

APPEALS

Welcome to Advice Direct..., the written information service from Guild Advice.

This leaflet is to inform students on taught courses about preparing to appeal against progress decisions (e.g. decisions that you must re-sit or withdraw etc). You should read the Primary Appeals guidance notes before considering appealing available from the University's website.

What Are Appeals?

The primary appeals process gives you a chance to appeal against your Board of Examiners' progress decision. You must submit **valid grounds** (see below) and provide **evidence** that your situation was not or could not be fully understood.

You cannot appeal simply because you disagree with your marks, i.e. if your only grounds for appeal are that you think you should have done better or that you feel your work was wrongly marked, your appeal will not be accepted.

Who Is Eligible?

You can only appeal if:

1. The Board of Examiners did not know about **circumstances** that affected your academic performance and thus could not take them into account.

You should have informed the Examiners before they met about any such circumstances through the Extenuating Circumstances procedure and you will need to present **good** reasons for not having done so (if you could have told the Examiners, your appeal will not be considered unless there are exceptional circumstances) **or**

2. The Board of Examiners' decision might have been different if there had not been an **administrative irregularity or failure in procedure**, for example a piece of work was lost by your department.

These are the **only grounds of appeal** available to most students (although **3. postgraduate research students also have the additional ground of bias** available to them).

N.B. If you simply disagreed with your mark, your appeal will fail, as this is questioning the professional academic judgment of your School.

Will I be notified?

If your progress decision is 'Fail and withdraw', 'Internal Repeat' or 'External Repeat', 'Award of Alternative Qualification' or you are awarded a lower **classification**, your My B'ham portal will release your results along with making you aware of your right to appeal and the deadline for doing so. Not all students will receive their results at the same time. Similarly, the appeal deadline is **10 working days** from the date of your results release.

If unsure please check with the Academic Policy & Standards at the University (see Sources of Help, below, for their contact details).

It is up to each individual student to ensure that they promptly check their marks, University portal. Do not delay as the deadlines for primary appeals are very strict, and the chance for an extension will be based on exceptional circumstances with appropriate supporting evidence only.

What Do I Need To Do?

You need to get a copy of the **primary appeals form** and guidance notes from Guild Advice in the Guild, or from Academic Services (Main Library) or online from the links in our 'Sources of Help' section below. Read the Code of Practice on Primary Appeals Procedures and use the guidance notes to fill in the correct form. It is always best to do this electronically where possible.

Undergraduates and **Taught Postgraduates** should complete the following version of the form:-

<https://intranet.birmingham.ac.uk/as/registry/policy/documents/public/student-appeals/taught-student-appeal-form.docx>

Research students should complete the following version of the form:-

<https://intranet.birmingham.ac.uk/as/registry/policy/documents/public/student-appeals/research-student-appeal-form.docx>

Your appeal form needs to be **self-explanatory**, you cannot request the University to contact a third party for information, nor can you supply evidence at a later stage. You must include supporting evidence with your appeal form and submit it by the deadline.

The appeal form is broken down into 6 core sections. Sections 2, 3, 4 and 5 specifically relate to what you are appealing against and your grounds of appeal. Below, we have broken down the form into the most common queries and issues we see from students who are considering appealing.

Section 2(a) – is simply a confirmation of what **your current** Board of Examiners decision is. This will be stated to you in your University Notification Letter/Email (as above) or should be on your University Portal profile. Please **do not** state the outcome you are seeking in this section.

Section 2(b) – Please confirm the outcome **you would prefer** from this appeal, if it was successful. Below is a summary of the differences between the outcomes.

An **Internal Repeat** allows you to access the University's facilities such as the library and attend lectures, for this reason you would be charged tuition fees and the amount would depend on the number of modules being repeated.

An **External Repeat** means that you will not be able to use any of the University facilities including the library or asking your tutors for support, you would simply come to the University to sit the exam papers. No tuition fees will be charged.

You will need to think carefully about the above options, an external repeat may not be suitable if you have missed large amounts of a module. If you are worried about the financial consequences of an internal repeat you may want to contact the Finance Office to find out the fee charge, and your Local Education Authority/Student Finance England to see if they would continue any current funding they provide.

