

HE Academic Appeals Policy

1. Introduction

- 1.1. This policy sets out the terms under which Higher Education students of the British Academy of Jewellery (BAJ) may appeal against a decision of an academic body about their academic programme. BAJ adheres to the requirements and expectations outlined by best practice guidance from Supporting Professionalism in Admissions (SPA), Office of the Independent Adjudicator (OIA) and Competition and Markets Authority (CMA) guidelines. It also recognises the demands of higher education and the importance of student experience and ongoing enhancement.

2. Purpose

- 2.1. This policy is intended to
 - Provide a clear understanding of how to make an appeal.
 - Protect the interests of all learners and the integrity of the qualification.
 - Ensure procedural parity between all appellants making an Academic Appeal.
 - Enable the management of appeals effectively by staff.

3. Scope

- 3.1. This policy covers all higher education provision operating through BAJ which includes Pearson Awards, and any franchise partners.
- 3.2. This policy also applies to former students who have submitted their Academic Appeal within 15 working days of formal publication of results by the Exam Board/Assessment Panel.
- 3.3. Academic Appeals are not complaints. Complaints should be managed through the BAJ Higher Education Student Complaints Policy found on the BAJ website www.baj.ac.uk/policies. It should be noted that students cannot 'twin track' i.e undertake an Academic Appeal and also submit a formal complaint. See section 4 for definitions.
- 3.4. In considering any Academic Appeal BAJ will recognise the rules and regulations of appropriate external awarding bodies.

4. Definitions

- 4.1. For the purposes of this policy an Academic Appeal, as defined by the Office of the Independent Adjudicator (OIA), is a "request for the review of a decision of an academic body charged with making decisions on admission, student progress, assessment and awards"
- 4.2. The academic bodies at BAJ are:
- Exam Board /Assessment Panel
 - Student Review Subcommittee
 - Academic Integrity Panel
 - Extenuating Circumstances Panel
- 4.3. Circumstances to submit an appeal may include the following:
- An appeal about entry requirements
 - An appeal against a mark awarded for an assessment
 - An appeal against the decisions of the Extenuating Circumstances Panel
 - Overall outcome of a programme of study
 - Failure at any stage of a programme of study
 - Withdrawal from study due to unsatisfactory progress or failure to meet academic or professional requirements i.e., unsatisfactory work and attendance
- 4.4. Decisions about entry requirements, reasonable adjustments for teaching and assessment for students with disabilities, progression rules, academic misconduct, assignment marks, module results, thesis submission and the award and classification of qualifications is also covered by this Academic Appeals Policy.
- 4.5. Disagreements with the academic judgement of an institution cannot in itself constitute grounds for an appeal. Reconsideration of decisions and the grounds for submitting an Academic Appeal may only take place for the following reasons:
1. Extenuating circumstances: Circumstances affected students' performance, for which supporting evidence can be provided and these were not known to the Awards Board panel or others at the time the decision was made, and the student was unable for practical reasons to inform them before the decision. Reasons why the information was not divulged at the time must be evidenced.
 2. Procedural irregularities: Irregularities in the conduct of assessment procedures or decisions resulted in a different outcome had it not occurred. Evidence must be submitted to support the claim.
 3. Prejudice or bias: That prejudice or bias on the part of one or more of the examiners took place and can be proven or there are grounds to support a reasonable perception of prejudice or bias.

- 4.6. An Academic Appeal is to be distinguished from a complaint, which is defined by the Office of the Independent Adjudicator (OIA), as “an expression of dissatisfaction by one or more students about a provider's action or lack of action, or about the standard of service provided by or on behalf of the provider.” Complaints are the subject of a separate BAJ Higher Education Student Complaints Policy which is available on the BAJ website www.baj.ac.uk/policies. It should be noted that a complaint regarding a matter falling under the terms of this Higher Education Academic Appeal Policy will not be accepted unless the process of appeal has been exhausted.
- 4.7. Where a number of issues which do not fall within the scope of just one procedure, e.g., a complaint and an Academic Appeal, the student will be informed by the Academic Office of which specific issues will be considered under which procedure and will direct the student to all appropriate procedures. The Academic Office will also explain the possible implications, if any, of following more than one procedure, particularly where one procedure may be suspended pending the completion of the other. For example, a complaint regarding a matter falling under the terms of the Academic Appeals Policy will not normally be accepted unless the process of appeal has been exhausted. In such circumstances, it may be possible, upon written agreement of the student, to consider all matters together.

