

## UEA PARTNER INSTITUTION ACADEMIC APPEALS/ ACADEMIC COMPLAINTS PROCEDURE

### PURPOSE

- 1.1.1 The Academic Appeals Procedure is intended to allow students on UEA validated and endorsed programmes at partner institutions (The Royal Marsden School, Easton & Otley College, Institute of Health and Social Care Studies in Guernsey, INTO UEA, London Academy of Diplomacy and Mountview Academy of Theatre Arts), undertaking taught programmes to formally raise concerns about their academic results or circumstances relating to them. The Academic Complaints Procedure is intended to allow students at partner institutions undertaking taught programmes to raise concerns not relating to academic results. We take such concerns seriously and the Procedure is designed to enable their effective consideration and the enacting of timely remedies as appropriate. If a more appropriate route exists to consider the substantive concern, the student will be advised to engage with the relevant alternative procedure.
- 1.2 Students studying at City College Norwich should consult the HE Academic Appeals/Academic Complaints Procedure which is available at:
- <http://www.uea.ac.uk/partnerships/policy-and-forms/CCN+Academic+appeals+and+complaints+procedure>
- 1.3 Non-academic complaints are considered under separate procedures and are available from the relevant partner institution.
- 1.4 The Academic Appeals and Complaints Procedure is informed by the following core principles: Natural Justice, Ease of Use, Realistic Time Frames, Transparency, Consistency, The Treatment of Students as Adults and Recognition of Professional Body Requirements.
- 1.5 The Academic Appeals and Complaints Procedure comprises three parts:
- an informal stage at the relevant partner institution;
  - a formal Stage One managed by the relevant partner institution, in which the Appeal/Complaint Reviewer (please see Appendix A for relevant person for each partner institution) considers the Appeal or Complaint;
  - a formal Stage Two managed by UEA, which a Student may follow if dissatisfied with the outcome of the Stage One Appeal or Complaint, and if the submission meets the required conditions for further consideration
- 1.6 If accepted, Stage Two Appeals and Complaints are considered by an independent panel of senior academic staff from UEA and the relevant partner institution, with the student presenting the Appeal or Complaint (with someone to accompany or represent them if they wish) and the Appeal/Complaint Reviewer or a suitable substitute presenting the case for the partner institution. For Stage Two the Academic Appeals and Complaints Panel represents and acts with the full delegated authority of UEA Senate.

- 1.7 Terms used in the Academic Appeals and Complaints Procedure are set out in Appendix B.

## **2. COMMITMENTS**

- 2.1 Students who submit a case under this procedure will not be unfavourably treated for having done so. Any student who believes that s/he has been less favourably treated as a result of submitting a case should contact the Head of Partnerships at the University immediately. It is expected that students will not engage in frivolous or malicious Appeals and Complaints. It should be noted that if an appeal or complaint is found to have been brought with mischievous or malicious intent this may prove grounds for disciplinary action against the appellant/complainant.
- 2.2 The relevant partner institution and the University will apply the Academic Appeals and Complaints Procedure in accordance with their Equal Opportunity and Equality Policies. In particular, reasonable adjustments will be made for those with disabilities, specific learning difficulties or long-term medical conditions.
- 2.3 All parties to the Appeal/ Complaint and individuals who have been involved in any related investigation and/or the management and/or administration of the Appeal/ Complaint will observe the requirements for confidentiality. Whilst confidential information may need to be disclosed in order to consider the Appeal/Complaint, this will only be to those staff involved in the consideration of the Appeal. In addition, confidential information may be disclosed to governmental, police or regulatory authorities as required by law.
- 2.4 All personal information will be processed by the relevant partner institution in accordance with its data protection policy and by and the University in accordance with the UK Data Protection Act 1998.
- 2.5 Training will be offered to all staff involved in coordinating and in conducting Academic Appeals and Complaints.

