Appeals against the results of University examinations and assessments: procedure for students registered on taught programmes of study

Scope

1. The appeals procedure set out below applies to students registered at the University on taught programmes of study (or on programmes at those institutions for which the degrees are accredited by the University). An appeal must be made and pursued by you personally. You cannot delegate this responsibility to a third party. This does not, however, affect your right to a supporter. No correspondence or discussions will be entered into by the University with a third party unless you have first provided us with written consent to do so.

2. The administration of appeals is undertaken by the Student Cases team in the University Secretariat. The work of the team is overseen by the Head of Student Cases.

3. If you have serious cause for concern about your published academic results, or award and/or classification or a decision of a Board of Examiners you may wish to consider an academic appeal. Though you cannot appeal against a provisional result, you can appeal:
   a. the decision not to award you a degree;
   b. the award and/or class of the degree you receive;
   c. the decision to terminate your study;
   d. the decision on whether you can progress within your programme;
   e. the opportunity for a re-assessment;
   f. the mark you were awarded for an examination or assessed piece of work.

4. The grounds on which you can appeal a decision described in 3 (a)-(f) are set out below:
   a. There was relevant mitigating circumstances (for example, illness), and you have a good reason for failing to notify the examiners of these sooner.
   b. You did notify the examiners earlier about mitigating circumstances or some other disruption of the assessment process, but you believe the examiners did not give sufficient consideration to this information.
   c. You believe that the assessment was conducted unfairly or improperly or the assessment of your achievement was biased.
   d. A procedural irregularity has occurred in the processing of your results.

5. You may withdraw your appeal at any point in the process by sending a letter or an email marked “Withdrawal of Appeal” to the Student Cases team. Once the appeal has been withdrawn, it cannot be reinstated. Acceptance of your degree or qualification either through conferment at a degree ceremony or in absentia will be taken as definitive evidence of such withdrawal. It is your responsibility to contact the University’s Events team to ensure that the degree is not conferred in absentia against your wishes. The University will not consider an appeal that concerns a degree or a qualification that has been conferred or awarded.

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1 Normally, you must inform the examiners before the results of the assessment are published, by using your school’s mitigating circumstances procedure. A ‘good reason’ means that circumstances beyond your control prevented you from disclosing the relevant circumstances at the appropriate time. Personal embarrassment or unwillingness to disclose personal circumstances are not considered ‘good reason’ for the purposes of an appeal.
6. Details of your appeal will be kept confidential, except where the disclosure is necessary to progress your appeal or implement a decision on the appeal, or where it is required by law or in the public interest.

**Advice before making an appeal**

7. Before deciding whether to make an appeal you should talk the matter through with an appropriate person in your School, for example, your personal tutor, Head of School or Student Support Officer. **Your results will not be changed as a result of this informal discussion**, but it may be that following such discussions your concern about the result/decision might be clearer and more understandable (e.g. how a mark for an examination/piece of work was arrived at or how the classification has been calculated). You should also be aware that an examination or an assessment cannot be re-marked and a decision that has been published cannot be changed unless an appeal is made and is successful.

8. You may find it helpful to seek independent advice from the Student Advice Centre of Leeds University Union.

9. The Student Cases team can offer procedural advice but will not comment on or offer advice upon any part of the appeal itself.

10. If you hold a Tier 4 student visa, your immigration status will be affected by an examiners’ decision requiring you to withdraw from your programme. If you are appealing against this decision, you should seek advice from the International Student Office. Please note that any future return to study will be dependent on you having appropriate immigration permission at that time. It is therefore essential that you take good advice about protecting your immigration status.²

**Deadlines**

11. The deadline for receipt of your appeal is 20 working days from the date of the publication of the decision against which you wish to appeal³. The University will not, ordinarily, consider an appeal submitted after the set deadline.

12. Very exceptionally, an appeal may be allowed where you have provided a substantiated, valid reason for the delay, in writing and in conjunction with the late submission. If your appeal is rejected because it is out of time, you may challenge that decision by writing to the University’s Complaints Officer within 10 working days of the decision. If the Complaints Officer agrees with the challenge, the appeal will be considered in the usual manner described below. If the Complaints Officer does not agree with the challenge, a Completion of Procedures letter will be issued which will allow you to raise the out of time issue with the Office of the Independent Adjudicator for Higher Education (OIA) (further information about the OIA is set out below).