A **'Re-Sit'** this means taking the assessment again and the 're-sit' mark will be capped at the pass mark, for most undergraduate courses this is 40%, and for most postgraduate courses this is 50%.

A **'Sit' or 'First Attempt'** - this means taking the work as a first attempt so that your work is not capped.

Section 3 – is your chance to **provide information about your grounds of appeal**. You will need to highlight which ground of appeal you are applying on, and also provide a chronology or timeline of the events which have impacted on your academic performance. Bearing in mind that you cannot submit evidence at a

later date in normal circumstances, you need to include as much detail here as possible.

Evidence is needed to support your case, this must be from an independent person/third party and must be submitted with the form. This evidence needs to specifically support your case, you should take some time to consider what is most suitable for you. If you are in doubt you can contact Guild Advice for assistance. This may include: medical evidence (GP letters, death certificates, hospital reports), emails from a tutor, letters from a counsellor or financial records. The information and dates on this evidence should correspond with those given in your appeal. You should refer to your evidence in your section 3 statement, and also list the evidence you are submitting with the appeal in section 4.

If you have evidence that is not written in English it is your responsibility to get it independently translated, at your own expense, before the submission of your form.

Section 5 – although the main body of information in relation to your appeal is in section 3, the first stage of the Primary Appeals process is the Academic Appeal Committee – they will make a decision as to accept, reject or forward on your appeal to a full hearing. This section is very important because this is your opportunity to demonstrate why you have satisfied your ground for appeal relating to your personal situation.

Within the **specified word limit**, you must firstly summarise all your grounds of appeal, if you miss one of your grounds of appeal – the Academic Appeal Committee will not consider it. Then, you must summarise the reason why you did not submit extenuating circumstances at the appropriate time (if relevant).

You will not have the opportunity to explain your case in person to the 'Academic Appeal Committee', as this is a private meeting of the University.

Representation at a hearing

If you have an '**Academic Appeal Committee Hearing**' you are entitled to take a 'friend' with you and you need to write on your appeal form who this will be. The University Regulations stipulate that this friend must be a member of the University such as a staff member, a registered student, or Full Time Guild Officer.

A **Full Time Officer** is a University of Birmingham student who has been elected to lead the Guild and provide representation for students. An officer can attend a meeting with you to provide support and ensure procedures are followed. **This can be arranged through Guild Advice once you have details of your actual hearing date and time.**

Where Do I Submit?

Your fully completed form with all supporting evidence must be submitted to the Appeals Coordinator from Academic Policy & Standards (by email) by the relevant deadline. This is specified on the Appeals form itself. You will normally receive confirmation by email that the appeal has been received.

If you do not submit the properly completed form and evidence by the deadline you may lose the right to appeal. If you are having problems getting evidence ready in time, contact the Appeals Coordinator for assistance. Details can be found at the end of this leaflet.

What is the Role of the School/Department?

Academic Policy & Standards will pass your appeal form to your School for its response, the School has three options:

- ☐ Reject your appeal.
- ☐ Recommend that your appeal be accepted with the decision you have requested.
- ☐ Recommend that your appeal be accepted with an alternative decision, e.g. internal repeat although you may have asked for an external repeat.

The School will also complete the "School's Response form" which will include evidence to support their decision. This should normally be returned to Academic policy & Standards.

Primary Appeal Form, and the School's Response, will then go to Academic Appeal Committee who will decide if you have grounds for an appeal.

What is the Role of the Academic Appeal Committee?

The Academic Appeal Committee have the powers to make one of the following 5 decisions;

- If the Panel decide that a case does not have grounds for appeal it will be refused and there will be no appeal hearing, **this will be the case even if the school supported the appeal.**
- Uphold an Appeal in part or in full.
- Refer the matter to a full Academic Appeal Committee Hearing.
- Refer the matter back to the relevant Board of Examiners where cases of degree classification or alternative awards are being appealed against.
- For postgraduate students, thesis related issues allows the Academic Appeal Committee to set aside the original examination and recommend new examiners to be appointed.

I have Been Notified I will Be Having An Appeal Hearing—What Happens Next?

If you are going to have an appeal hearing you will be sent written notification to the correspondence address on your appeal form. **You may find out about your hearing only 1-2 days in advance, this is due to the very limited time between the Academic Appeal Committee meetings and the hearings themselves.**

It is therefore very important that you keep an eye on your emails, phone messages and postal correspondences and that the University [Registry] has your contact details as up to date as possible.

