

ACADEMIC APPEALS STUDENT GUIDANCE



WHAT IS AN ACADEMIC APPEAL?

An Academic Appeal is a request for a review of a decision of an academic body, such as a Board of Examiners, charged with making decisions on student progress, assessment and awards.

An Academic Appeal should only be used when there is evidence that an issue has arisen. It is not to be used if you are unhappy with your classification or if your marks were not what you expected them to be.

Stage One – Informal Resolution

If, following the publication of exam results, you believe you have identified an issue that may have affected your marks, you should first seek clarification from your department about the Board of Examiners' decision process. The department can provide factual information as to what assessments the Board considered and any actions taken for that particular piece of work.

For example, if you would like to know how your mitigating circumstances notice to the examiners (MCE) was considered by the Board, you can contact your course administrator, who will be able to provide factual information on the procedures used to review the MCE; that is, the impact level awarded and the consideration given in the Board meeting minutes.

If you are concerned that your results are significantly different from what you had expected, you should contact your course administrator and ask how your results were considered. The course administrator can either provide mark and comments sheets (where available) and confirm how the marks were considered in accordance with the exam conventions. If the information is not readily available you will give advice on how to proceed.

If the **20 working day deadline** is approaching and you have not received a response from the department you can submit your appeal to the Proctors explaining that you attempted to complete stage of the process.

Stage Two – Formal Appeal

You can submit a formal academic appeal if you can provide evidence of one or more of the following grounds for appeal:

- An error in the decision-making process;
- Procedural irregularity; and/or
- Any bias or perception of bias in the decision-making process.

Concerns about supervision or teaching should be pursued under the Complaints Procedure.

The appeal should be made within **20 working days** of the date your final results were released.

You should submit your appeal form with all the supporting evidence and any information you wish to be considered by the Proctors. Any additional evidence submitted at a later date may cause delays in the investigation and consideration timeframe.

The Proctor will usually complete the investigation, make a decision and send an outcome letter to you within 30 working days. However, there might be occasions when this timeframe needs to be extended. If the timeframe is extended, the Proctors' Office will keep you informed of the investigation's progress.

HOW TO SUBMIT AN APPEAL

You should make an academic appeal by submitting the academic appeal form and all supporting evidence to casework@proctors.ox.ac.uk.

Academic Appeal Form

The form: <https://academic.web.ox.ac.uk/files/academicappealformmt20>

The appeal form ensures all the relevant information is captured to enable an investigation to be started. Therefore, if an appeal is submitted without using the correct form, this will delay the process and, if information is missing, you may be asked to complete the form. A typed name is accepted (a 'wet' signature is not necessary), and a digital version of the form is preferred, as photocopies can be hard to read.

Supporting Evidence

You should provide the communications you have had with the department under Stage One of the academic appeal process as part of your supporting evidence. **You must then complete Section Three of the form and explain why informal resolution did not address your concerns adequately.**

Only evidence that is factually supportive to the academic appeal should be submitted alongside the appeal form. You should make it clear why the evidence is relevant and how it supports the appeal being put forward. Evidence can take many forms and examples of appropriate and non-appropriate evidence are given below.

Supporting evidence that **is** beneficial to an appeal can include (but is not limited to):

- Mitigating circumstances notices submitted to the Board of Examiners
- Email correspondences with department
- Examiner feedback forms
- Medical evidence relating to mitigating circumstances
- Alternative arrangement confirmations

Supporting evidence that is **not** beneficial to an appeal can include (but is not limited to):

- Statements commenting on expected results, or highlighting surprise at the outcome of the assessment
- Statements challenging the examiners' academic judgement
- Supporting statements from supervisors/College on the academic ability of the student

Supporting evidence from a Subject Access Request (SAR)/ Freedom of Information Request (FOI):

If you are expecting to use information obtained under a SAR or FOI you will need to ensure you detail how it supports your appeal in the appeal form. You should note that waiting for the information requested under a SAR/FOI will not in itself be accepted by the Proctors as a reasonable explanation as to why your academic appeal was submitted outside the 20 working days deadline. For an appeal based on a SAR/FOI to be accepted outside of this timeframe you will need to demonstrate in your academic appeal request form that the SAR/FOI was requested within a reasonable timeframe after the decision which you are appealing was notified to you, that the appeal form was submitted within a reasonable timeframe from when you received the SAR/FOI information, and that the information received from the SAR/FOI clearly demonstrates that there was an error, procedural irregularity or bias or perception of bias.

