

Al-Maktoum College of Higher Education

Student Appeals Procedures

Department/Team	Procedure
Academic	Academic Procedure 005
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DEFINITIONS: Please note that for the above-mentioned programmes, the concept of ‘appeal’ is distinguished from that of ‘complaint’. Whilst appeal will relate to academic matters, mainly academic decision, on the basis of evidence and procedure and not on the basis of the academic decision, complaint will relate to any dissatisfaction about matters that affect the quality of the student’s learning experience opportunity, including assessment-related matters or standard of services provided by the College.

For student *appeals*, Al-Maktoum College of Higher Education works to ensure these procedures are followed.

1. Introduction

We aim to offer students the best possible educational experience while at the College and seek to improve continuously the quality of the services we provide. As a result, we hope students never need to appeal against an academic decision made by the College. However, should student(s) decide to appeal against an academic judgement, this procedure provides details of how to go about doing so for a successful resolving problems while studying at Al-Maktoum College of Higher Education.

The College values any feedback as this helps to inform quality improvements.

The object of this procedure is to solve problems quickly, simply and fairly at the earliest possible stage. The College will deal courteously and promptly with student appeals at all times.

The procedure applies to all registered students of the Al-Maktoum College of Higher Education, and those who have completed their studies within the past 2 years. Alternative provisions will be made if the student is at a distance from the campus.

The internal regulations of the College and their associated policies and guidance will be operated in accordance with its Equal Opportunities Policy. Appeals will be handled with an appropriate level of confidentiality. There is an expectation that students and staff members will treat both the processes and each other with respect.

Students will not be treated less favourably by the College or suffer any disadvantage if they make an appeal in a good faith, regardless of the result.

Investigations will be conducted by a member of staff who is independent of the situation, and will be confidential.

Appeals will be dealt with in a timely fashion. Those involved in investigating the cases of appeal will establish appropriate timescales based on its nature and complexity. These timescales should be communicated to the student and the student kept informed of any changes.

If further independent advice and support is needed, students/staff may seek advice from Citizens Advice Scotland.

The College defines “academic judgement” as the professional and scholarly knowledge and expertise which members of staff draw upon in reaching an academic decision. You cannot submit

an appeal simply because you believe you should have been awarded a better mark. Robust mechanisms exist within the College to ensure that marking standards are fair and appropriate.

2. Student Appeals Procedure for the programmes offered in partnership with the Scottish Qualifications Authority (SQA) (HNC/D, Diplomas & Arabic Language).

Appeal Procedure stages

Stage 1: Informal stage

Students wishing to make an appeal should normally try to resolve this informally with the member of staff concerned. Or students may raise the appeal informally with their Student Programme Representative, Student Administrator, Unit Coordinator, or Programme Coordinator. If the student feels unable to raise the issue directly with any of these individuals, then they can arrange to speak to one of the officers of the Al-Maktoum College Student Society who can provide the student with impartial advice. These officers may also represent the student should they choose to make a formal appeal. The College will accept appeals brought by third parties, as long as the individual affected has given their personal consent under the requirements of the Data Protection Act. This usually means that the individual affected must give clear written authority for the third party to act on their behalf.

Staff will be informed if an appeal has been made against them/their academic judgement, and be given full details of this. Appropriate support will be made available to any member of staff who is involved in the appeal. Such support may come from a line manager, colleague, or SQA Coordinator/ Head of Department and will be determined in relation to the nature of the appeal.

It is anticipated that the vast majority of appeals should be resolved at this stage.

Stage 2: First Formal stage

If a student's appeal cannot be resolved informally, then it must be made in writing formally to the SQA Coordinator/ Head of Department conveying the nature of the appeal within 5 working days of being unable to resolve the matter informally. Where possible, the student should also indicate the remedy sought. Appeals must be signed by the student concerned and will not be accepted if signed by a third party unless, for example, a student has asked a Student Society officer to represent them.

A meeting will be arranged with the student within 10 working days to discuss the matter and attempt to resolve it. At such a meeting the student may be accompanied by a friend or other adviser, who may include the President of the Al-Maktoum College Student Society or their nominee. A copy of the proceedings of the meeting will be sent to the student who has submitted the appeal. The SQA Coordinator/ Head of Department may ask for help from one or two members of the academic staff at this stage.

