

SEM

Academic Appeals Procedure

Effective September 2019
Next Review Date August 2020

SEM

Introduction

The School of Electronic Music (SEM) is committed to providing high quality education and other services to its students. Our aim is to provide a supportive environment including academic, welfare and recreational services and to be responsive to concerns when they are raised.

Feedback from students is welcomed as part of SEM's approach to the development and enhancement of the quality of its services. SEM recognises that there may be occasions when you have cause for complaint about the service you have received, when this happens, the Student Complaints Procedure is intended to provide an accessible, fair and straightforward system which ensures an effective, prompt and appropriate response.

In the event of any uncertainty about the scope of this procedure or who to contact in the first instance, the Head of Administration and Student Welfare will be happy to help with any advice or support needed:

Lawrence Allen
School of Electronic Music
Bexley Chambers
Manchester
M3 6DB
Tel: 0161 833 4722
E-mail: lawrence@semmanchester.com

Principles

An appeal cannot be made against the academic judgement of the assessors, properly exercised. An appeal may not be based on a questioning of the academic judgement of any individual assessor of the Assessment Board and appeals on this basis will be ruled invalid. Appeals submitted outside the deadline will be ruled invalid unless, exceptionally, the student can show good reason why the appeal could not have been submitted earlier.

Grounds for Appeal

A request for an appeal against an Assessment Board decision (other than a decision relating to unfair means – see below) shall be valid only if it is based on one or more of the following grounds:

- That an Assessment Board has given insufficient weight to extenuating circumstances.
- That the student's academic performance has been adversely affected by extenuating circumstances which the student has, for good reason, been unable to make known to the Assessment Board.
- That there has been a material administrative error at a stage of the process, or that some material irregularities have occurred.
- That the assessment procedure has not been conducted in accordance with approved regulations.

Where a student is seeking to appeal a decision of the Assessment Board relating to unfair means, the appeal will only be valid if it is based on the following grounds:

- That the original hearing was not conducted fairly and/or in accordance with the published procedure.
- That the original decision was unreasonable in all the circumstances.

Process for Appealing Against Assessment Board Decisions

If a student is not sure whether an appeal is appropriate, they should discuss the matter with their Course Leader, or Head of Student Welfare. A student may seek a meeting at any time without invoking the Appeals Procedure. The Appeals process is a two-stage process. The first stage must be completed before the second stage can be invoked.

SEM reserves the right to classify an academic appeal as a complaint or vice versa, if the submission falls properly within the remit of one procedure rather than the other. Where an appeal relates to a service provided by SEM this will be dealt with under the Student Complaints Procedure before the appeal is considered.

Where the appeal is against a decision in relation to an allegation of unfair means (please refer to Malpractice policy for a definition of unfair means), the appeal will be considered by the application of the first stage of this Procedure. In such cases the appeal should be considered by a School nominee that has not previously been involved in the case.

Appeals which are judged to be vexatious, malicious or frivolous will not be considered. This may arise where the appeal clearly does not have any serious purpose, or where repeated appeals are unreasonable in all the circumstances.

First Stage Appeal

First Stage Appeals must be lodged with the Exams Officer within 14 days of the official publication of pass/results lists or, where a student is required to interrupt or discontinue their study during the academic session, within 14 days of the date of the official notification.

This written appeal must state the grounds on which the appeal is sought and should be accompanied by appropriate documentary evidence. The appeal should be submitted on the application form available as an appendix at the end of this document.

Where a student has declared a disability to SEM, all endeavours will be made to ensure that information is available in appropriate formats and reasonable adjustments are made to the proceedings and facilities to accommodate their needs.

The Administrator will consider whether the appeal demonstrates one or more valid grounds. In the event that they consider that valid grounds have not been demonstrated, in the first instance the Administrator will meet with the student to explain why this is the case and to review their decision in light of any further comments by made the student. If the Administrator decides that the student can demonstrate valid grounds for an appeal, the appeal will be heard. If the Administrator remains of the view that the student cannot demonstrate valid grounds, the student can appeal the decision pursuant to Stage 2.

If the Administrator considers that the appeal demonstrates valid grounds, they will hear the appeal and be responsible for arranging a time with the student, usually within 14 days of receipt of the request for appeal.

At the First Stage Appeal meeting, the student may be accompanied by a representative or friend. The Administrator will ensure that the student is invited to present their case at the meeting so that the student is given the opportunity to amplify the written case. The Administrator will ask questions and consider evidence to enable them to make a decision about the student's case. In all cases, the student must be informed of their right to a Second Stage appeal if they are dissatisfied with the outcome of the First Stage appeal. This includes where the Administrator decided that the appeal did not demonstrate valid grounds.

