



Student Appeals Policy

London Campus

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Contents

1. General Principles	3
2. Grounds for Appeal.....	3
a. Appeals against an Interim/Progression/Award Board Decision	3
b. Appeals against Academic Misconduct Panel's Decision.....	4
c. Appeals against Disciplinary Committee's Decision	4
d. Appeals against Fitness to Study Panel's Decision	4
3. Timeliness.....	4
4. Appeals Panel	4
Student Appeals Form.....	7

1. General Principles

The School defines an appeal as a request from a student for a review of a decision made by:

- An Interim/Progression/Award Board regarding his/her assessment, progression or award
- The Academic Misconduct Panel
- The Disciplinary Committee
- Fitness to study panel

The School aims to deal with appeals transparently, confidentially, following the principles of natural justice and in a timely manner. A student will not suffer any detriment if s/he appeals in good faith. However, a student should be aware that if an appeal is pursued inappropriately disciplinary action may be taken against him/her.

A student should submit an appeal claim or review request on the Appeals form (see appendix 1) supported with appropriate evidence.

2. Grounds for Appeal

Students can appeal against the decisions made by the Interim/Progression/Award Board, Academic Misconduct Panel and/or Disciplinary committee.

The grounds of appeal are outlined below:

a. Appeals against an Interim/Progression/Award Board Decision

Appeals against the Interim/Progression/Award Board's decision may be made on the following grounds:

- Examinations and other forms of assessment were not managed in accordance with the School's scheme and rules.
- Marks were not calculated correctly.
- Where it can be demonstrated that the Interim/Progression/Award Board was biased when reaching its decision.
- The Interim Board did not apply the regulations correctly.

If mitigating circumstances exist, students should, if at all possible, submit them prior to the meeting of the Interim/Progression/Award Board in accordance with the Policy for Mitigating Circumstances.

If they are unable to do so they must prove that there was a demonstrated, valid and an over-riding reason why s/he did not submit the mitigating circumstances within a reasonable timeframe:

- Demonstrated – verified evidence is provided to explain why the initial deadline could not be met.
- Valid - the reason stated for the deadline not being met is logical and well-grounded in fact.
- Over-riding – given the circumstances, it would be unreasonable to have expected the student to have met the initial deadline.



b. Appeals against Academic Misconduct Panel's Decision

If the student had attended the Academic Misconduct Panel's Meeting he/she may be able to appeal against the outcome if one of the following applies:

- That new evidence has become available which has a direct bearing on the case which was not, and which could not reasonably have been made available at the time the case was considered; or
- Exceptional circumstances, providing that these circumstances can be substantiated and there is a valid reason why these were not made known at the time; or
- There has been material irregularity in the conduct of the academic misconduct process.
- The penalty imposed was not commensurate with the seriousness of the offence.

c. Appeals against Disciplinary Committee's Decision

Admissible grounds for appeal against the Disciplinary Committee's decision include:

- Procedural errors;
- New evidence not previously available to the disciplinary committee;
- The penalty imposed was not commensurate with the seriousness of the offence.

d. Appeals against Fitness to Study Panel's Decision

Students may raise a written appeal against the outcome of Stage 3 of the Fitness to Study Panel's decision on one of the following grounds:

- The School has failed to follow its own procedure adequately;
- A disproportionate outcome was suggested;
- The student has material new information/evidence which was not reasonably available before. Where valid grounds have been determined, the student will be invited to submit additional evidence within a specified timeframe

3. Timeliness

An appeal, using the appeals form (with appropriate evidence), should be submitted to the UK Director of Student and Academic Services Campus:

- Within 7 days of the release of results following the Interim/Progression/Award Board.
- Within 7 working days of the date of the written notification of the decision of the Academic Misconduct Panel, Disciplinary Committee or Fitness to Study Panel.

