not been dealt with satisfactorily, and feels that the matter should be taken further, he or she may submit a Stage 2 appeal to the Vice Principal.

Following consideration of a Stage 2 appeal to the Vice Principal the internal procedures have been completed. Following this if an appellant is not satisfied with the outcome of his or her appeal there is a right of appeal to the Scottish Public Service Ombudsman (SPSO). The SPSO considers matters relating to administrative failure. Information on the SPSO is available at: <http://www.spsso.org.uk/>

21. Q. Why does it say that the Stage 2 appeal is submitted to the Vice Principal when it is actually reviewed by another member of academic staff known as an Assessor?

- A. A Stage 2 appeal is submitted to the Vice Principal as he/she oversees the appeals process. An Assessor is a member of academic staff who has been chosen to act as an 'Assessor' for Stage 2 appeals. The Assessor would have had no previous involvement in the appeal. A group of Assessors are required due to the amount of Stage 2 appeals that are received each year.

Last updated: 9 February 2016