

SENATE REGULATION 12 (June 2025 onwards): Academic Appeals

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Scope and Coverage of Academic Appeals procedure

1. An academic appeal must relate to one or more of the following decisions of a Panel or Board of Examiners, or of Research Degree Examiners which concern the assessment of a student:

- a) A mark or grade for any examination, test, practical assignment or project, thesis, dissertation or coursework, which has been confirmed by the Examiners;
- b) A recommendation from the Examiners that a student should or should not obtain a degree or qualification from the University;
- c) The class of degree or any mark of distinction recommended by the Examiners;
- d) A recommendation from the Examiners that a student may or may not be permitted to progress into the next year of their programme of study, to repeat any module or programme, to resubmit an assessment, or to re-sit an examination;
- e) The outcome of a formal progress review under Senate Regulation 5.16 (for postgraduate research students)

2. Academic appeals which challenge the academic judgment of the assessors or Examiners are not permitted and will not be considered.

Academic Appeals and Complaints

3. If an academic appeal and complaint are submitted simultaneously, the Manager of the Office for Student Complaints, Conduct and Appeals (OSCCA) will determine how the submissions shall be considered. This may include one matter being suspended whilst the other is reviewed, or both being considered in parallel.

Timeliness

4. It is expected that both students and the University will adhere to the timeframes set out in this Regulation.

Fair dealing

5. Academic appeals are managed with due discretion by the University. Students will not be prejudiced in their academic career or University life by having submitted an academic appeal. It is expected that all parties involved in an academic appeal will act reasonably and fairly and treat the process in a respectful manner. If inappropriate behaviour is displayed, further action may be taken.

6. Where appropriate, and in line with data protection principles, the University may verify the authenticity of any documents submitted in support of an academic appeal, or statements made within the appeal itself, and may refer the matter for investigation under Senate Regulation 6, if there are concerns about authenticity. The University is not required to inform students if it conducts verification checks of information or evidence supplied.

Equality Act 2010

7. In accordance with the Equality Act, the University will consider any reasonable adjustments to this Senate Regulation, which may be required to support students.

Representation

8. Students are normally expected to pursue their own academic appeal. The University may agree to communicate with a family member or friend acting on behalf of a student but will only do so with the express written agreement of the student.

9. Students may be accompanied to a meeting by a representative, who may present the student's case, and/or by a friend who may be present to support the student. Only a current student or staff member of the University, an advice worker from the Union of Brunel Students, or a relevant individual in the case of reasonable adjustments being made for a student, shall normally be permitted to be a representative or supporter. Students are not normally permitted to be represented in their absence at any meeting in relation to their academic appeal.

10. Neither the student nor the University shall normally be represented or supported by a legal practitioner in any meeting held regarding the academic appeal.

Confidentiality and Disclosure

11. Information submitted in an academic appeal will only be disclosed to other members of the University where necessary to fully investigate the appeal.

12. If a student makes allegations against university staff in the context of their appeal, the staff member has the right to know and respond to these allegations. If a student is unhappy with this disclosure, it should be stated on their academic appeal form; the Manager of the Office for Student Complaints, Conduct and Appeals will advise the student on the extent to which their academic appeal may be considered.

13. Students have the right to see documents considered when reaching a decision on their academic appeal, so long as these do not compromise the privacy and confidentiality of third parties.

Mediation Service

14. At any point during the appeals procedure, a student may request, or agree to, mediation. Consideration of the academic appeal will normally be paused whilst the mediation takes place.

Students and Partnership Arrangements

15. Where a student is studying on a programme delivered through a partnership agreement, any applicable variations to this Senate Regulation will be set out in the relevant agreement and guidance to students.

Nominees

16. Any reference to a specific member of staff under this Procedure should be read as including alternate reference to the member of staff's delegate or nominee.

Communication

- 17.** Communications relating to matters considered under this Procedure will normally be sent to a student's Brunel University of London email address. Any variations to this policy will be communicated to the student.

University Monitoring and Oversight

- 18.** A report of activity, key decisions and findings, and other data will be presented annually to the University Education and Student Experience Committee (UESEC) with any recommendations in relation to the academic appeals process being managed and implemented by the Office for Student Complaints, Conduct & Academic Appeals (OSCCA) and reported back to UESEC for oversight.

The Role of the Critical Advisor

- 19.** At each stage of this procedure, a Critical Advisor may be consulted by the relevant Case Handler to share expertise and act as a source of guidance and support. A Critical Advisor will normally be an academic member of staff who is independent to concerns raised in the academic appeal being considered.

Early Resolution

- 20.** Where a student has concerns about their academic results, they should first seek to resolve their query with an appropriate member of staff via the Departmental Results Service, which is normally held within 5 working days of the release of their results. A brief record of the discussion should be made by the staff member involved and shared with the student.

Stage 1 Appeal

- 21.** If a student's concerns are not satisfactorily resolved via the Results Service, they should submit a Stage 1 Appeal Form within 10 working days of the release of their results. Appeals received after this deadline will only be accepted at the discretion of the Office for Student Complaints, Conduct and Appeals.

- 22.** The Stage 1 Appeal Form must be submitted electronically, with any relevant supporting evidence. The student must state if there is further evidence to follow, which should normally be submitted within a further 5 working days.