## **3. FIRST STEPS TO TRY TO RESOLVE CONCERNS**

- 3.1 Students are encouraged to try to resolve the matter they are concerned about informally before beginning the formal Procedure. A number of avenues exist through which further information or explanation can be provided which might satisfactorily answer their concerns. An informal approach could be made to their personal tutor. Informal explorations of possible ways in which a matter may be resolved will not prejudice the consideration of a later formal submission.
- 3.2 In the first instance students should contact the Appeal Administrator at the relevant partner institution who will advise them on where to access further support and guidance and whether support can be provided by the Union of UEA Students.
- 3.3 Marks allocated to work which has not been independently double-marked can be challenged by students either informally (via re-marking) or as part of an Appeal. Work which has been double-marked cannot be challenged or the subject of an Appeal. If a Student is concerned about an academic result for a piece of assessed work that has been marked by a single teacher but has not been confirmed by a Board of Examiners, the Student can apply via the Appeal/Complaint Administrator for the work to be remarked independently by a further tutor (who will not know the original mark). Both the original and second marks will then be considered by the

Appeal/Complaint Reviewer who may adjust the original mark up or down. The outcome should normally be available within a further 10 working days.

- 3.4 The student should make every attempt to submit his/her case concerning a provisional academic result before the Board of Examiners meets. This is in the student's best interests as an early decision can then be made.
- 3.5 Where a student submits evidence of extenuating circumstances that were unknown to the Board of Examiners at the time it reached an academic decision and the Appeal/Complaint Reviewer accepts these as demonstrating that the student's academic performance had been affected, the matter may either be referred matter back to the Board of Examiners without requiring the student to submit a formal Academic Appeal or may seek an appropriate concession (via the Partnerships Office) from the Academic Director of Taught Programmes at UEA to address the student's circumstances.
- 3.6 Should these steps not resolve the matter to the student's satisfaction, the student may make a formal case for an academic appeal under Stage One of the Procedure. The appeal will be dealt with by the Appeal/Complaint Administrator. If the concern remains unresolved after this, the student may take the process to Stage Two, which is described later.

#### **4. THE NATURE OF THE APPEAL/COMPLAINT**

- 4.1 Students may appeal any of the following:
  - i) A degree result
  - ii) Marks (that have not been independently double marked)
  - iii) Required withdrawal from a course
  - iv) A verdict of plagiarism and/or collusion
  - v) A penalty applied in respect of plagiarism and/or collusion
  - vi) A refusal to permit the late submission of work for assessment or to approve a delayed first sit
- 4.2 Only those decisions/ judgements/ outcomes detailed at 4.1 above can be cited as the object of an academic appeal and any appeal based on grounds not covered by 4.1 above shall be rejected without consideration.
- 4.3 Academic complaints may address any aspect of a student's academic experience about which s/he is dissatisfied with the exception of those grounds detailed at 4.1 above.

### **STAGE ONE ACADEMIC APPEALS AND COMPLAINTS**

#### **5. HOW A STUDENT SUBMITS A STAGE ONE ACADEMIC APPEAL OR COMPLAINT**

- 5.1 A student must submit a completed Stage One Academic Appeal or Complaint Form (and any supporting evidence) to the relevant office as listed at the end of the Stage One Appeal and Complaints form. Forms are available on the UEA Partnerships Office website or directly from your partner institution (please see Appendix A for relevant person/office for each partner institution):

<http://www.uea.ac.uk/partnerships/policy-and-forms>

- 5.2 All evidence submitted by the Student will be provided to the Appeal/Complaint Reviewer under section 6.1 of the Procedure. Normally evidence submitted cannot be anonymous. A Stage One appeal or complaint will normally be considered by the Appeal/Complaint Reviewer.
- 5.3 The Appeal/Complaint Reviewer may suspend the Stage One Academic Appeal or Complaint where appropriate, pending clarification by a student that s/he has tried to resolve the matter s/he is concerned about informally before beginning the formal Procedure.
- 5.4 A student who has been found guilty of plagiarism or collusion and wishes to appeal against the subsequent penalty, may submit a Stage One Academic Appeal. A Stage Two Academic Appeal should be submitted if a student wishes to appeal against the decision that s/he has plagiarised and/or colluded.
- 5.5 A student may decide to withdraw an appeal or complaint, providing the Appeal/Complaint Reviewer is advised in writing before a mark has been submitted to the Chair of the Board of Examiners for reconsideration, or any of the actions recommended following an Appeal that has been supported, has commenced (see 8.1 of the Procedure).
- 5.6 Collective academic appeals and academic complaints will be considered in the same manner as those received by an individual student.