13. Any correspondence from the University shall be deemed to have been delivered 48 hours after e-mailing and/or posting to the address notified to the University by you in your Appeal Submission Form. You must keep the University informed of any changes of address. It is your responsibility to monitor the nominated e-mail account.

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² For further information, see: [http://students.leeds.ac.uk/info/21506/yourvisa/851/tier4responsibilities](http://students.leeds.ac.uk/info/21506/yourvisa/851/tier4responsibilities)
³ This could be the date your results are published online on the Student Portal or the date you are formally notified of a decision issued by the University, School or Board of Examiners.
Procedure

How to appeal

14. To submit an appeal, you must complete the Appeal Submission Form (available from the Secretariat website). Your appeal must set out all the reason(s) why you believe the decision of the examiners is wrong. This should ideally be in chronological order/sequence of events. You should also state clearly the remedy you are seeking. Your appeal and supporting evidence can be as long or as short as you choose. However, do not assume that the longer the written case or the bulkier the papers the stronger is the appeal.

15. You must include in your appeal submission all the information and supporting documentation that you wish to be considered. Any information that is left out cannot be included at a later stage. Those deciding your appeal will draw any conclusions they see fit from this material.

16. You must submit your completed Appeal Submission Form together with all supporting evidence to the Student Cases team by e-mail or by post by the set deadline. You should expect to receive an acknowledgement of your appeal within 5 working days.

17. Your application may be refused on the basis of your submission alone if it does not, in the opinion of the Head of Student Cases (or his/her delegate), consulting senior academic colleagues as necessary, fall within the remit of this procedure or does not put forward appropriate grounds or supporting evidence. In this connection, an appeal which questions the academic judgement of the examiners or assessors will not be permitted. You will be notified in writing of the rejection and the reasons for it. A Completion of Procedures letter will be issued which will allow you to raise the issue with the OIA.

Initial review of the appeal

18. Your appeal submission will be forwarded to the Head of your school for a response.

19. The school’s response will address the central concerns you have raised in your appeal and will include any supporting evidence. The school’s response will be self-contained and will neither assume knowledge of informal exchanges with you in the school nor assume that additional evidence or information can be presented at a later stage.

20. The school will submit its response by completing a School Response Form (which will be provided to it with your appeal submission) and send it, together with all supporting documents, by e-mail or by post to the Student Cases team within 20 working days of the date of the request for a response to your appeal submission. If nothing is received by the deadline the appeal will be deemed to have been conceded by the school. If the remedy you are seeking is justifiable and does not jeopardise academic standards, and subject to confirmation by a University Investigating Officer, your appeal will be upheld. Otherwise, your appeal will be forwarded for review by the Panel described in 22 below.

21. The Student Cases team will forward the school’s response, including any supporting documents, to you so that you can provide concluding comments to the team. This is your final opportunity to comment on what your school has said in its response to the points made in your appeal. Your concluding comments can be as long or as short as

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4 If the University cannot meet this or any of the other deadlines set out in this procedure, you will be kept fully informed of the reasons why.

5 University Investigating Officers are highly experienced senior members of academic staff appointed by, but not members of, the Committee on Applications. The Investigating Officer(s) dealing with your case will not have any connection with you or your school.
you wish but it is not necessary to repeat what you have written in your Appeal. It should address only issues either already raised in the appeal and/or by the school in its response. You may wish to seek independent advice from the LUU Student Advice Centre before writing your concluding comments.

22. Your concluding comments must be set out in a Concluding Comments Form (which will be provided to you with the school’s response) and must be submitted by e-mail or post to the Student Cases team within 10 working days of the date of their request for your concluding comments. If nothing is received by the deadline the appeal will be deemed to have been withdrawn and the decision against which you are appealing will be confirmed.

23. When your concluding comments are received or you provide notification that you have nothing to add, the case will then be reviewed by a Panel, normally composed of the Head of Student Cases (or his/her delegate), at least one University Investigating Officer and the Chair of the Committee on Applications.

24. There are three possible outcomes from the Panel review:
   a. You will be offered a remedy without any need for a hearing by the Committee on Applications.
   b. The appeal to be dismissed on the grounds that your application does not indicate that there is a case to be answered.
   c. The appeal to be heard by the Committee.