4. Appeals Panel

The UK Director of Student and Academic Services will then undertake an initial view on what further action to take, if he/she was not previously involved in the case. Where

the UK Director of Student and Academic Services was previously involved in the case, they will forward the appeal to a “Reviewer”. The reviewer can be a programme director or an administrator with a full understanding of the School’s quality procedures and who has not had any involvement with the previous stages of the case. The reviewer may request to meet with the student. The reviewer will decide on further actions which could involve:

1. If there is sufficient evidence to merit consideration of the appeal on the ground of the assessment, material and marking errors, there will be an immediate rectifying action by the Chair of the Interim/Progression/Award Board.
2. The appeal can be referred to an Appeals Panel. In which case:
 - i. The School’s Appeal Panel will normally be convened within 28 days of the outcome of the initial scrutiny. The panel members will include: two academic staff members and an administrator, who had not been involved in the previous stages of the case, or any other member of staff as deemed appropriate.
 - ii. The student will be invited to attend the School appeal panel hearing and can choose to be accompanied by one other person. However, under no circumstances may the student be represented by an external organisation or have professional legal representation.
 - iii. If a student chooses not to attend the Appeals Panel meeting, or fails to attend without submitting in writing valid reasons for a postponement, the panel may meet in the student’s absence.
 - iv. The School appeal panel will consider the appeal and make a recommendation either to:
 - Permit the student to resit some/all failed assessments as a first or additional attempt, reinstating them on the programme if necessary;
 - Refer the case to the Interim/Progression/Award Board, Academic Misconduct Panel or Disciplinary Committee with commentary;
 - May review or rescind the penalty imposed.
 - Reject the appeal, accompanied by clear reasons that will be provided to the student.
 - Refer the matter back to an earlier level of the fitness to study procedure for reconsideration, e.g. if the correct process had not been followed; or if material new information or evidence was made available
 - v. The panel may not recommend any alteration to the original marks.
 - vi. The outcome of the School appeal panel hearing will be provided to the student in writing, normally within 14 days of the hearing.
3. If there is insufficient evidence to merit consideration of the appeal on either of the grounds set out, the appeal will be rejected.



4. Students can expect the following:
 - The student will be informed of the outcome of the initial scrutiny, normally within 21 days of the acknowledgement being sent.
 - The process and outcomes of the initial scrutiny will be documented and recorded.
 - Where an appeal is rejected reasons will be provided.
 - The Appeals Panel decision will be final. The student may be able to submit a revised application only if s/he has new evidence to make known.

5. If, after exhausting the School's internal appeals procedure, the student believes the School's response is not satisfactory, s/he can refer their appeal to the Office of the Independent Adjudicator for Higher Education (OIA). Further details can be found on the OIA website at www.oiahe.org.uk



Student Appeals Form

Instructions:

- Use this form if you believe you have grounds for appealing against a decision made by the Interim/Progression/Award Board, Academic Misconduct Panel, Disciplinary Committee or the Fitness to Study Panel.
- See Section 2 for eligible grounds for appeal
- You must ensure that your appeal is submitted within the time outlined in the Student Appeal Policy.
- Appeals submitted after the deadline will be deemed to be out of time and will not be considered unless you submit clear documentary evidence to demonstrate that you were prevented from submitting the appeal by the deadline

Student Name:	Student ID:
Programme of Study:	
Year of Study:	
What are you appealing against: <input type="checkbox"/> Decision of the Interim/Progression/Award Board <input type="checkbox"/> Decision of the Academic Misconduct Panel <input type="checkbox"/> Decision of the Disciplinary Committee <input type="checkbox"/> Decision of the Fitness to Study Panel	
On what date did you receive notification of this decision/these results?	
Indicate the grounds under which you are appealing (Refer to Section 2 of the Student Appeal Policy) and provide details:	

Please confirm the following:

- | | |
|----------------------------------------------------------------------|--------------------------|
| 1. I have read and understood the Student Appeal Policy | <input type="checkbox"/> |
| 2. I have identified the grounds under which I am appealing | <input type="checkbox"/> |
| 3. I have enclosed a factual statement outlining my case for appeal | <input type="checkbox"/> |
| 4. I have enclosed any relevant independent supporting documentation | <input type="checkbox"/> |

Signed: _____

Dated: _____

Please complete this form and send it (along with your factual statement and any supporting documentation) by email to:

fmele@escp.eu
Florence Mele
UK Director of Student and Academic Services