

## a) Chapter 3 – Student Appeals Procedure

1. An **appeal** is a written request by a student for the reconsideration of a determination made by an officer, administrator, board, committee or panel of the University in relation to their status, progression or achievement as a student. Appeals are treated seriously and making an appeal will not negatively affect student rights or the impartiality of judgements on academic achievement.

### Grounds for Appeal

2. There are three grounds of appeal:
  - a. there is reasonable ground supported by authoritative and objective evidence to believe that there has been administrative or procedural error of such a nature as to have affected the outcome of the investigation or result appealed; or
  - b. the decision in the case was manifestly unreasonable<sup>1</sup>
  - c. there is new evidence that for good reason, objectively and authoritatively documented, could not be submitted earlier.

### Issues excluded from review

3. The following matters will be excluded from review under the appeals process:
  - a. disagreement with the marking tutor(s) on the grounds of academic judgement; specifically, disagreements on grade awarded; or
  - b. complaints against services provided by the University, including delivery of teaching, or a complaint about misconduct by a member of staff or another student. A student who wishes to make such a complaint must follow the [complaints process](#); or
  - c. decisions of the Board of Governors or its Committees (including the Academic Board).
4. In exceptional circumstances a student may submit both a complaint and a separate appeal and include common issues in each which link the two together. Under these circumstances the appeal should normally be investigated and concluded within the timelines specified by the procedure, before the complaints process commences.

### The Appeals Procedure

5. Appeals must be submitted on the Appeals Form within 15 working days of the decision appealed. Submissions must include a full explanation of the reason for appeal and an indication of the desired outcome if the appeal is upheld.

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<sup>1</sup> A decision is “manifestly unreasonable” if it can be demonstrated that an Officer of the University or a properly constituted University Panel or Board has made an irrational, perverse or logically flawed decision.

### Stage One

6. Once received, the Appeals Officer or nominee will consider whether the appeal falls within an issue excluded from review or whether the appeal is vexatious, frivolous or without substance or merit. Where it is determined the appeal is excluded from review or vexatious, frivolous or without substance or merit the Appeals Officer shall have the authority to reject it summarily and inform the appellant of the decision in writing within 10 working days.
7. If the appeal submission is held to be admissible, it will be scrutinised by the Appeals Officer or nominee, together with the supporting documentation, and an investigation undertaken if necessary. The Appeals Officer, or nominee, will then determine whether to:
  - a. Uphold the appeal: in which case the student will be informed of the decision within 10 working days of receipt. Where the decision appealed was that of an Assessment Board, the Chair of the Assessment Board will be informed and may take Chair's Action to amend the Assessment Board's decision or, if necessary, the Assessment Board will be reconvened to reach a new decision. The new Assessment Board decision will be notified to the student with 10 working days of the date of the decision to uphold the appeal. Where the Chair or Assessment Board do not accept the Stage One decision, the matter will be referred to Stage Two;
  - b. Reject the appeal: in which case the student will be notified within 10 working days that the appeal submission has not demonstrated that there are sufficient grounds to uphold the appeal, and advised of the options available to them;
  - c. Refer the appeal: where the Appeals Officer believes the appeal is complex; raises a new point and/or requires a determination on policy, they will have the discretion to refer the appeal to the Appeals Panel.

### Stage Two

8. Where a student is dissatisfied with a Stage One decision or the Appeals Officer has referred the appeal, the matter will proceed to Stage Two, consideration by an Appeals Panel. Where an appeal is referred by the Appeals Officer, no further action will be required from the student.
9. Where the student is seeking a Stage Two review, they should submit a Stage Two Appeal Form within 10 working days of the date of notification of the decision at Stage One.
10. The grounds on which a request for review of a Stage One may be granted are as follows:
  - a. there is new evidence that could not be provided earlier in the procedure (providing objective and authoritative evidence of why it could not be provided earlier); or
  - b. there is evidence that the correct process was not followed at Stage One of the process; or
  - c. the outcome at Stage One is not reasonable given the evidence.
11. Dissatisfaction with the outcome of Stage One alone is not grounds for review.

12. The Appeals Panel will be provided with the Stage One decision, the evidence submitted by the student at Stage One and at Stage Two; and any further evidence used or collected by the Appeals Officer at Stage One. Information will be anonymised, so the student is not identifiable. Decisions will be made based on the evidence submitted and students will have no right to attend the Panel meeting or to give oral evidence.
13. The Appeals Panel will consist of:
  - a. the University Secretary and Chief Compliance Officer (Chair)
  - b. one senior academic;
  - c. a senior member of the Registry team; and
  - d. an external examiner.A meeting will be quorate where at least three members are present. Where there is an equality of votes, the Chair shall have a casting vote.
14. Following consideration by the Panel, they may either:
  - a. Reject the appeal: (including by confirming the decision at Stage One) and advise the student accordingly that their appeal is not upheld.
  - b. Overturn the decision: and substitute their own decision for that of the original decision-maker. Where a decision of the Assessment Board is overturned, the decision of the Assessment Board is replaced with the new decision and will be noted at the next Assessment Board.
  - c. Refer the decision: by requesting the original decision-maker consider the new evidence or a new decision-maker review all the evidence and make a new determination. (For the avoidance of doubt, where a matter is referred the subsequent decision can be appealed under the appeals process)
15. Appellants will be advised of the outcome of their appeal in an appeal review outcome letter, with reasons, within 10 working days of the Appeal Panel.
16. The appeal review outcome letter exhausts the University's internal mechanisms. Where the application is rejected, students will be issued with a Completion of Procedures Letter. This may enable the student to refer their complaint to the Office of the Independent Adjudicator (OIA) where they are still not happy with the outcome at this stage.
17. Where a Completion of Procedures Letter is not provided, the student may request one from [complaints@rave.ac.uk](mailto:complaints@rave.ac.uk).
18. The OIA is an independent organisation and more information on the OIA's procedures on their website: [www.oiahe.org.uk](http://www.oiahe.org.uk). Under the OIA's rules complaints must normally be submitted within 12 months of the Completion of Procedures Letter.

### **Conferment of an Award**

19. A student may not be conferred an award until the appeals process has been finalised.
20. Where the decision of the Appeals Panel results in a student being admitted to an award, the student may either receive the award in person at the next congregation or to be deemed to have been admitted to the award on the authority of the Academic Board.