Related documents

- BAJ www.baj.ac.uk/policies.
- HE Student Complaints Policy
- Kingston University ([2022/2023 Policies and regulations - How the University works - Kingston University London](#))
- Pearson
https://qualifications.pearson.com/content/dam/pdf/Support/policies-for-centres-learners-and-employees/Enquiries_and_Appeals_on_Pearson_Vocational_Qualifications.pdf

5. Responsibilities

- 5.1. Academic Appeals should be completed by the individual concerned themselves. Correspondence or phone calls from others will not be considered unless BAJ has received written/signed authorisation from the applicant that the third party intends to act on their behalf.
- 5.2. The appellant must have followed BAJ, Awarding Body Academic and Assessment regulations.

- 5.3. The appellant must have consulted with the unit/module tutor or Course Leader in the first instance to attempt to resolve the issue informally before submitting a written Academic Appeal.
- 5.4. When requesting an Academic Appeal, the appellant is entitled to be dealt with impartially. Students can withdraw an Academic Appeal claim without prejudice at any time during the process by contacting business-admin@baj.ac.uk
- 5.5. Any decision made by the institution or awarding body at the previous stage in the process will then be upheld and become the final outcome.
- 5.6. Responsibilities and time frames for response and action
 - **Stage 0** – Head of Academy (HE) or nominee
 - **Stage 1** - Principal or nominee forms an Appeal Committee to investigate the appeal (allowance of 15 working days to decide and appellant notified within 6 working days of the decision being made)
 - **Stage 2** – Awarding Body Review: Process is outlined for each awarding body in 8.25 below.
- 5.7. Appeals submitted outside the timescales prescribed in the procedure will only be considered in the most exceptional circumstances and where there is good reason supported by evidence, for the late submission.

6. Responsibilities

- 6.1. This policy is required to ensure that correct procedures are in place and documented by all involved in the handling of Academic Appeals for higher education students.

Analyse risks of non-adherence to this policy

- 6.2. Poor student satisfaction and impact on annual return from OIA. Poor external stakeholder perception and potential financial cost and compensation. Failure to demonstrate effective enhancement. Failure to achieve a positive outcome from a Higher Education Review and the likelihood of additional scrutiny.

Staff training needed

- 6.3. Initial and refresher training to be made available to staff. Compliance reduces the risks described above.

7. Data protection

- 7.1. BAJ complies with the provisions of the General Data Protection Regulation Data Protection Act, 2018. As such, applicant and student data is treated as confidential by all staff involved in this process and is not divulged unnecessarily or inappropriately. However, the aforementioned Act requires BAJ to release certain information to UK authorities upon request in order to assist those authorities with the prevention and

detection of fraud or other crimes. We will release the requested information on receipt of an appropriate request from UK authorities such as (but not limited to) the Police, Home Office (for immigration and related matters), local authorities, and the Department for Work and Pensions. We may use anonymised data collected as part of an individual's academic appeal for the purpose of fulfilling statistical and reporting requirements.

- 7.2. All notes, letters and Academic Appeal logs will be stored securely for the period of a student's registration at BAJ plus 3 academic years.

