

<b>Title:</b>	Pearson HE Academic Appeals Procedure		
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## 1. Purpose and Scope

New City College (NCC) academic appeals procedure is informed by the Office of the Independent Adjudicator ([OIA](#)) and Pearson Higher Nationals Centre Guide to Quality Assurance. This procedure applies to Pearson HNC/Ds and the Level 5 Diploma in Education and Training.

### 1.1 Purpose

The purpose of this procedure is to allow students on higher education programmes the opportunity to raise concerns about their assessment results and the outcomes of Boards and Panels that make decisions on progression and awards.

Such concerns are taken very seriously by the College and its awarding organisation.

The procedure is designed to enable a student's concerns to be considered fully and addressed in a timely and appropriate manner.

The academic appeals procedure will be published on the College website and communicated to all HE students as part of their induction process.

### 1.2 Scope

Robust mechanisms exist at the College to ensure that assessment is fair and appropriate. Assessment is conducted carefully and is subject to internal verification, and samples are checked by External Examiners who oversee the assessment process. The academic appeals procedure may be instigated if a student wishes to make an appeal against an assessment decision based upon their academic achievement or progress.

1.2.2 An academic appeal may be defined as:

*'A request for a review of a decision of an academic body charged with making decisions on student progress, assessment and awards'.*

An academic appeal differs from a complaint, and therefore appeals and complaints are considered under different procedures. A complaint may be defined as: *'The expression of a specific concern about matters that affect the quality of a student's learning opportunities'*. For example, a formal expression of dissatisfaction made by either a single student or group of students about the provision of their programme of study, related academic service, curriculum area, or any service provided by the College. The Appeals Procedure should not be used to raise complaints.

## 2. The Right of Appeal

### 2.1 Our commitment

Any student who submits an appeal under this procedure will not be disadvantaged for having done so. Appeals will be handled with sensitivity with due regard to the confidentiality of all parties. Details will only be shared with staff who need to know in order to investigate and respond. The Appeal will be investigated by the Group Deputy

Director: HE. Where an Appeal relates to a decision of the Assessment Board, the reconvened Assessment Board will include a member of curriculum staff independent from the programme area concerned.

2.2 Grounds for academic appeal may include:

- A procedural irregularity in the assessment process. This will be when a student has evidence that there has been an administrative error, or that the assessment was not conducted in accordance with current regulations for the course, or that some other irregularity has occurred;
- Evidence of bias or prejudice of an assessor;
- Extenuating circumstances where, for good reason, the academic body was not made aware of a significant factor relating to the assessment of a student when it made its original decision. This will be when a student has a medical certificate or other documentary evidence supporting a claim that his/her performance in the assessment was adversely affected by illness, or other factor which he/she was unable or, for valid reasons, unwilling to divulge before the academic body reached its decision.

The following grounds for appeal **will NOT be considered**:

- Dissatisfaction with teaching or support;
- Issues relating to the quality of teaching or delivery of a programme;
- Matters of academic judgement of an examination board or individual;
- Disagreement with the actual mark awarded for a piece of assessed;
- Formative assessment of the student's work by members of academic staff;
- Marginal failure to attain a higher grade;
- Appeals against provisional grade.

The College defines “academic judgement” as the professional and scholarly knowledge and expertise, that members of NCC staff and External Examiners draw upon in reaching an academic decision. Academic judgement includes, but is not restricted to, decisions about the academic standard attained by students, marks and grades to be awarded for individual pieces of work or modules, including performance and competence on placements, the student’s contribution to a group assessment or project, and arbitration on the accreditation of prior learning or credit accumulation and transfer. Academic judgement includes decisions made concerning the student’s progression to the next level of the programme of study, based on appropriate assessment results and other information relating to the student’s performance (tutors’ reports, workplace assessment, attendance, fitness to practise etc.).

2.3 Other matters of dispute shall be termed “complaint” (see 1.2.2) and are subject to the College Complaints Procedure<sup>1</sup>.

In the event of justifiable grounds for both appeal and complaint, the Group Deputy Director: HE will confirm the method by which both the appeal and complaint shall be resolved. This shall be determined in consultation with the appellant/complainant.

*In the case of handling both complaint and appeal it may be that one procedure is suspended, pending the completion of the other.*

### **3. The Appeals Procedure: Making an Appeal**

The appeals form to use will be available on the College website.

#### **3.1. Informal Stage**

The informal resolution stage seeks to resolve straightforward concerns swiftly. At any meeting, the student has the right to appoint a representative to accompany them (who may not be a member of the legal profession or a fellow student) The person the student brings may be permitted to make representations on the student’s behalf, but not answer questions. However, reasonable adjustments for individuals will be considered on a case-by-case basis in line with their needs. If your appeal relates to a grade you have received during the year, please contact your Senior Curriculum Manager/Group Curriculum Director and raise your concerns in the first instance.