## **RESPONSE TO THE APPEAL OR COMPLAINT**

- 6.1 The Appeal/Complaint Reviewer is responsible for responding to an Appeal or Complaint. If the Appeal/Complaint Reviewer is part of the subject of the Appeal or Complaint, was a member of the Board of Examiners whose decision is being challenged, or is otherwise in a conflict of interest, a suitable substitution will be made by the relevant partner institution. (The person substituting for the Appeal/Complaint Reviewer shall not be the person(s) who may have conducted investigations and/or inquiries on the Appeal/Complaint Reviewer). Notwithstanding this provision, for ease of reference the person responsible for responding to the Appeal or Complaint will be called the Appeal/Complaint Reviewer hereafter in this Procedure.
- 6.2 The Appeal/Complaint Reviewer may delegate investigation of an Academic Appeal or Complaint to one or more members of staff who do not have a conflict of interest with respect to the Appeal/Complaint. In such cases the Appeal/Complaint Reviewer will retain responsibility for the decision reached at Stage One and will act in accordance with subsequent sections of the Appeals and Complaints Procedure where required. The Appeal/Complaint Reviewer must inform the Partnerships Office at the University when a Stage One Appeal or Complaint has been submitted by a student.
- 6.3 The Appeal Administrator will provide the Appeal/Complaint Reviewer with the Appeal or Complaint documentation submitted by the student under Stage One and will assist the Appeal/Complaint Reviewer with the following investigation. The Appeal/Complaint Reviewer having completed the investigation will decide whether the academic decision of the Examiners should be reviewed, whether any other remedial action should be taken (such as seeking a concession against the regulations), or whether the Appeal or Complaint should be rejected. The decision of the Appeal/Complaint Reviewer and the reasons(s) for it will be communicated to the

student in writing and a copy shall be sent to the Partnerships Office at the University.

6.4 With limited exceptions (for example, where information cannot be disclosed because of the relevant partner institution's Data Protection policy), all written material considered by the Appeal/Complaint Reviewer under this procedure will be accessible to the student as accompanying evidence to the decision of the Appeal/Complaint Reviewer. In the first instance, the evidence will take the form of a list of the documents considered, included with the Appeal/Complaint Reviewer response to the student. The following documents would normally be considered as evidence:

- Stage One Appeal or Complaint form and accompanying evidence
- The student's academic record
- Minutes of the relevant Board of Examiners with appropriate redactions
- Statements from other appropriate parties
- Documentary medical evidence submitted by the student.

The student may request in writing to the Appeal/Complaint Reviewer a copy of the evidence considered.

6.5 Each Appeal or Complaint will normally be considered individually, (though depending on circumstances, where a series of Appeals and Complaints involve the same subject matter or individual(s), the relevant partner institution may consider such Appeals and Complaints collectively, subject to any confidentiality requirements) in the same manner as those received by an individual student.

6.6 It may not always be desirable for the original Board of Examiners to review a decision it previously made following a Stage One or Stage Two Academic Appeal (paragraphs 8.2, 8.3, 12.2. and 12.4 of the Procedure refer). Individuals who are involved in the Academic Appeal (e.g. named in the appellant's papers; witnesses to a hearing) may have a conflict of interest between their role in the Appeal and their role as an examiner. Where the Appeal/Complaint Reviewer or Academic Appeals Panel conclude that the original examiners should not be asked to review a decision the normal process for approval of changes to membership of a Board of Examiners should be followed. Such changes require the approval of the UEA Academic Director of Partnerships.

## **7. TIMESCALES FOR STAGE ONE APPEALS AND COMPLAINTS**

7.1 The student must submit the completed Academic Appeal and any supporting documents to the Appeal/Complaint Administrator within 10 working days of the notification of the result (See Appendix B for definitions).

7.2 The student must submit the completed Academic Complaint form and any supporting documents to the Appeal Administrator within six months following the end of a student's registration (end of study).

7.3 Appeals and Complaints submitted after these deadlines with good reason for the delay may still be considered. The student should contact the Appeal/Complaint Administrator if s/he is unable to meet this deadline. The decision by the Director of University Services (LTS) (or nominee) as to whether a late submission should be accepted shall be final and not subject to appeal.

- 7.2 The Appeal/Complaint Reviewer must advise the student of the outcome of the investigation into the Stage One Appeal/Complaint in writing within 10 working days of receipt of the Academic Appeal and Complaint Form, or advise the student within that time if more time is needed either for investigation or for a review of the academic decision by the Examiners.
- 7.3 The Appeal/Complaint Reviewer must advise the student of the decision of a reconvened Board of Examiners in writing within 20 working days of the date of the letter in 7.2 above.