8. Procedure

Stage 0 – Early Resolution

- 8.1. The Early Resolution stage should be commenced within 15 working days of being notified of a decision (i.e. the date of publication of a student's classification, a progression decision published on PICS by the Exam Board or a decision about an application to study).
- 8.2. Students are to follow the line of communication process below (and be aware of who staff are. Initial concerns must be discussed with the Unit/Module Tutor, Course Leader or Curriculum Lead (HE). These staff understand the student's circumstances and programme of study and are often best placed to resolve issues quickly.
- 8.3. Applicants are informed of their right to appeal a decision about their admission on offer and rejection letters. This includes providing admission staff contact details to discuss initial concerns.
- 8.4. A meeting should be arranged with the Course Leader (or nominee) for the appellant where verbal feedback can be provided about the decision.
If course staff are unable to help, or in the event that a concern needs to be raised higher, the appellant will be referred to their Head of Academy HE, London. Contact details and appointment hours are published in Student Handbooks and onsite. Applicants are provided with Head of Academy HE contact details by BAJ Admissions staff.
- 8.5. The Head of Academy HE or nominee ensures that a HE Informal Appeal Record is completed with the appellant and notes the nature / circumstances of the appeal. Academic Appeals need to be submitted as a signed statement by the member of staff receiving the appeal, and the appellant raising the issue confirms that the information given is a true and accurate reflection of their concern. A copy of the form is provided to the Academic Office for monitoring purposes.

- 8.6. The Head of Academy HE will ensure that a response is sent to the appellant within 10 working days of receipt. In some circumstances the enquiry may extend to giving all parties an opportunity to be heard and if it is substantiated in whole or part, take action to correct the situation. From time to time an appeal may require extensive investigation which cannot be completed within 10 days. In such cases, a letter/email is to be sent by the Head of Academy HE to the student keeping them informed of progress.
- 8.7. If matter is not resolved to the appellants satisfaction then they should move to Stage 1 (below). Any member of staff dealing with a dispute should recommend the applicant/student proceed to Stage 1 if a satisfactory resolution cannot be agreed or if the staff member in any way feels it would be unprofessional to continue informally.

Stage 1 – Formal Appeal Stage 1 (AP1 Form submitted by the student)

- 8.8. An AP1 Appeal Form (available from www.baj.ac.uk/policies) should be completed by the applicant/student and emailed to business-admin@baj.ac.uk. This must be done within 15 working days of completion of the early resolution stage.
- 8.9. Appellants should submit documentary evidence in support of their Academic Appeal. This should normally be submitted with their Academic Appeal submission. However, where this is not possible due to circumstances outside of the appellant's control, (i.e., waiting for evidence from an external agency/organisation), the Academic Appeal should be submitted together with a clear statement that evidence has been requested by the appellant.
- 8.10. The appellant should explicitly give their consent for information that they provide to BAJ in connection with the appeal to be disclosed to relevant third parties. BAJ will not disclose such information to any persons unconnected with the consideration of the appeal. Appellants must provide corroborating evidence from a third party in the case of extenuating circumstances in order to establish good reasons why extenuating circumstances were not disclosed at the time the academic decision was made.
- 8.11. The appellant will receive an acknowledgement of the appeal communication within 5 working days and an investigation will be conducted. For students, this is sent to their student email account. For applicants, this is sent to the email address stated on their applicant form. The acknowledgement will explain the steps to be taken, how long the process is expected to take and any further information required.
- 8.12. On receipt of an AP1 Form, the Academic Office will consider whether the Academic Appeal is made on one or more of the grounds specified in section 4. If the appeal is considered 'not eligible' the student will receive this outcome with reasons given. The student might be referred to a different procedure.

- 8.13. Where some parts of the Academic Appeal fall outside the permissible grounds, the Academic Office will meet with the student to explain and support them in accessing any other relevant redress.
- 8.14. If the Academic Appeal is being made on permissible grounds the Academic Appeal will be formally considered. The Academic Office will allocate it to a senior member of staff who has had no previous involvement in the matter. The student email account will be notified of the name and contact details for this Designated officer. The member of staff investigating the Academic Appeal may talk to the student and key staff and consider documents and other evidence.