25. Unless there is a unanimous view to the contrary or if you reject the remedy offered the appeal will proceed to a hearing before the Committee on Applications.

26. If the appeal is to be heard by the Committee, you and your Head of School will be notified. The hearing by the Committee means that the decision against which you are appealing, together with the points made in your appeal submission, your school’s response and your concluding comments require further consideration.

27. If your appeal is dismissed, the appeal procedure within the University will be at an end. You and your Head of School will be informed in writing of the Panel’s decision including its reasons for doing so. You will be issued a Completion of Procedures letter. If you remain dissatisfied, you have twelve months from the date of the letter to seek a review by the OIA (see below for further details).

28. If you accept the decision and the reasoned judgement of the Panel you should e-mail the Student Cases team to confirm this (for Finalists the Events team of Student Operations will be asked to make arrangements for the conferment of any award).

Hearing by the Committee on Applications

29. The Committee on Applications has been delegated authority by the University Senate to hear and determine academic appeals on its behalf.

30. The Committee hears cases in good faith and will accept statements and answers accordingly. However, the Committee will not ignore abuses of its trust or deceptions and reserves the right to take further or separate action where such abuses are found to have been perpetrated.

31. The Committee will hear appeals individually. Although cases of appeal may be related one to another, each appellant will be heard separately and his/her case will be the subject of an individual and separate judgement and determination.
32. The Committee may call for additional information from you or the school prior to or at the time of the hearing.

33. Where the Committee so decides the Head of School or his/her nominee(s) will appear before it to answer questions. The Head of School or his/her nominee(s) will appear separately from you.

34. The schedule of Committee meetings is published on the Student Cases team website. You will be advised of the date on which your case is to be heard at least 10 working days in advance and you are expected to appear before the Committee in person. If the date of the hearing falls on a day when you are not available you must give a satisfactory reason for your unavailability if you wish to appear before the Committee at a future meeting. If it is agreed to postpone the hearing, you will be given at least 10 working days’ notice of the date of the new hearing.

35. If this new date is still not possible for you, the Committee may choose to hear the case in your absence unless the reasons for the absence are, in the view of the Committee, sufficiently compelling to warrant a further postponement. The absence or non-availability of a supporter will not be accepted as reason for any postponement.

36. You may be accompanied at the hearing by one supporter of your choice who may or may not be a member of the University; for example, they could be an adviser from the LUU Student Advice Centre or a friend or relative. Your supporter cannot, however, be someone who has taken a part in the decision against which you are appealing. You will be asked to provide the name and capacity in which the supporter is attending in advance. Your supporter will neither be permitted to appear separately from you, nor be permitted to represent you, nor be involved in a related case. All this applies equally to any legal representative you may decide to engage.

37. It is your responsibility to invite the supporter to attend any hearing and notify the supporter of the time and place of the hearing and for providing any documentation to your supporter. You are responsible for the conduct of your supporter at the hearing and in support of the case. During the hearing you and your supporter may confer.

38. You or your supporter may make a statement at the hearing. If this is read from a prepared text, you must bring at least three copies of the text to the hearing to be given to the Committee and for the files. Members of the Committee may question you. Either you or your supporter may respond to the questions unless the Chair directs otherwise.

39. Neither you nor your supporter nor the school representative can question the Committee. If there are any questions or concerns these should be addressed to the Student Cases team in advance of the day of the hearing.

40. Although it is to be expected that new or additional information may emerge through questioning you or the school representative, the Committee will take action, including but not limited to the discounting of such information, where it is decided by the Committee that the information could reasonably have been included in the appeal submission or the school’s response.

41. You and your supporter will be asked to leave the room while the Committee discusses your case.
42. The Committee will decide whether you have provided sufficient evidence to substantiate your claim on the balance of probabilities, i.e. that what you have claimed is more likely than not to be the case.

43. Normally, you will not receive a final decision on the day of the hearing. You will receive a final decision in writing, by post or by e-mail, including the reasons for the decision, as soon as possible after the hearing and normally within seven working days after the Committee’s meeting has ended.