## **8. ACTIONS AND OUTCOMES**

- 8.1 Stage One appeals will be upheld where any of the following are found:
- i) Correct procedure was not followed which undermined the validity of the academic result.
  - ii) Prejudice and/or bias affected the academic result.
  - iii) The student's performance was adversely affected by extenuating circumstances not previously submitted (ONLY where late submission of extenuating circumstances has been approved).
  - iv) Significant changes were made to a course without being properly communicated and/or were not properly taken into account.
  - v) The teaching, supervision or research training provided was insufficient.
  - vi) Extenuating circumstances were not fully and properly considered.
  - vii) Natural Justice dictates that the appeal be upheld.
  - viii) The learning support provided was unsatisfactory or inappropriate.
- 8.2 Stage One complaints will be upheld where any of the following are found:
- i) Correct procedures were not followed.
  - ii) The student experienced prejudice and/or bias.
  - iii) Significant changes were made to a course without being properly communicated and/or were not properly taken into account.
  - iv) The teaching, supervision or research training provided was insufficient.
  - v) Natural Justice dictates that the complaint be upheld.
  - vi) The learning support provided was unsatisfactory or inappropriate.
- 8.3 The possible remedies to an upheld complaint will, by the nature of complaints, be too individual to summarise here. They shall be determined by the Appeal/Complaint Reviewer, will not involve any adjustment to academic outcomes (since academic outcomes must be addressed through the Appeals route) and where a concession would be needed to allow the proposed remedy to apply, Appeal/Complaint Reviewer should seek advice from the UEA Academic Director of Taught Programmes (through the Partnerships Office).
- 8.4 The Appeal/Complaint Reviewer shall have the power to institute the following actions in respect of upheld Appeals. The precise remedy determined shall depend on the details of the case:
- i) Reconvene a Board of Examiners to reconsider the academic decision/outcome
  - ii) Recommend to Senate that it instructs the original Examination Board to award a specified classification.
  - iii) Require the correction of procedural irregularity.
  - iv) Set aside a penalty applied in relation to work alleged to have been plagiarised or in respect of which there is alleged collusion.

- v) Require a Plagiarism Officer, not previously involved in the case, to investigate the case and determine the level of any plagiarism and/ or collusion.
  - vi) Grant retrospective approval of extension for late submitted work.
  - vii) Recommend a concessional remedy to be approved by the UEA Academic Director of Taught Programmes (through the Partnerships Office).
- 8.5 Where the outcome of an appeal requires the establishment of a reconvened Exam Board, the reconvened Board should have different internal members from the original Board. The student will receive a letter giving the likely timescale for further action and for notification of the outcome.
- 8.6 If the Appeal/Complaint Reviewer refers an appeal to a Board of Examiners, the Appeal Complaint/Reviewer will present the case to the Board (in person whenever possible). The Board of Examiners shall determine whether and to what extent the circumstances reported to it had an impact upon a student's academic performance. The minutes of the meeting and any correspondence relating to the reconsideration of the Board's decision should be included with the Board's formal response to the Appeal/Complaint Reviewer and the person dealing with the Appeal. The Board should reconvene as soon as practical and the Secretary to the reconvened Board shall advise the student and the Appeal/Complaint Reviewer of the outcome.
- 8.7 If after receiving and investigating an Appeal or Complaint, the Appeal/Complaint Reviewer concludes that no further action is merited the student will receive a letter giving a full and clear explanation of the decision in accordance with the timescale set out in 7.2 above.
- 8.8 A student who is not satisfied with the outcome of the Stage One Appeal or Complaint (whether or not it was referred to the Exam Board) may decide to move to Stage Two of the Academic Appeals and Complaints Procedure as described below under Section 9.

## **STAGE TWO ACADEMIC APPEALS AND COMPLAINTS**

### **9. HOW A STUDENT SUBMITS A STAGE TWO ACADEMIC APPEAL OR COMPLAINT**

- 9.1 A Stage Two Appeal or Complaint can only be considered where the student claims that there was a procedural irregularity at Stage One. It is fundamental to the proper operation of the academic appeals and complaints procedure that panels consider all evidence fully and properly. Where a student believes that evidence was not fully and properly considered at Stage One this shall be regarded as a claimed procedural irregularity and any Stage Two Appeal or Complaint submitted on this basis shall be duly considered. The decision as to whether to consider a Stage Two Academic Appeal or Complaint will be made in the context of the principles set out at 1.4 above, with particular reference to the institution's commitment to apply Natural Justice.
- 9.2 A student who has been found guilty of plagiarism and/or collusion may appeal against the penalty by submitting a Stage Two Academic Appeal.
- 9.3 A student must submit a completed Stage Two Academic Appeal and Complaints Form (and any supporting evidence) to the Head of Partnerships at UEA. Forms are available from the relevant office at the partner institution (as set out in Appendix A) or on the UEA Partnerships Office website:

<http://www.uea.ac.uk/partnerships/policy-and-forms>

All evidence submitted by the student will be provided to the Appeal/Complaint Reviewer under section 10.3 of the Procedure. Normally evidence submitted cannot be anonymous.

- 9.4 Collective academic appeals and academic complaints will be considered in the same manner as those received by an individual student. However, where a collective academic appeal/academic complaint is to be heard at Stage Two (and should the right to attend the hearing in person be chosen), one appellant shall normally be nominated to attend the hearing to present the collective evidence.
- 9.5 A student may decide to withdraw an Appeal or Complaint, providing the Head of Partnerships is advised in writing before the date of any hearing.

## **10. RESPONSE TO THE APPEAL**

- 10.1 The Head of Partnerships will check whether the Appeal or Complaint meets at least one of the conditions in 9.1 and decide whether or not there are grounds for the Appeal or Complaint to be accepted. The student will be informed within 10 working days of receipt. If the Appeal or Complaint is accepted solely on the grounds that there is evidence that there was procedural irregularity in the conduct of the Stage One Appeal or Complaint the Head of Partnerships will refer the appeal back to the Stage One process.
- 10.2 An Appeal or Complaint which the Head of Partnerships does not believe meets any of the conditions and should therefore be rejected will be referred to one of the Academic Directors (normally the Academic Director of Partnerships or Academic Director of Taught Programmes). The Academic Director will review the decision and the Student will be informed of the outcome within 15 working days of receipt (by the Head of Partnerships). If the Appeal or Complaint is rejected, this decision is final and there is no further right to appeal to the University. Regulation 14.2 below refers to how a Complaint can be pursued beyond the University. The Academic Director who reviews the appeal will not sit on the Hearing Panel should the Appeal/ Complaint proceed to a hearing.
- 10.3 If the Appeal or Complaint is accepted on the grounds of procedural irregularity alone, the Appeal/Complaint will be sent to the Appeal/Complaint Reviewer who shall make the appropriate arrangements to remedy the procedural irregularity in the Stage One process as instructed by the Head of Partnerships. This may include reconvening the appropriate Board of Examiners. Provided that there are no further procedural irregularities in this part of the process, there shall be no further right to appeal to the University. Regulation 14.2 below refers to how an Appeal or Complaint can be pursued beyond the University.

If the Appeal /Complaint is accepted and, in the judgement of the Head of Partnerships in consultation with the Academic Director of Taught Programmes, there is a concessionary remedy available that falls within the powers of the Academic Director of Taught Programmes to address the matter(s) complained of, referral to the Appeal/Complaint Reviewer or a Stage Two Appeal and Complaints Panel shall not be required. Provided that there are no further matters of complaint in this part of the process, there shall be no further right to appeal to the University. Regulation 14.2 below refers to how an Appeal/Complaint can be pursued beyond the University.



Where the Head of Partnerships is satisfied that there is evidence of procedural irregularity at Stage One and/or covers matters in respect of which a concessionary remedy is inappropriate or unavailable, the Head of Partnerships will appoint an Appeal Secretary from the University's Partnerships Office who will be the main contact point for Stage Two proceedings. The Appeal/ Complaint Secretary will send a copy of the Appeal and Complaints form and supporting evidence submitted by the Student to the Appeal/Complaint Reviewer. If a substitute for the Appeal/Complaint Reviewer responded to the Appeal/Complaint under Stage One (see section 6.1), the substitute will continue to deal with the Appeal/ Complaint. Notwithstanding this provision, for ease of reference, the person responsible for responding to the Appeal/Complaint will be called the Appeal/Complaint Reviewer hereafter in this Procedure.