Stage 1 – Academic Appeals Hearing

- 8.15. If the appeal is considered by the Principal (or a nominee) to be made on the grounds outlined in section 1.4 an Academic Appeals Committee will be formed which consists of:
- An appropriate independent person nominated by the Principal to chair the Committee meetings and this person should have a clear understanding of equality and diversity legislation and policies.
 - The Head of Academy HE
 - The Course Leader of the appellant, at the time of the appeal.
- 8.16. The appellant may be accompanied by one friend /representative but not a legal representative.
- 8.17. If invited to attend, the appellant must be notified in writing of the time and place of the meeting. The Appeals Committee will proceed with the meeting whether or not the appellant is in attendance.
- 8.18. The Academic Appeals Committee must be held within fifteen working days of acknowledgement of the completed AP1 form.
- 8.19. The Panel will keep a written record of the meeting, setting out attendance, a brief outline of the proceedings and the reasons for the decision taken.
- 8.20. The decision of the Academic Appeal Committee is final and will be notified to the appellant in writing within five working days of being made. The notification will set out the panel decision, giving a clear explanation and outlining the reasons for each decision to help the student decide whether or not to pursue the matter further.
- 8.21. The appeal will be judged upheld or not upheld based on the findings. On completion of stage 1 of the Academic Appeal, the Academic Office sends a letter outlining the findings to the student and a copy to the Quality Manager (for recording and monitoring purposes). The student will have the right to appeal the decision.

Stage 2 – Appeal of Stage 1 – decision by the awarding body

- 8.22. An applicant does not have a right of appeal to an Awarding Body.
- 8.23. If a student has exhausted all BAJ internal institutional procedures open to them, or considers that an appeal has not been given full and proper consideration, they have the right to submit a formal Stage 2 Academic Appeal to the Awarding Body.
- 8.24. When requesting a review of an Academic Appeal, the student must:
- Ensure that they have exhausted all BAJ internal Academic Appeals processes within the specified timescale and explain how or why the BAJ processes failed to satisfy them, beyond a simple disagreement with the outcome.
 - Ensure that there are relevant grounds for the Awarding Body to review the Academic Appeal.
 - Ensure that they provide the Awarding Body with all the information necessary for dealing with the Academic Appeal, including supporting evidence. The student must respond promptly to requests for further information or clarification.
 - Not attempt to use the Awarding Body Academic Appeals procedures to bring frivolous or vexatious matters to the Award Body's attention.

Stage 2 – Awarding Body Review Process

- 8.25. Students need to refer to the following published material for up-to-date information on how to request a review. Help can be given by contacting
- BAJ Academic Office – business-admin@baj.ac.uk
 - Kingston University – ([2022/2023 Policies and regulations - How the University works - Kingston University London](#))
 - Pearson - https://qualifications.pearson.com/content/dam/pdf/Support/policies-for-centres-learners-and-employees/Enquiries_and_Appeals_on_Pearson_Vocational_Qualifications.pdf

Recourse Office of Independent Adjudication

- 8.26. The process within this policy is designed to help resolve problems and difficulties as quickly and easily as possible. It is recommended that this process is followed by all parties to try to resolve issues without court proceedings wherever possible.
- 8.27. Where all stages of appeal have been completed and the appellant still remains dissatisfied with the outcome, they have the right to seek an Independent Review by referring the matter to the Office of Independent Adjudication (OIA) provided that the

complaint is eligible under its rules. Eligibility of whether the complaint meets the rules of the OIA can be checked by visiting <http://www.oiahe.org.uk>

Office of the Independent Adjudicator for Higher Education, Second Floor, Abbey Gate,
57-75 Kings Road, Reading, RG1 3AB

Recording Monitoring Academic Appeals

- 8.28. In order to continually review and enhance the student experience, Academic Appeals received are reviewed and monitored. The Academic Office will oversee the tracking and monitoring of appeals processed through the procedure.
- 8.29. The following is recorded
- I. the nature of each appeal;
 - II. how the matter was dealt with and the time taken for each stage;
 - III. the outcome of the appeal;
 - IV. the ethnic origin and gender of applicants.
- 8.30. These details are also summarised and presented at the Academic Board which meets on a semester basis to ensure any common themes can be addressed or changes to policy can be implemented.
- 8.31. The Academic Board will identify whether any changes are required to the appeals procedure and take steps to ensure that any issues commonly giving rise to successful appeals are addressed.
- 8.32. All notes, letters and Academic Appeal logs will be stored securely for the period of a student's registration at BAJ plus 3 academic years.