If your appeal relates to the decision of an Assessment Board, please email [Higher.Education@ncclondon.ac.uk](mailto:Higher.Education@ncclondon.ac.uk) and provide a summary of your grounds for appeal.

The outcome of the informal stage should be one of the following:

1. The student is content not to continue with the appeal
2. Proceed to the formal stage

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<sup>1</sup> The New City College Complaints procedure is available in both paper and digital formats and published on the College website.

### 3.2 Formal Stage

The table below summarises the appeals procedure for Pearson HE qualifications.

Nature of appeal	Form to be completed	Managed by	Reason for appeal
Appeal: NCC	College appeals form published on website Outline reason for appeal	NCC – Group Deputy Director of Higher Education	There is evidence of inadequate consideration at the formal stage  Appeal must be made within two weeks of the formal stage outcome letter date.
Appeal to Pearson	College's appeals procedure has been utilised	Pearson Support  <a href="https://support.pearson.com/uk/s/qualification-contactus">https://support.pearson.com/uk/s/qualification-contactus</a>	Dissatisfaction with the outcome of the College's appeals procedure.  Appeal must be made within two weeks of the formal stage outcome letter date.  Appeal will consider whether the College: <ul style="list-style-type: none"> <li>• used procedures that were consistent with Pearson requirements</li> <li>• applied the procedures properly and fairly in arriving at judgements</li> </ul>
Appeal to the Office of the Independent Adjudicator (OIA)	Letter to the OIA	OIA	Dissatisfaction with the outcome of the College Appeals procedure

#### **4. Academic appeals procedure – further information and deadlines**

An appeal must be made in writing within two weeks following notification/publication of results (14 days).

At each stage of an appeal, you will be advised of the next stage of appeal or review. Once you have exhausted the appeals procedure, the College will issue a Completion of Procedures letter. This should be provided to you within 21 working days.

Academic Appeals will consider at each stage whether:

- the original decision was procedurally correct;
- the original decision was taken on the basis of the correct information;
- there is new, additional information to be considered;
- there are valid reasons for this information not being presented for consideration previously;
- the appellant has been treated fairly.

4.2 Once the appeal stage has been completed, you are entitled to ask the Office of the Independent Adjudicator ([OIA](#)), the independent ombudsman service of last resort, to look at your appeal. All applications to the OIA must be made within twelve months of the date of the Completion of Procedures letter issued by the College to the student.

4.3 The [OIA](#) considers complaints about the outcome of the College's appeals process from people who remain dissatisfied at the conclusion of the College's appeals procedure. The [OIA](#) looks at issues such as whether the College followed its procedures, whether these procedures were reasonable, and whether the College's final decision was reasonable in all the circumstances. The College will respond to any [OIA](#) inquiries in line with [OIA](#) timeframes.

The [OIA](#) cannot normally look at appeals:

- where the student has not progressed through all stages of the College's appeals procedures;
- where the appeal refers to matters more than three years old;
- where the Completion of Procedures letter is received outside the twelve-month time period.

#### **5. Annual review and publication of academic appeals**

5.1 The academic appeal procedure is approved and reviewed annually by the HE Committee. As part of this review, a report on appeals is considered by the HE Committee. The aim of this is to ensure the academic appeal procedure continues to meet developments in the HE environment and positively contributes to and complements other quality assurance systems informing, where relevant, any improvements required to enhance the student experience.

- 5.2 The HE Student representatives are invited to attend the annual review and contribute to any decision making in relation to changes to the procedure.
- 5.3 Anonymised appeals summary reports will be considered by the HE Committee, and made available to Governors and to the awarding organisation as required.

### **Process**

The Appeal Panel membership will not include anyone who was involved in the Certification Process. The Panel will consist of at least three members, including:

- Director level staff or above (who will Chair the meeting)
- A curriculum representative
- A member of the HE Quality

All members will be independent of the programme of study.

### **Proceedings**

- a. The members of the Panel have a preliminary discussion without the student and the student's representative;
- b. The student and the student's representative join the meeting, and the Chair introduces all those present. Student representatives do not contribute to the discussion and are not able to ask questions concerning the appeal or the process. The student representative's role is to assist the student in understanding questions and discussions as well as to translate, if required;
- c. The Chair explains the order of proceedings to the student;
- d. The Chair then invites the student to put forward any additional evidence if s/he or wishes to do so, including any mitigation;
- e. Members of the panel are invited to put questions to the student;
- f. The student and the student's representative are then asked to leave the meeting;
- g. The Committee then deliberates and comes to a decision.

Following the panel meeting, the student will be informed in writing of the panel decision and of the student's right to appeal against the decision to:

1. Pearson (the awarding organisation) and then, if still dissatisfied with the outcome,
2. the OIA as detailed within Sections 3.2 and 4.0.

Where a student does not attend and does not provide evidence of mitigation for non-attendance, the Panel will continue deliberation in the student's absence.