- 10.4 On receiving a Stage Two Appeal or Complaint, the Appeal/Complaint Reviewer may decide to reconsider the Stage One decision (if for instance new information has been provided), and will proceed as in Section 8 of the Procedure. In such a case, the Student retains the right to submit a Stage Two Appeal or Complaint should s/he be dissatisfied with the outcome.
- 10.5 If the Appeal/Complaint Reviewer does not change the Stage One decision, the Appeal/Complaint Reviewer must provide the Secretary to the Appeals and Complaints Panel (hereinafter referred to as the Panel) with a written response to the Student's Stage Two appeal or complaint, including a list of the evidence considered and details of a maximum of three people they wish to propose as witnesses for the Panel. Witnesses must have some relevance to the case and for each witness proposed, a brief supporting statement must be provided by the Appeal/Complaint Reviewer. The decision of the Chair of the Panel regarding the witnesses to be called to the hearing shall be final.
- 10.6 The Secretary will provide the Student with a copy of the Appeal/Complaint Reviewer's written response to the Stage Two Appeal or Complaint and invite the Student to confirm that s/he would like to proceed with the Appeal or Complaint and if wished, to provide details of a maximum of three people the Student proposes to call as witnesses for the Panel. Witnesses must have some relevance to the case and for each witness proposed, a brief supporting statement must be provided by the Student.
- 10.7 Exceptionally the Chair of the Panel may agree to additional witnesses. The Panel may also request additional witnesses. Witnesses attend as neutral witnesses for the Panel to provide information to the Panel to help it reach a decision; witnesses do not represent the Student or the Appeal/Complaint Reviewer. If any proposed witness is not a member of the partner institution or UEA staff, the proposer must first seek the person's permission before making the nomination.
- 10.8 With limited exceptions (for example, where information cannot be disclosed because of the University's obligations under the Data Protection Act), all written material considered by the Appeal/Complaint Reviewer under this procedure, any additional material gathered by the Head of Partnerships to inform his/her decision and all the material available to the Panel will be provided to the student, edited where appropriate. Normally evidence submitted cannot be anonymous.
- 10.9 Each Appeal/ Complaint will normally be considered individually, (though depending on circumstances, where a series of Appeals and Complaints involve the same subject matter or individual(s), the University may consider such Appeals and Complaints collectively, subject to any confidentiality requirements).

## 11. THE HEARING

- 11.1 When the student receives the written response to her/his Appeal or Complaint s/he will be asked which type of hearing is preferred. The hearing may be oral or paper-based. Generally, the Student will be encouraged to have an 'oral' hearing (the student can choose whether to be present or not) because s/he and/or the other parties will be able to communicate directly with the Panel.
- 11.2 The student may nominate someone either to accompany or to represent them in the oral hearing. This person will not be permitted to speak during the hearing unless nominated to represent the student.
- 11.3 With the agreement of the Panel, a student may opt for a 'paper', rather than an 'oral' hearing. For a paper hearing, written statements will be submitted by all parties, including witnesses and the Panel (and Secretary) will meet to consider these and then arrive at a decision.
- 11.4 If the student is expected at an 'oral' hearing but fails to attend, the Panel may decide whether to continue with the hearing (providing it is satisfied that the student has been properly informed about the arrangements) or to adjourn. If the hearing continues, anyone whom the student had chosen to accompany or represent him/her would remain for the hearing.
- 11.5 The Academic Appeals and Complaints Procedure is not a formal legal process and therefore members of the legal profession (other than UEA Law School staff acting in their capacity as members of staff of the University) are not permitted to accompany or represent the student.
- 11.6 If the hearing is to be conducted via video-conference a suitably experienced member of UEA administrative staff will travel to the Institute for the hearing, to coordinate proceedings there and support the student(s). The secretary to the hearing will be located with the panel in Norwich.
- 11.7 The person who made the decision at Stage One of an Academic Appeal or Complaint must present the case at Stage Two hearings. A substitute for the person who made the decision at Stage One will only be allowed where that person is unexpectedly unable to attend the hearing (e.g. through illness) and it is not possible to reschedule the hearing. The Chair of the Panel will determine whether a substitute is permitted.
- 11.8 The Panel will have an appropriate composition having regard to equality and diversity considerations wherever possible and consist of three academic staff. The Panel shall comprise:
- The UEA Academic Director of Partnerships or Academic Director of Taught Programmes who will normally chair **or** a UEA Faculty Associate Dean (Learning, Teaching and Quality) **and**
  - Two members of senior academic staff, one from UEA and one from the relevant partner institution, who have received appropriate training.
- 11.9 The oral hearing will proceed as follows:
1. The student or his/her representative may make an opening statement;
  2. The Appeal/Complaint Reviewer may make an opening statement;