The outcome of this meeting will be provided in writing within 3 working days.

Stage 3: Second Formal stage

If the student remains dissatisfied with the outcome of the appeal, then they should state this in writing to the Principal's Office and ask for a meeting with the Principal. A meeting will be arranged

with the student within 6 working days to discuss the matter and attempt to resolve it. At such a meeting the student may be accompanied by a friend or other adviser. This may include the President of the Al-Maktoum College Student Society or their nominee. A copy of the proceedings of the meeting will be sent to the student who has submitted the appeal. The Principal may ask for help from the Registrar/member of academic staff/member of Academic Council or College Council at this stage.

The outcome of this meeting will be provided in writing within 3 working days.

This will normally be the final stage of the appeals procedure.

Appeals affecting a number of students

Where the appeal is shared by several students then the matter should be raised collectively as a group and the procedures followed as outlined above. If a group of students are submitting a letter under one of the formal stages of the procedure, then the letter should be signed by all of the complainants. At any meeting which takes place to discuss the appeal, the group may select up to three of its members to represent it in the discussions.

Where the College receives a number of individual appeals from students which we feel would be better dealt with collectively, we may decide to consider those appeals on a collective basis and will inform the students accordingly. However, the College will normally deal with academic matters individually.

Timescales and outcomes

It is expected that any appeal should be submitted within 10 working days after receiving the assessment result(s). If there is any unreasonable delay in submitting an appeal, the College will seek to establish the grounds for such a delay, and act accordingly. We will acknowledge receipt of appeals and will normally arrange to meet with the student/s concerned within 10 working days of the date of receipt. Where this is not possible, for example where the College has to carry out further investigations or gather additional evidence, we will ensure that the student is kept aware of the current position and of when a meeting is likely to take place.

Students will be notified of the outcome of the appeal in writing at the end of each Formal Stage. After each Formal Stage, we normally aim to respond within 3 working days of having met the student/s.

Storage and Processing of Appeals Information

Applicants lodging an appeal can expect their cases to be dealt with confidentially and with due regard for their privacy. It may be disclosed to those members of the College who have a need to see it in order to investigate the appeal. This disclosure will be undertaken solely to advance the thorough investigation of the appeal and will not be undertaken to disadvantage any party. Those who will act as assessors will mark the exam paper, essay or any written submission blindly and will provide their expertise feedback and mark.

The personalised record of the appeal and any supporting papers will be destroyed five years following resolution of the case. Anonymised data may be kept longer in order to facilitate monitoring and review of the College's admissions process.

3. Student Appeals Procedure for the programmes offered in partnership with Abertay University.

3.1 Grounds for an Academic Appeal

An appeal against a decision of the Programme Assessment Board may be made on any one or more of the three following grounds:

- a) There is evidence that a Programme Assessment Board did not reach a decision in accordance with the Academic Regulations.
- b) There is evidence that there was an error in recording or reporting results, or the award decision of a Programme Assessment Board.
- c) There is evidence of factors affecting the student's performance that could not reasonably have been submitted earlier.

Those submitting an academic appeal must ensure that the grounds for their appeal are clearly identified. Appeals under (c) will only be considered if they are supported by contemporaneous, independent, medical or other evidence.

3.2 Invalid Grounds for an Academic Appeal

At any stage the Academic Services managers, with due consultation, has authority to identify a case as invalid, vexatious or frivolous. In such cases the reason will be given in writing to the student as to why the appeal is invalid or an abuse of process.

For the avoidance of doubt, Academic Appeals will not normally be considered when:

- a) The student disputes the academic or professional judgment of the examiners in relation to awards, grades and marks.
- b) The student disputes the exercise of the discretionary powers of a Programme Assessment Board regarding progression, re-assessment or re-enrolment.
- c) The student claims to have failed to properly understand published regulations, procedures and policies regarding assessment.
- d) The student has had a disruption to their studies due to the non-payment of fees or other matters that affect the financial good-standing of the student with the University.
- e) There are extenuating or mitigating circumstances that might affect academic studies or progression that could have reasonably been submitted before the relevant meeting of the Programme Assessment Board.