ACADEMIC JUDGEMENT & CHALLENGING

ACADEMIC JUDGEMENT

Academic judgement, as defined by the Office of the Independent Adjudicator, is not any judgement made by an academic; it is a judgement that is made about a matter where the opinion of an academic expert is essential. So, for example, a judgement about marks awarded, degree classification, research methodology, whether feedback is correct or adequate, and the content or outcomes of a course will normally involve academic judgement.

Academic judgement is not involved in decisions about the fairness of procedures and whether they have been correctly interpreted and applied, nor when an academic has expressed an opinion outside the areas of their academic competence, nor in the way evidence has been considered during the decision-making process.

Challenging academic judgement

Academic appeals will not be considered if they challenge the academic judgement of the examiners, Board of Examiners or academic bodies.

This is a complex issue for many students and a number of appeals are received each year which are based on challenging the examiner's academic judgement of the student's submitted work. Students often do not view their appeal as challenging academic judgement; however, where a student questions the decision made by academic staff on the quality of the work itself, or the criteria being applied to mark the work (rather than the administrative marking process), or the actions taken as a result of their mitigating circumstances notice to examiners, this is always a challenge of academic judgement.

Examples: Understanding

Example 1

The student receives a mark of 68 for their dissertation and is awarded a 2:1 classification. The student submits an academic appeal because they feel their work was not considered correctly by the examiners, because they believe that the examiners did not understand the methodology of the submission. Had it been considered correctly, they argue, they would have achieved a mark of 70 or more for their dissertation and been awarded a First Class classification. The student has a letter of support from their supervisor stating that they have produced work of a First Class standard previously.

Outcome

Not Upheld. The examiners' understanding of the student's work and its methodology would be viewed as a consideration which could only be made by a subject expert; therefore, it is under the scope of the examiners' academic judgement. The supervisor's comments are not evidence of an alternative academic judgement and would not be taken into consideration, because they are not the academic engaged for the marking of the work, and their comments are about an expectation of results which can change depending upon the full work submitted by the student. That the student disagrees with the mark and feedback is not evidence that any of the three grounds for an appeal have been met. Ultimately, the examiners evidenced that they had considered the work in accordance with the exam conventions and, as there was no evidence to counter this, the appeal was not upheld.

ACADEMIC JUDGEMENT

Example 2

The student submits a mitigating circumstances notice to the examiners. The examiners give the circumstances an impact level of 3 (very serious), but the student's results are not changed. They receive their final results for 4 submissions that make up their final classification: 62, 62, 69, 67. They receive an average mark of 65 and are awarded a 2:1 classification (for a First Class the average needed to be over 70). The student feels that their circumstances were serious enough to have impacted their results and they do not feel that the Board of Examiners considered their circumstances.

Outcome

Not Upheld. There are two elements to the mitigating circumstances consideration process. First is the consideration of the impact the circumstances had on the student's performance, which is scaled from 1 to 3 (1 = low impact, 2 = moderate impact, 3 = very serious impact). Second is the Board of Examiners' consideration of what action can and should be taken for the work in question, in light of the scaling, the MCE and guidance provided in the Examination and Assessment Framework for Examiners.

The first stage, the impact level/scale given for the mitigating circumstances, is viewed as an administrative process which the Proctors can consider under the appeals process. The second element is the Board of Examiners' consideration of what action can and should be taken, in light of the banding of the impact of the mitigating circumstance, and the guidance in the Examinations and Assessment Framework about actions examiners may take as a result of mitigating circumstances. The second stage, the action taken, is an academic judgement decision and cannot be challenged by the Proctors.

In this student's case, the examiners evidenced that they had considered the circumstances and gave an impact level of 3 – very serious. However, under the MCE process, the Board cannot change the marks of papers; it can only consider the overall classification. As no action could be taken which would have changed the student's classification, no action was taken by the Board.

APPEAL INVESTIGATION

The Proctors' investigation of an academic appeal has three parts:

- **Part One** – The Chair of Examiners (Director of Graduate Studies for Research courses) and Course Administrator are contacted for their comments on the appeal request and any supporting information that was provided.
- **Part Two** – The department's response is reviewed and considered by a caseworker, along with all the information you provided as part of your appeal.
- **Part Three** – The caseworker provides a brief to the Proctor which consists of all the evidence collated as part of the investigation. The Proctor decides on an outcome and this outcome is then sent to you and the department.

Part One

The department will be asked for all relevant information relating to the appeal case. This can include, but is not limited to:

- Markers' comment sheets and feedback
- Mark sheets and reconciliation sheets
- Comments from the Chair of Examiners
- Final Board meeting minutes relating to the student
- Exam conventions, student handbooks and other related policies
- DGS reports

As all the information required to investigate the appeal will be gathered at this part of the investigation, subject access requests prior to making an appeal are unlikely to be required.