3. After the opening statement by the student or his/her representative and by the Appeal/Complaint Reviewer, the student or his/her representative and the Appeal/Complaint Reviewer may question each other through the Chair of the Panel;
4. Members of the Panel may ask questions of the student or his/her representative and of the Appeal/Complaint Reviewer on completion of the questioning of the student (or his/her representative) and of the Appeal/Complaint Reviewer by each other;
5. Witnesses will be called one at a time and be questioned first by the person who nominated them, then the other party and finally by the Panel;
6. The Appeal/Complaint Reviewer may make a closing statement if wished (and may leave the Hearing for a few minutes to prepare this);
7. The student or his/her representative may make a closing statement if wished (and may leave the hearing for a few minutes to prepare this);
8. The hearing closes and all parties except the Panel and Appeal Secretary leave the room to allow the Panel to reach a decision.

11.10 The rule of the Chair on any point of procedure shall be final.

11.11 The Chair of the Panel may adjourn the hearing if it becomes clear during the hearing that the deliberations of the panel would benefit from an adjournment.

## **12. ACTIONS AND OUTCOMES**

12.1 The Panel represents and acts with the full delegated authority of the UEA Senate. It has the power to:

- Require members of staff of the relevant partner institution and the University to make written submissions, attend, give evidence, and answer questions
- Review recommendations of Examiners
- Require Examiners to review academic decisions
- Require the partner institution to undertake remedial actions, which may be in addition to a review of the academic decision by the Examiners

The Panel does not have the power to change an academic decision or to grant concessions against the regulations, except as set out in 12.2 below.

12.2 If the Panel decides that, based on evidence presented at the hearing, remedial action is warranted, the Appeal Secretary will write to the Appeal/Complaint Reviewer to instruct him/her on the action to be taken, giving a full and clear explanation of the decision. In particular, it may:

- In the case of a taught degree result, an examination mark or mark for other assessed work, (including dissertation or project) that has been appealed, instruct the relevant Board of Examiners to reconvene in order to review its decision. The Chair of the Panel will present the decision of the Panel (in person whenever possible) to the Board of Examiners; and
- In the case of an Appeal against a verdict of plagiarism and/or collusion, set aside the verdict and instruct the relevant Board of Examiners to reinstate the mark(s) prior to the application of any penalty for plagiarism and/or collusion and to review its academic decision.

12.3 If the Panel decides that remedial action is required the Appeal Secretary will write to the Student giving details of the remedy, the likely timescales for further action (where Examiners are being required to review their academic decision for example) and for notification of the final outcome. A full and clear explanation of the decision will be provided.

- 12.4 Where the Board of Examiners has been required to review its academic decision, the Board will formally notify the Chair of the Panel and Appeal Secretary of the final academic decision with a full and clear explanation. The minutes of the meeting and any correspondence relating to the reconsideration of the Board's decision should be included with the Board's response to the Chair of the Panel and the Appeal Secretary.
- 12.5 If the Board of Examiners has changed its academic decision as a result of its consideration of the Appeal, the Appeal Secretary will notify the student of the final outcome of Stage Two, giving a full and clear explanation of the decision.
- 12.6 If the Board of Examiners has not changed its academic decision as a result of its consideration of the Appeal, the Chair of the Panel and the Head of Partnerships will consider the Board's response and determine whether or not the matter should be referred to the UEA Senate. The Appeal Secretary will notify the student of the position and thereafter notify the student of the final outcome of Stage Two, giving a full and clear explanation of the decision.
- 12.7 If the Panel decides that, based on evidence presented at the hearing, remedial action is not warranted, it will write to the student and the Appeal/Complaint Reviewer to inform them that the Appeal has been rejected. The letter from the Panel will give a full and clear explanation of the decision.