Where the appeal contains a complaint the College/University may redirect the appellant to the complaints procedure. Where appropriate, the outcome of a complaint may then be brought back to the attention of the Academic Appeals Panel (under Grounds for Academic Appeal (c)).

3.3 Submission of Academic Appeals

Before submitting an appeal, students are required to contact the School Academic Advisor (or a senior academic within the School in the case of Postgraduate Research students) for an explanation of their progression decision and for appropriate academic counselling.

After academic counselling, if a student wishes to appeal they must complete the Academic Appeals Form. The Academic Appeals Form must include confirmation that academic counselling has been sought.

Students are also advised to seek support from Abertay SA, Student Services (Abertay or Al-Maktoum College). The Academic Appeals Form will not be accepted from a student who has

graduated. The Academic Appeals Form must identify list and itemize all the contemporaneous, independent, medical or other evidence that will be used to support the appeal.

The Academic Appeals Form will not be accepted before the Programme Assessment Board has considered the student's performance in all of the modules at the current stage of study. The Academic Appeals Form and any evidence relied upon must be submitted within 1 calendar month of the date that a progression decision is notified to the student. Late appeals and late evidence will only be considered if a compelling case is provided to justify why the late appeal or late evidence could not be submitted within the prescribed timelines.

The decision to accept a late submission is at the discretion of the Director of Student and Academic Services (Abertay) or delegated Academic Services Managers (Abertay).

3.4 The Process following receipt of Academic Appeals

Following the receipt of the Academic Appeals Form, an Abertay Academic Services Manager will determine, with due consultation, whether the appeal is valid. If the appeal is accepted as valid the process has two stages:

- a) Consideration by the Stage 1 Academic Appeals Panel.
And if the appeal is rejected at this first stage:
- b) Consideration by the Stage 2 Academic Appeals Panel

3.5 The Stage 1 Appeal Panel

Consideration of appeals by the Stage 1 Academic Appeals Panel will be completed within four weeks of the appeals deadline.

The appeals deadline will be 1 calendar month from the date of the notification of a progression decision to the student.

The student is not expected to attend the Stage 1 Academic Appeals Panel.

They will be advised of a decision by email.

3.6 Membership of the Stage 1 Academic Appeals Panel for Undergraduate and Postgraduate programmes

The membership of the Panel will be:

- Abertay University Director of Student and Academic Services
- Al-Maktoum Pro-Vice Chancellor (Academic) (or designated alternate)
- The School Heads of Teaching Quality & Learning Enhancement (or designated alternates)
- An Administrative Officer, who will take a note of the meeting

3.7 Membership of the Stage 1 Academic Appeals Panel for Postgraduate Research programmes

The membership of the Panel will be:

- Abertay University Director of Student and Academic Services
- Al-Maktoum Pro-Vice Chancellor (Academic) (or designated alternate)
- The Research Executive School Leads (or designated alternates)
- An Administrative Officer, who will take a note of the meeting

3.8 Consideration by the Stage 1 Academic Appeals Panel

The Panel will consider the appeal and reach a view on the information submitted.

3.9 Decisions of the Stage 1 Academic Appeals Panel

After reviewing the appeal, the Panel has the option to:

- a) Agree to change the original decision of the Programme Assessment Board. The appeal will be provisionally classified as Appeal Upheld.
- b) Confirm the original decision of the Programme Assessment Board. The appeal will be provisionally classified as

Appeal NOT Upheld.

The student will receive a decision by email following the Panel. If an appeal against a withdrawal decision is Upheld, registration information and any other appropriate instructions will follow as soon as possible to allow students to resume their studies.

This concludes the stage 1 appeal process.

The student can appeal against the Stage 1 Academic Appeal Panel decision. The grounds for a stage 2 appeal are a clearly identified procedural irregularity or significant new evidence that was not previously available (see Section 5 below).

The stage 2 appeal must be made in writing to academicappeals@abertay.ac.uk within ten days of receipt of the stage 1 decision. If accepted, a Stage 2 Academic Appeals Panel will be established.

