

STUDENT APPEALS

1. INTRODUCTION

The University is committed to providing you with the right to appeal, in appropriate circumstances, against a decision of an examination board. The purpose of this leaflet is to explain to you the appeals procedures.

An appeal may be based either:

- (a) on new information about extenuating circumstances which were not known to the Board when it made its original decision (SA1 appeal). Extenuating circumstances may be due to illness or domestic or personal difficulties; or
- (b) on a procedural or other irregularity (SA2 appeal). A procedural irregularity could be a change to published examination arrangements not notified to students in advance.

These examples are illustrative only and evidence of other extenuating circumstances or procedural irregularities may be presented.

There are matters which are not open to review through the appeals procedure. These include:

- (i) challenges to the academic judgement of the examiners on your performance (ie marks awarded cannot be appealed); or
- (ii) complaints about the delivery or management of a course after you have presented yourself for examination; you should raise such concerns through the University's complaints procedures at an earlier stage as soon as they arise.

Appeals are made to an Appeals Panel. An Appeals Panel cannot make academic judgements, that is, it cannot change your marks to enable an assessment to be passed or the classification of an award to be changed. Instead, if your appeal is upheld you will be permitted to complete, take, or repeat the assessment which, if you are successful, will enable you to proceed to the next stage of the course or to complete it. If you are in the final stage of your course you may be offered an Aegrotat degree. (This award may be offered, for instance, where a student has been ill over a considerable period of time and where the examiners are satisfied that the student would have qualified for the award otherwise).

You should appeal within the specified time frame and not wait for disclosure of your marks on the web.

If you have successfully completed your course and your appeal is considered at the end of Semester Two, you may choose to attend the graduation ceremony and have the award against which you are appealing conferred. If your appeal is subsequently

upheld your award will be rescinded and you will be required to return your certificate before recommencing studies arising from the outcome of your appeal.

2. RIGHTS AND RESPONSIBILITIES

The University procedures give you the right to submit an appeal to an Appeals Panel and guarantee that you will not suffer any disadvantage where you do so in good faith. While privacy and confidentiality will be maintained, you should be aware that evidence which you submit will normally be made available to staff involved in considering your appeal and will be held on your student file at the conclusion of the process. However, if you have information about highly sensitive or personal circumstances which you do not wish to be seen by members of the Appeals Panel, you may lodge it in a sealed envelope with the Examinations Office. You should write on the outside of the envelope your name, course and the words "For the attention of the Chairperson of the Appeals Panel" and "Strictly Confidential." The Chairperson may decide that the contents should not be disclosed to members of the Panel or placed on your file. **It is important that you complete all relevant sections of the form as your appeal may be rejected if you have not provided the information requested.**

If you are called for interview, you may choose to be accompanied. The person **must be** a member of the University, for example a student or a Students' Union officer or a member of staff, subject to there being no conflict of interest, ie, the person **must not** be related to the appellant. It is your responsibility to make arrangements for this person to attend the interview with you. If, for very good reason, you are unable to attend for interview at the original date, the Faculty will try to reschedule the interview. You are not entitled to be represented by a proxy in your absence. Where possible, you will have the opportunity to attend for interview at your campus of study.

The Panel will not consider your appeal if it is deemed to be vexatious or frivolous.

The deadlines by which appeals must be lodged with the Examinations Office are set out in the Notes for Candidates Taking Assessments/Examinations published on campus noticeboards as follows:

Belfast:	Student Services Centre noticeboard
Coleraine:	Examinations Office noticeboard
Jordanstown:	Examinations Office noticeboard on the Mall
Magee:	Academic Registry Office noticeboard

The dates are also available through the student portal at portal.ulster.ac.uk, My Studies tab, Examinations and Assessment channel.

3. PROCEDURES

(a) Appeals on the basis of new information not previously available to the examiners (SA1 appeal)

The University's 'Regulations Governing Examinations in Programmes of Study' require you, other than in **exceptional circumstances**, to provide written medical

evidence or evidence of compassionate circumstances, which were relevant to your performance, to the Course/Subject Director not later than five working days following the date on which the coursework was due to be submitted or following the examination.

(Note: Evidence of ill health must be authenticated by a medical certificate from a doctor or appropriate documentation from a registered counsellor – self-certification will not be accepted).

It is important that you follow these procedures and that you meet the deadlines for submitting evidence of extenuating circumstances given above.

You should submit this evidence by using Form EC1 which is obtainable from your School or Faculty Office. The form is also available through the student portal at portal.ulster.ac.uk, My Studies tab, Examinations and Assessment channel. Early presentation of your evidence will enable your Course/Subject Director to take appropriate action on your behalf. You should also submit any supporting documentary evidence such as medical certificates.

However, if there are exceptional circumstances which prevent the evidence being submitted within the timescales set out above, you may subsequently appeal against the decision of the examination board on the basis that the evidence of medical or compassionate circumstances was not available to the board when it made its decision on your academic progress.

If you consider that exceptional circumstances apply in your case and either your evidence submitted under Form EC1, or other evidence of extenuating circumstances, was not considered by the examination board you should obtain an SA1 form from the appropriate campus Examinations Office or from the student portal as detailed above.