An **Academic Appeal Committee Hearing** involves you presenting your case to a committee of a minimum of three academics and a maximum of 4 (none of them will be from your School). You should see the Advice Direct 'Now You Are Appealing' for more information. The Primary Appeals Committee can decide to:

- Reject the appeal.
- Uphold the appeal and allow a chosen form of reassessment.
- Refer back to the Board of Examiners for reconsideration.

My Appeal Was Rejected by the Academic Appeal Committee - What can I do?

Unfortunately there is very little that can be done if your appeal has been rejected by the Academic Appeal Committee. You can only appeal the Academic Appeal Committee decision through a '**Senate Review**' submission if you can show that there was a procedural irregularity, or that you have evidence of a significant nature that was not available (for a good reason) at the time you submitted the appeal. A Procedural irregularity *may* exist if the school provided information that was factually incorrect in their summary and this would have affected the committee decision to reject the appeal. It is highly unlikely that a procedural irregularity could take place where an appeal was considered with an independent Committee and an observer from the Guild to ensure procedures are correctly followed (where an observer from the guild can be present).

You **cannot** appeal the Academic Appeal Committee decision on the grounds that you disagree with it, are unwilling to accept it, or because the school supported your appeal.

An unsuccessful appeal does not stop you from applying to another course/university, though you may not be eligible for repeat funding, for further information you should consult Student Finance England. If you needed a degree to enter a specific field or job you may want to seek assistance from the University Careers Network to discuss your options.

To discuss options in relation to the Senate Review process, funding, or the overall situation please contact your Guild Advice Advisor or Guild Advice in general. A Senate Review must be lodged within 15 working days of the date on the primary appeal decision notification.

How to Get the Most from Your Appeal Form

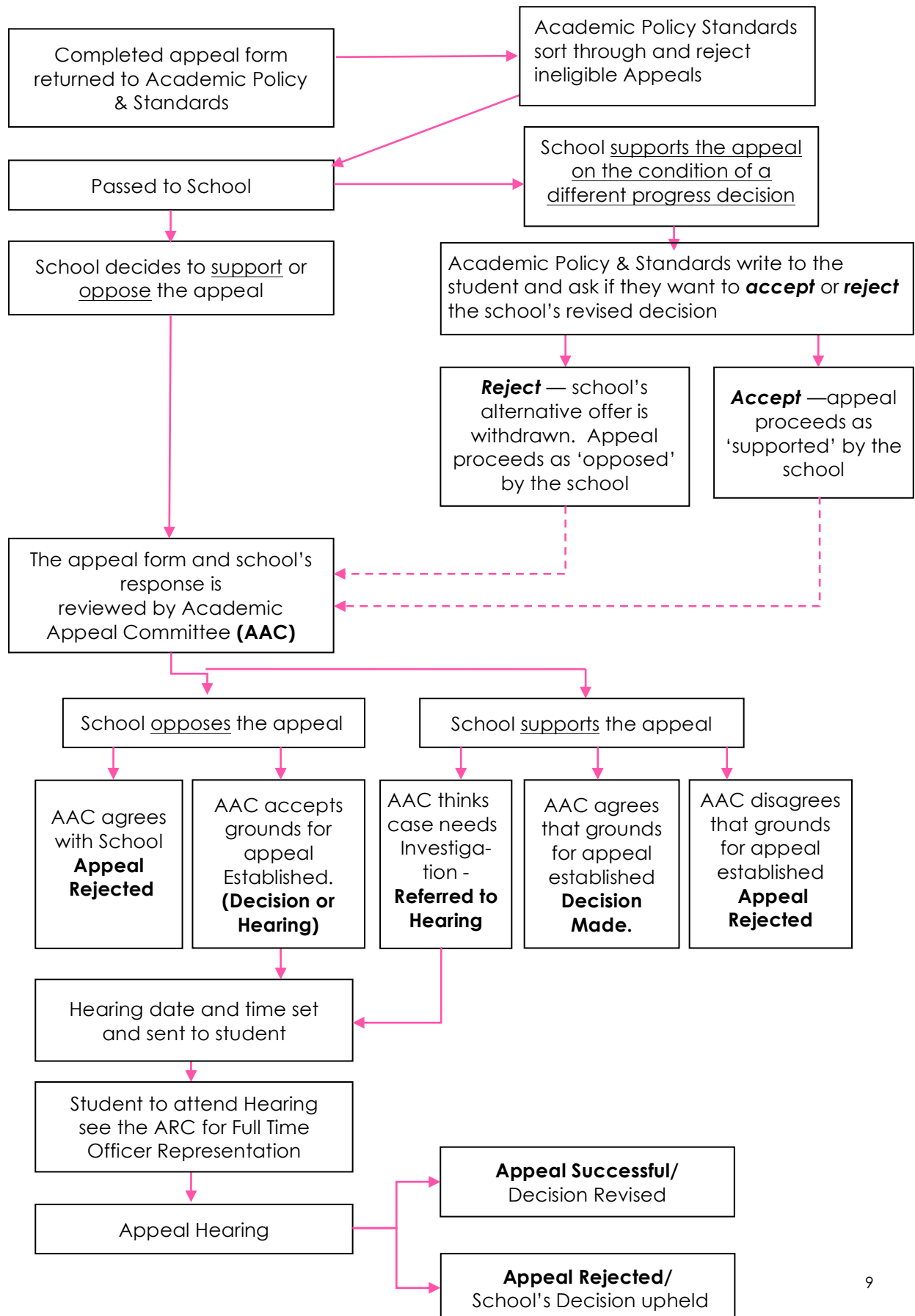
- ☐ Read the information on Appeals provided by the University and in this Advice