3.10 The Stage 2 Academic Appeals Panel

A meeting of the Stage 2 Academic Appeals Panel will be scheduled as soon as possible for the purpose of hearing any final appeals that have been requested by students.

3.11 Membership of the Stage 2 Academic Appeals Panel

The membership of the Panel will be:

- A senior academic member of Senate (Abertay) (as Chair)
- Two senior academics (one from each institution)
- A student representative nominated by Abertay SA
- An Academic Services manager
- An Administrative Officer, who will take a note of the meeting

The student is expected to attend and has the right to be accompanied by, or in exceptional circumstances be represented by, a member of the University community who may speak on their behalf.

A representative of the Stage 1 Academic Appeals Panel is expected to attend and has the right to be accompanied by or in exceptional circumstances be represented by a member of the University community who may speak on his or her behalf.

If a student fails to attend the meeting and has not nominated a representative in advance, the Stage 2 Academic Appeals Panel will make a decision in their absence. The case may be re-opened if a compelling case is made to explain the failure to attend.

The decision to re-open a case is at the discretion of the Director of Student and Academic Services.

3.12 Consideration by the Stage 2 Academic Appeals Panel

The Panel will consider whether the decision of the Stage 1 Academic Appeals Panel was:

- procedurally correct.
- - based on correct information.

If new information is presented the Stage 2 Academic Appeals Panel will consider

- whether it has a bearing on the case.
- whether there is a compelling reason why it was not available previously.

The purpose of this consideration is to determine whether the student has been treated fairly and reasonably in terms of University regulations and procedures and any new evidence submitted.

3.13 Decisions of the Stage 2 Academic Appeals Panel

The decisions that the Panel can make are:

- a) Appeal Upheld.
- b) Appeal Not Upheld.

After considering the evidence available to it, the Stage 2 Academic Appeals Panel may formally agree that the academic appeal was justified. In this case the appeal will be classified as **Appeal Upheld**.

After considering the evidence available to it, the Stage 2 Academic Appeals Panel may formally agree that the Academic Appeal was not justified. In this case the appeal will be classified as **Appeal Not Upheld**.

The Stage 2 Academic Appeals Panel will reach a decision within 5 days of the Panel meeting and the student will be notified formally of the outcome, and any next steps required, by the appeals administrator without undue delay. The Stage 2 Academic Appeals Panel will summarize the reason that their decision has been reached.

If the Stage 2 Academic Appeals Panel has any significant cause for concern, these must be agreed by the panel in summary form so that this can be reported to the Director of Student and Academic Services for action.

3.14 Student Status during and after an appeal

The progression decision that is under appeal will remain in force unchanged until the appeal is concluded.

3.15 Report of the Academic Appeals Panels, including any cause for concern

An outline report indicating the number and nature of the Academic Appeals considered at both stages of the procedure, and any causes for concern, will be submitted by the Director of Student and Academic Services to Senate annually.

3.16 External Review

If a student remains unsatisfied after the conclusion of the appeals process, they may have recourse to the University's Complaints Handling Procedure with respect to the operation of the Academic Appeals Procedure itself.

If a student remains dissatisfied with the outcome of the appeal and complaints processes after all of the internal processes have been exhausted, they have the right to refer their case to the Scottish Public Services Ombudsman, within 12 months.

The Scottish Public Services Ombudsman will consider complaints about:

- a) Administrative failure.
- b) Failure to provide a service.
- c) Failure in a service provided.

The Scottish Public Sector Ombudsman will not consider complaints that concern personal matters and cannot consider matters of academic judgement (SPSO Act 2002, Schedule 4, Paragraph 10). The SPSO's contact details are: SPSO 4 Melville Street Edinburgh EH3 7NS Freepost SPSO Edinburgh Freephone 0800 377 7330 Online contact www.spso.org.uk/contact-us Website www.spso.org.uk

4. Dissemination

The most up-to-date version of these procedures is made available on the College's website. They will also be available upon request from the Student Administration Office, and referred to during the Induction Day and in the Student Handbook.