Part Two

Careful consideration will be given to all of the information and evidence provided for the case. The caseworker will assess whether the exam conventions have been adhered to and that the guidance in the Examination and Assessment Framework has been followed. They will develop a brief for the Proctor, summarising the findings and presenting all the information collated as part of the investigation.

Part Three

The Proctor will consider the caseworker's brief and evidence before making a decision on the outcome of the appeal request. You will be informed of the outcome of the appeal consideration in a letter via email. The outcome will also be relayed to the department.

APPEAL OUTCOMES

There are three academic appeal outcomes:

- Upheld
- Not Upheld
- Out of time

Upheld outcome

If your appeal is upheld, the Proctor will detail the next steps in your outcome letter, which can vary depending on the circumstances of which the appeal is being upheld. However, it must be noted that the Proctors **cannot** change marks and/or classifications, this is an action that can only be taken by the Board of Examiners or Academic Body.

In most cases, the Board of Examiners will be asked to revisit its considerations or arrange for submissions to be re-assessed. The upholding of an appeal does not guarantee that there will be a change of results and/or classification. If, after following the procedures correctly, the Board of Examiners considers there is no change to be made, this decision is final and cannot be challenged.

Upheld appeals will not negatively affect your results. They will either stay the same or improve.

Not Upheld outcome

If your appeal is not upheld by the Proctor, this is a final decision and closes Stage Two of the appeals procedure. However, if you can provide evidence of one of the grounds below, you can submit a review request of the appeals outcome:

- there was a procedural irregularity or error in the Proctor's investigation;
- the Proctor's decision was unreasonable (you must identify which aspects of the Proctor's decision you consider to be objectively unreasonable and explain why);
- you were not provided with clear reasons for the Proctor's decision; or
- you have material evidence which the Proctor has not yet seen which you have valid reasons for not having provided earlier.

A review request should be submitted within **10 working days** of the date on the outcome letter. A review request should not be submitted simply because you were unhappy with the Proctor's decision.

Out of time

Your appeal should be submitted within **20 working days** of the date the final results are released. Any appeal received after this time will be considered out of time.

If you would still like to submit an appeal, you will need to complete the fifth box in Section Two of the appeal form. Here you must provide a reason for the lateness and any evidence which supports this. The Proctor will consider if your appeal can be taken forward or not.

Reasons that will not be accepted for lateness:

- Not knowing about the academic appeal procedures and timeframes
- Waiting for the results of a SAR/FOI when the resulting information does not directly support the appeal request
- Being on holiday or work commitments

WHAT IS THE PROCESS

Stage 1

If a student identifies an issue with their published results, they should seek clarification with their department for the Board of Examiners' decision. The department can provide factual information as to what assessments the Board considered and any actions taken for their particular piece of work.

Stage 2

The student completes the Academic Appeal form and provides evidence of Stage 1 outcome and any supporting documentation, i.e. MCE, medical certificates, feedback forms.

Research students submit their forms directly to the Proctors' Office
casework@proctors.ox.ac.uk

Taught student are encouraged to submit their form via their Senior Tutor, but can submit directly to the Proctors' Office

The Casework Management team acknowledges receipt of the application within 5 working days.

The Chair of Examiners is contacted for their feedback on the matter put forward by the student.

When all the information is received, the caseworker will review the case and discuss the evidence with the Proctors.

Once a decision is made by the Proctors, the outcome will be relayed to the student, college and Chair of Examiners. This completes the Proctors' Office investigation and involvement with this matter.

Stage 3

Decision: Upheld

The outcome is passed on to the Chair of Examiners and they will be given one month to respond to the student with their decision or update the student on their progress.

All future correspondence will be sent from the Examination Administrator for your course.

The Proctors' Office will close the case.

Decision: Not Upheld

The student may request a review of the decision if they feel they have ground(s) to do so under the Review Stage of the Appeal Procedure.

Student submits a review form to the Proctors' Office
review@proctors.ox.ac.uk

If the outcome still does not meet the student's expectations, the student can refer their case onto the OIA

Within 20 working days of the relevant decision being made

5 working days

30 working days from acknowledgment

Within 10 working days of the outcome

1 Year from the outcome

These timelines may be extended where it is necessary to do so in order to ensure a fair outcome

WHERE TO GET ADVICE

Students can also ask for academic appeal advice from the following places:

- **College**
- **Department**
- **Student Union**
- **Proctors' Office – casework@proctors.ox.ac.uk**