Direct before filling in the appeal form.

- ☐ Check that you have grounds to appeal according to the procedure.
- ☐ Discuss possible options with your department, if appropriate.
- ☐ Be sure of your submission deadline, if you are unsure check at the **earliest** possible time.
- ☐ If you are appealing on the grounds of extenuating circumstances you must also have 'good reason' for not notifying the department at the correct time, the following **would not be considered 'good reason'**:
not being aware of the extenuating circumstances procedure (unless you can show you weren't informed by the school/B'ham Portal in some way), waiting to find out your grades before realising they were effected by extenuating circumstances and you could not obtain third party evidence, when it would seem obvious that you could but chose not to.
- ☐ Include evidence
- ☐ Get someone to read through your form.

If you have any questions about the appeals procedure or would like to have your form checked contact Guild Advice as soon as possible. Do not wait until your deadline as we would not be able to guarantee any last minute feedback.

Main Steps of the Primary Appeals Process



Sources of Help

Guild Advice, Guild of Students

Email: thearc@guild.bham.ac.uk

Visit the website at: <http://www.guildofstudents.com/support/thearc/>

Opening Hours

Monday – Friday Term: 10am-4pm Vacation 12pm-2pm

Drop In Clinics

Monday - Friday

12 – 2pm

Saturday/Sunday

CLOSED

Academic Policy & Standards

For information on appeals and to contact the Appeals Co-ordinator call: 0121 414 7684

Email: appeals@contacts.bham.ac.uk

Visit the website at: <https://intranet.birmingham.ac.uk/as/registry/policy/complaint-appeal/appeals/index.aspx>

Appeals Documentation:

<https://intranet.birmingham.ac.uk/as/registry/policy/complaint-appeal/appeals/primary.aspx>

Code of Practice on Academic Appeals Procedures:

<http://www.birmingham.ac.uk/Documents/university/legal/15-16/code-of-practice-academic-appeals.pdf>

Careers Network

Aston Webb Student Hub, R7 (Aston Webb C Block) on the University map

Tel: 0121 414 6120 or Email: careers@contacts.bham.ac.uk

Visit the website at: www.intranet.birmingham.ac.uk/careers

Counselling & Wellbeing

Website: www.studenthelp.bham.ac.uk

Telephone: 0121 414 5130

Student Fees, Finance Office, Aston Webb Building

Tel: 0121 414 6074 or Email Studentfees@bham.ac.uk

Disclaimer: The information on this leaflet only provides general guidance on academic support and University policy. The leaflet should not be regarded or relied upon as a complete or authoritative statement of University policy or procedures. Guild Advice will not accept any liability for any claims or inconvenience as a result of the use of information on this leaflet.

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