The Administrator is responsible for ensuring the student is informed both verbally (at the meeting) and in writing of the outcome of the appeal which may be:

- The appeal is upheld and referred back to the Assessment Board for reconsideration
- The appeal is upheld and the Administrator takes immediate action on behalf of the Assessment Board
- The appeal is turned down

The Administrator will be responsible for preparing a report of the First Stage meeting. This report shall be sent to the student.

SEM will aim to respond to first stage appeals within 15 working days of the receipt of the first stage appeal application. Students will be informed where there is valid reason to extend this timeframe.

Second Stage Appeal

If the appeal is not satisfactorily resolved at the First Stage, a written appeal must be submitted by the student to the Principal within 14 days of the meeting between the student and the Administrator.

A request for an appeal against an Assessment Board decision shall only be valid if it is based on one or more of the following grounds:

- That an Assessment Board and/or the Administrator (in the case of a first stage appeal) did not give sufficient weight to extenuating circumstances*
- That there has been a material administrative error at a stage of the assessment process, or that some material irregularities have occurred (this ground includes allegations that the stage 1 process was not conducted fairly or the outcome was unreasonable in all of the circumstances).
- That the assessment procedure has not been conducted in accordance with the approved regulations.

*Extenuating circumstances which have not been declared at either the time of the Assessment Board meeting or the First Stage appeal will not be considered at the Second Stage appeal. However a student can still appeal on the grounds that they believe the Assessment Board and/or the Administrator (in the case of a First Stage appeal) did not give sufficient weight to any declared extenuating circumstances.

The written appeal must state the grounds on which the appeal is sought and should be accompanied by appropriate documentary evidence. The appeal should be submitted on the application form available at the end of this document.

Where an appeal relating to unfair means is not satisfactorily resolved at Stage 1, the Stage 2 appeal will only be valid if it is based on the following grounds:

- That the original hearing was not conducted fairly and/or in accordance with the published procedure.
- That the original decision was unreasonable in all the circumstances.

The written appeal must state the grounds on which the appeal is sought and should be accompanied by appropriate documentary evidence. The appeal should be submitted on the application form available at the end of this document

Second Stage Appeal Panel

A Panel will be established to hear Second Stage appeals against Assessment Board decisions. This Appeal Panel shall be a Panel of the Academic Board. Its membership shall be drawn up by the Principal in accordance with the following composition:

Chair: Principal

Members: A senior member of staff with appropriate expertise in assessment and academic quality matters.

No member of the Appeal Panel may have a direct interest in the student's case.

Documentation for Second Stage Appeal Panels

The Principal will collate the following information:

- The written application statement of the grounds for appeal.
- The report from the Administrator on the First Stage Appeal meeting
- Documentation from course teams concerning the academic performance of the student concerned
- Documentation from the Assessment Board

The Appeal Panel shall scrutinise this documentation and determine if the grounds for the appeal are valid. If it is not valid the appeal will be rejected.

The Powers of Second Stage Appeal Panels

The powers of an Appeal Panel are:

- To uphold the appeal based on the evidence presented and to refer the matter back to the Assessment Board.
- To turn down the appeal and to uphold the original decision of the Assessment Board and/or the decision of the Assessment Board/Chair of the Assessment Board at the First Stage appeal.
- To postpone a final decision on the appeal subject to seeking further clarification, evidence or advice as necessary.

The procedure is:

- The Panel meets privately to consider whether there are valid grounds for the appeal. (This may take place prior to the date of the hearing if the Panel does not require any further information from the student and Course Team).
- The student and Exams Officer may be asked to give further information.
- The Panel determines whether there are grounds to hear the appeal and informs the student and Exams Officer.
- If the Panel determines there are no valid grounds for the appeal, the matter is then closed. If the Panel determines there are valid grounds for the appeal, the procedures below are adopted.

SEM will aim to confirm whether there are valid grounds for appeal within 25 working days of the receipt of the second stage appeal application. Students will be informed where there is valid reason to extend this timeframe.

Procedure for Hearing the Second Stage Appeal

The student and the Chair of the Assessment Board will be given 10 working days' notice by the Principal of when to appear before the Appeal Panel. The student may be accompanied by a representative or friend. Exams Officer will present the case for the decision made at the First Stage appeal. S/he may be accompanied by another member of the Assessment Board. The student, the Exams Officer and the Panel members in the appeal hearing will be given copies of all documentary evidence submitted as part of the appeal.