### **13. TIMESCALES FOR STAGE TWO**

- 13.1 The student must submit the completed Stage Two Academic Appeal and Complaints Form and any supporting documents to the Head of Partnerships at UEA within 20 working days of the notification of the outcome of the Stage One Appeal/Complaint (or the notification of a subsequent Board of Examiners decision) or decision that the Student has plagiarised and/or colluded. Appeals and Complaints submitted after this deadline with good reason for the delay may still be considered.
- 13.2 The Appeal/Complaint Reviewer must provide a response within 10 working days of receiving the student's Appeal/ Complaint from the Appeal Secretary.
- 13.3 If the Appeal/Complaint Reviewer decides to reconsider the original Stage One decision in the event of an Appeal and submit to the Board of Examiners, the Student must receive notification of the outcome from the Appeal Secretary within 20 working days of the Appeal/Complaint Reviewer receiving the Appeal.
- 13.4 A Panel hearing will normally take place within 30 working days of confirmation by the student that s/he wishes to proceed with an 'oral' or 'paper' hearing. Papers will normally be circulated at least 5 working days before a hearing (whether 'oral' or 'paper') takes place.
- 13.5 If a Stage Two Panel refers an Academic Appeal to a reconvened Board of Examiners, the Board of Examiners should normally meet within 30 working days of the Stage Two hearing. Notification of the decision of any reconvened Board of Examiners following a Panel Hearing shall be sent in writing to the Appeal Secretary within 5 working days of any reconvened Board.
- 13.6 The Panel Secretary will normally advise the Student and the Appeal/Complaint Reviewer of the outcome of the Stage Two Appeal or Complaint in writing within 5 working days of a Stage Two hearing or within 10 working days of the meeting of the

reconvened Board of Examiners in accordance with Paragraph 13.5 above or in accordance with the terms of Paragraph 12.6 above.

#### **14. FURTHER RIGHT TO APPEAL**

- 14.1 Following completion of Stage Two there is no further right to appeal within the partner institution or to the University.
- 14.2 Students who are dissatisfied with the outcome of their Stage Two Academic Appeal or Complaint, or whose Appeal or Complaint was rejected without a hearing, may complain to the Office of the Independent Adjudicator for Higher Education (OIA). Details will be provided in the letter advising the Student of the Appeal's/Complaint's final outcome.

**Staff at Partner Institutions involved in Academic Appeals and Academic Complaints. The Appeal/Complaint Administrator is the point of contact for the Stage One Appeal/Complaint form and will advise on where to access further support and guidance, and whether support can be provided by the Union of UEA Students:**

**The Royal Marsden School:**

Appeal/Complaint Reviewer – Head of School  
Appeal/Complaint Administrator – HE Administrator

**INTO UEA:**

Appeal/Complaint Reviewer – Centre Director  
Appeal/Complaint Administrator – Academic Support Manager

**London Academy of Diplomacy:**

Appeal/Complaint Reviewer – Director  
Appeal/Complaint Administrator – Programme Manger

**Mountview Academy of Theatre Arts:**

Appeal/Complaint Reviewer – Academic Director  
Appeal/Complaint Administrator – Senior Programme Manager

**Contact at the University of East Anglia for Stage Two Appeals and Complaints:**

Hannah Jackson – Partnerships Manager, [h.c.jackson@uea.ac.uk](mailto:h.c.jackson@uea.ac.uk)

**For the purposes of the Academic Appeals and Complaints Procedure the following definitions shall apply:**

**Academic Result:**

The result of the exercise by one or more duly authorised Teachers or Examiners of academic and/or professional expertise in determining the quality of a student's performance in any part of the assessment process for a degree or qualification of the University.

**Formal notification:**

Communication by the partner institution/University, its representatives and/ or staff through any of the following: delivery of a paper form notification in person or to designated mail collection points within the partner institution/University or student address; electronically either via email or through any software package currently in use by the partner institution/University for the purposes of communication with students.

**Grounds for Consideration:**

Where an appeal or complaint has been accepted as meeting the criteria that allow it to be considered it is referred to as meeting the grounds for consideration.

**Upheld:**

Where an appeal or complaint is described as having been upheld this means that it has been determined sufficient evidence exists that the necessary grounds have been met (e.g. that there is evidence of a bias or prejudice). It is important to note that upholding an appeal does not necessarily imply a particular final outcome for the student. For example, student may appeal a classification decision on the grounds of bias or prejudice and the appeal may be upheld however the action prescribed may be for the Board of Examiners to reconvene and the reconvened Board may still determine that, notwithstanding the outcome of the appeal, the degree classification itself remains appropriate.

**Procedural Irregularity:**

This term refers to circumstances where agreed processes have not been correctly applied, regulations not followed, or where other errors have been made by the partner institution/University either in the actions that led up to the appeal or complaint, or in the consideration of the appeal or complaint. This might include cases where not all the available evidence has been weighed in the consideration of an appeal or complaint or where factual data has been misinterpreted.