Request for final review by the Deputy Vice-Chancellor

44. If you remain dissatisfied with the decision of the Committee, you may request a final review by the Deputy Vice-Chancellor: Student Education (through the Head of Student Cases) within 20 working days from the date of the letter notifying you of the decision of the Committee on Applications. The Deputy Vice-Chancellor (or his/her nominee) will review the case and decide upon it. This decision is final and the appeal is then at an end in the University. You and your school will be informed of the decision.

45. The Deputy Vice-Chancellor (or nominee) will review the decision on the following grounds only:
   a. The decision of the Committee on Applications was unreasonable in the light of the evidence supplied.
   b. The procedure for the hearing of the appeal was deficient in a way which materially prejudiced your case.
   c. New evidence has emerged which was not available when the appeal was lodged and which was not brought to the Committee’s attention during the hearing.

46. The Deputy Vice-Chancellor (or nominee) will base his/her decision on the written material submitted to the first hearing of the case, a written statement of the outcome of the appeal and your written case. He/she will not normally consider new grounds of appeal or new evidence (unless it has been clearly demonstrated that such evidence was unavailable at the time of the submission of the appeal).

47. The Deputy Vice-Chancellor will issue his/her decision as soon as possible and normally within one calendar month of receipt of your request for final review. You will receive with the Deputy Vice-Chancellor’s decision a Completion of Procedures letter. If you remain dissatisfied, you will have twelve months from the date of the letter to apply for a review by the OIA.

Office of the Independent Adjudicator for Higher Education (OIA)

48. To seek an OIA review of your case, you should first ensure that you have been sent a Completion of Procedures letter (COP), which the OIA requires as proof that you have exhausted the University’s procedures. You must send the COP to the OIA within twelve months of the date of the letter, together with a completed copy of its Complaint Form (downloadable from its website), which it will use to assess whether your case is eligible for review under its rules.

49. Further and specific details about the OIA can be obtained from its website:

www.oiahe.org.uk
Other related matters

Awards
50. You cannot have a degree conferred or an award made which is the subject of an appeal until either the appeal has been concluded or the appeal has been withdrawn.

51. In the case of non-Finalists, and where progression would be affected by the outcome of an appeal, only that level of progression that is allowed by the decision of the Board of Examiners will be permitted until the appeal is determined. (For example, where the appeal is against the decision that you are not eligible to progress to the next year of study and therefore must become an external student, then you will have to remain external pending the outcome of your appeal.)

52. No certification or academic transcript will be issued where the degree or award is the subject of an appeal.

Complaints and appeals
53. You cannot pursue a complaint and an appeal simultaneously where the subject is common to or has a significant bearing on both cases. Where a complaint is being pursued, an appeal on the same or related matter cannot therefore be initiated until the complaint has either been resolved or formally abandoned permanently. The timescale for any appeal will continue to apply (see 11 above) unless otherwise agreed in advance by the Student Cases team. If in doubt you should seek advice from the Student Cases team.

University e-mail account
54. If you are a Finalist who has been asked to withdraw the Student Cases team will, on receipt of your Appeal Submission Form, request that your University e-mail account remains open until the appeal is concluded in the University.

Papers
55. You are responsible for retaining copies of your case papers, correspondence and other records. The University will not provide copies or replacements of documents to you or to your supporter.

Costs
56. The University will not charge you for the consideration or the hearing of an appeal. Neither will the University, as a general rule, pay any expenses incurred by a student as a result of an appeal.

Contact details
57. General information about appeals and the relevant appeal forms can be obtained from the Student Cases team at: http://www.leeds.ac.uk/secretariat/studentcases.html E-mail: studentcases@leeds.ac.uk; Tel: 0113 343 1276.

58. The Head of Student Cases and the University’s Complaints Officer can both be contacted on the e-mail address and telephone number set out above or at:

The Secretariat
Level 11, EC Stoner Building
University of Leeds
Leeds
LS2 9JT
59. You may wish to speak to a member of staff at the LUU Student Advice Centre, located on the first floor of the Union building. Their website can be found at
www.leedsuniversityunion.org.uk/helpandadvice
E-mail: advice@luu.leeds.ac.uk Tel: 0113 380 1290

60. Advice on graduation ceremonies can be obtained from Student Operations at:
E-mail: Graduation@leeds.ac.uk Tel: 0113 343 4117

61. Advice relating to student visas is available from the International Student Office at:
http://students.leeds.ac.uk/info/10500/international students/877/international student office
Tel: 0113 343 3930