The procedure for the hearing will be as below:

- All parties are invited to join the hearing;
- Introductions;
- The student and Exams Officer are asked to confirm that they are satisfied with the impartiality of the Panel. The Principal (Chair) shall rule on any objections that may be raised;
- The Chair explains the powers of the Panel and details its procedures;
- The Exams Officer states the position and reasons for the decision reached;
- The student presents their case;
- Questions from Panel members and/or the student/Exams Officer;
- The Exams Officer's final comments;
- Student's final comments;
- Private meeting of the Panel to determine the outcome of the appeal;
- The decision of the Panel is given verbally to all parties.

Procedure following the Hearing of the Second Stage Appeal

The Principal shall be responsible for ensuring that the student and the Exams Officer are informed in writing of the decision of the Appeal Panel and the reasons for the decision, within 5 working days of the meeting of the Appeal Panel.

Where an Appeal Panel upholds an appeal against an Assessment Board decision and refers the decision back to the Assessment Board for reconsideration, the Exams Officer may take action at this stage or may seek to reconvene the Assessment Board.

The Exams Officer will ensure that the student is informed of the Assessment Board's reconsidered decision within 15 working days of the meeting of the Appeal Panel.

If an Assessment Board does not modify its decision when an appeal has been upheld by the Appeal Panel on the grounds of procedural or other irregularities, the Academic Board has the

power to annul the decision and to make alternative arrangements for the assessment of the student.

Status of a Student during an Appeal

A student whose case is under consideration via an internal appeal shall have the right to continue with their course (provided that they are in good standing with the School) until such time as a decision has been reached. This right is designed solely to ensure that a student whose appeal is upheld is not academically disadvantaged and it shall not be interpreted as acceptance of a failed student on a subsequent stage of the course.

Independent Review

Upon completion of the final stage of the School's internal Procedure for Appeals Against Assessment Board Decisions, the student will be provided with a Completion of Procedures letter. In the case of Higher Education students, this will advise that if they are not satisfied with the outcome of the appeal, he/she she may pursue the matter further by submitting a Scheme Application form to the Office of the Independent Adjudicator for Higher Education (OIA). A Scheme Application form must be submitted within 12 months of the date of Completion of Procedures letter. Details of the OIA scheme may be found at: www.oiahe.org.uk

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FIRST STAGE APPEAL APPLICATION 2018/19

Guidance for applicants

Complete this form to submit a first stage appeal.

This application should be accompanied by appropriate documentary evidence.

Section A

First Name:

Surname:

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Programme Title:

Module Codes/Titles:

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Current Address

Contact e-mail address:

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Daytime telephone

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Section B

Please indicate the grounds for your appeal below (tick all that apply):

1. that insufficient weight has been given to extenuating circumstances
2. that the student's academic performance has been adversely affected by extenuating circumstances which the student has for **good reason** been unable to make known at the time
3. that there has been a material administrative error at a stage of the process, or that some material irregularities have occurred
4. that the assessment procedure and/or examination(s) have not been conducted in accordance with the approved regulations.

Section C

Student's case

(Detail your reasons for the appeal in full here)

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What resolution are you seeking by appealing?

Please state your desired outcome here:

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Signature

Date

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Return this form to the Head of Administration within 14 days.

SECOND STAGE APPEAL APPLICATION 2018/19

Guidance for applicants

Complete this form if you have already appealed and the matter has not been satisfactorily resolved at the First Stage of the appeal process. A further appeal must be submitted within 14 days of the 1st Stage appeal outcome notification.

This written appeal must state the grounds on which the appeal is sought and should be accompanied by appropriate documentary evidence.

The Second Stage Appeals Panel will meet in closed session initially, to determine whether there are grounds for appeal.

Section A

First Name:

Surname:

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Student Id/Enrolment Number

School:

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Programme Title:

Module Codes/Titles:

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Current Address

Contact e-mail address:

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Daytime

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Section B

Please indicate the grounds for your appeal below (tick all that apply):

1. that the 1st Stage appeal was not conducted fairly and/or in accordance with the published procedure;
2. that the decision of the first stage appeal was not reasonable in all the circumstances;
3. that there is material new evidence that for good reason could not have been made known at the first stage appeal.

Section C

Student's case

(Detail your reasons for the appeal in full)

What resolution are you seeking by appealing?

Please state your desired outcome here:

Signature

Date

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Return this form to: The Principal, Damian Fiedler damian@semmanchester.com