The form should be completed and returned by the specified date to the office from which it was obtained. You will receive a letter of receipt which will include the date and place where you will be interviewed by the Appeals Panel (if you have indicated that it is your wish to be interviewed). Your Faculty will confirm the time you should attend on that date. **Please note: You may not be called to interview if the evidence you have submitted is deemed to be sufficient for upholding your appeal.**

Your appeal will be considered by an Appeals Panel normally comprised of the Dean accompanied by the Head of School and the Course Director for your course. (For students enrolled on combined subject honours degrees the Appeals Panel will normally comprise the Chairperson of the Progress and Award Board accompanied by the Director of Combined Studies and the Subject Director(s)).

Your appeal will be rejected if:

- (i) there are no grounds for an appeal;
- (ii) you have failed to complete Section 9 of the form;

- (iii) it is determined that you have not submitted any new information or that you have not provided a satisfactory explanation for your failure to supply the information by the date(s) prescribed in the Regulations as set out above. If this is the case the original decision of the examination board will be confirmed;
- (iv) there is no contemporaneous, independent, medical or other evidence to support the appeal;
- (v) it is late and you have not completed a late appeal form with an acceptable reason.

If the Panel determines that you have submitted new information and that you have provided a satisfactory explanation for your failure to supply the information by the date(s) prescribed, the original decision will be reviewed by the Panel and either amended or confirmed. If your appeal is upheld:

- (i) the original decision may be amended;
- (ii) the original decision may remain unchanged if, for example, a student was already retaking a module and appealed to have a second retake considered as a first take. Therefore, whilst the appeal has been upheld in such instances the new decision will be the same as the original decision with an indication that the student now has a first sit of a retake.

Appeals on the basis of new information are normally heard within three weeks of the final date for meetings of examination boards. The Examinations Office will normally advise you of the outcome of your appeal, in writing, by recorded delivery within seven days of the meeting of the Appeals Panel.

(b) Appeals on the basis of procedural and other irregularities (SA2 appeal)

If you have a complaint about the way in which the course is delivered or managed you should make your complaint through the University's complaints procedure at the appropriate time; remember, you cannot submit an appeal about the delivery or management of a course after you have presented yourself for examination.

If, however, you have evidence of procedural or other irregularities relating to coursework assessment or to examinations you may submit an appeal. To do so, you should obtain an SA2 form from the appropriate campus Examinations Office or from the student portal at portal.ulster.ac.uk, My Studies tab, Examinations and Assessment channel.

The form should be completed and returned by the specified date to the office from which it was obtained. You will receive a letter of receipt. The SA2 form will be referred to the Dean. He/she will comment on the grounds for appeal and pass the form for consideration to a Senior Officer (Pro-Vice-Chancellor, Provost or Dean) who was not associated with the original decision.

If the Senior Officer decides that you have not provided evidence of procedural or other irregularities in your completed SA2 form, he/she will disallow the appeal and

confirm the original decision of the examination board. Such decision may be made without further investigation by the Senior Officer.

If the Senior Officer decides that you have provided evidence of procedural or other irregularities he/she will either:

- (i) confirm with the Faculty that the evidence is convincing and decide on the amendment to be made to the original decision of the examination board; or
- (ii) invite a Dean and Head of School who were not associated with the original decision to join a Panel, chaired by the Senior Officer, to investigate the case. Where no Deans are available an Associate Dean or Associate Head of School may be substituted.

If the Panel accepts your appeal it will refer the original decision back to the Board of Examiners which will reconsider the decision, in the light of the Panel's comments. If the examination board does not accept the advice of the Appeals Panel, the Dean is required to refer the matter to the Provost and Dean of Campus Development (Coleraine) who will convene a meeting of key staff for further discussion. Unresolved disputes will be referred to Senate whose decision is final.

Appeals on the basis of procedural and other irregularities are normally heard within twenty-eight days of the final date for meetings of examination boards. The Examinations Office will normally advise you of the outcome of your appeal, in writing, by recorded delivery within seven days of the meeting of the Appeals Panel. Should it not be possible to complete the appeals process within this timescale you will be informed and provided with an explanation.

4. ROLE OF THE VISITOR

If you are not satisfied with the outcome of your appeal you may make a further appeal to the University's Visitor. The Visitor has the right to direct an enquiry into the academic affairs of the University based on your further appeal. However, the Visitor will not intervene to substitute his/her opinion on academic matters for the opinion of the appropriate University authorities and will only intervene if there has been some real impropriety on the part of the University.

If you wish to appeal to the Visitor, you should seek information about the process from the Head of Governance and Legal Services, Room J315, Coleraine.

5. FURTHER INFORMATION

If you need further advice or guidance on these procedures you should contact the Examinations Officer for your campus. You may also obtain advice from the Students' Union and the Student Support Department.

The Examinations Officers are available at

Belfast and Jordanstown: The Examinations Office
Room 4F01 (Jordanstown)
Telephone: 028 90366422