- 23.** A student may appeal on one or more of the following grounds only:
- a) That there is evidence that the assessment(s) may have been adversely affected by exceptional circumstances which the student was, for valid reasons, unable to make known to the Examiners or progress review beforehand;
 - b) That there were procedural irregularities in the conduct of the assessment(s) and/or assessment procedures, which adversely affected the result achieved;
 - c) That there is evidence of prejudice or bias on the part of one or more of the assessors, Examiners, or members of staff conducting a progress review;

- d) That there is evidence of inadequate assessment on the part of one or more of the assessors, Examiners, or members of staff conducting a progress review.

Initial Consideration

24. Upon receipt of an academic appeal, the Office for Student Complaints, Conduct and Appeals will initially assess the appeal, which may be dismissed at this stage in the following circumstances:

- a) The appeal has not been submitted on the correct form, or the form is incomplete;
- b) The appeal, or further evidence, has been submitted out of time;
- c) The appeal has no independent third-party evidence of the exceptional circumstances, if relevant;
- d) The appeal contains no evidence that the ground(s) have been met;
- e) The appeal is frivolous or vexatious;
- f) The appeal falls outside the scope of this Senate Regulation and should be considered under another procedure.

25. If an appeal passes the 'Initial Consideration' stage and is considered eligible, it shall be referred to a Case Handler for investigation.

26. If an appeal does not pass the 'Initial Consideration' stage and is not considered eligible, the student can request an 'Initial Consideration Review' of the decision but is not able to submit additional evidence.

27. An 'Initial Consideration Review' request must be submitted to the Manager of the Office for Student Complaints, Conduct and Appeals within 5 working days of the date of the 'Initial Consideration' decision.

28. The Manager of the Office for Student Complaints, Conduct and Appeals will, normally within 5 working days of receipt of the 'Initial Consideration Review' request, consider whether the decision to reject the appeal was made in accordance with this Regulation.

29. If the 'Initial Consideration Review' request is accepted, the appeal will be passed to a Case Handler for consideration. If the 'Initial Consideration Review' request is rejected, there are no further opportunities for the appeal to be considered by the University, and a Completion of Procedures letter will be issued by the Office for Student Complaints, Conduct & Appeals (OSCCA).

Stage 1 Consideration

30. Accepted appeals will be investigated by a Case Handler. The Case Handler may talk to key staff, consider other evidence and documents, and may also consult a Critical Advisor. The Case Handler may meet with the student to discuss the case; if a meeting is arranged, a record of this will be kept by the Case Handler and shared with the student.

31. On completion of the investigation, the Case Handler may uphold the appeal and make recommendations to the Board of Examiners or Vice Dean (Research) in a case for a Doctoral Researcher, to resolve it, or dismiss the appeal.

32. The decision of the Case Handler shall normally be communicated in writing, within 25 working days of the receipt of the appeal.

Stage 2 Appeal

33. If a student is dissatisfied with the outcome of their Stage 1 appeal, they may submit a Stage 2 Appeal Form within 10 working days of the date of the Stage 1 decision. Appeals received after this deadline will only be accepted at the discretion of the Head of Student Affairs and Casework.

34. The Stage 2 Appeal Form must be submitted electronically, along with any new supporting evidence. The student must state if there is further evidence to follow, which should normally be submitted within a further 5 working days.

35. A student may appeal on one or more of the following grounds only:

- a) That there is evidence that could not have been, or for good reason was not, made available at the time of the Stage One Appeal submission, and that sufficient evidence remains that the appeal warrants further consideration;
- b) That there is evidence of a procedural irregularity on the part of the University in considering the Stage One Appeal, and that sufficient evidence remains that the appeal warrants further consideration;
- c) That there is evidence of prejudice or bias on the part of the Case Handler;
- d) That, giving due consideration to the documentation previously provided, the decision of the Case Handler was unreasonable.

36. Upon receipt of a Stage 2 Appeal, the Head of Student Affairs and Casework (or nominee) will determine whether the ground(s) for appeal have been met. Where they have, the appeal will be referred to a Reviewing Officer, who will be a Senior Officer of the University; otherwise, the appeal will be dismissed. This decision will normally be communicated within 10 working days of receipt of the appeal.

37. The Reviewing Officer will consider the student casefile, including the appeal submission and Stage 1 investigation and outcome. The Reviewing Officer may request additional evidence to support their consideration and may make, but are not limited to, the following decisions:

- a) Set aside the Stage 1 outcome and replace it with their own decision, or alter the original decision made by the Case Handler;
- b) Make a recommendation to the Board of Examiners about the student's profile;
- c) Make any other decision or recommend actions to ensure the academic appeal receives full and proper consideration;
- d) Decide that the Stage Two appeal should be dismissed and the decision made by the Case Handler should remain in place.

38. The decision of the Reviewing Officer shall normally be communicated in writing by the Office for Student Complaints, Conduct and Appeals, within 5 working days of the decision being made.

39. The decision of the Reviewing Officer is final. There is no further right of appeal and no right to appeal against the decision of the Case Handler if the case has been referred back for fresh consideration.

Office of the Independent Adjudicator for Higher Education (OIA)

When all internal procedures are complete, students will be issued with a Completion of Procedures Letter by the Office for Student Complaints, Conduct & Appeals (OSCCA) and may then request an independent review of their case by the OIA. In developing this Procedure, the University has considered the OIA's [Good Practice Framework - Handling complaints and academic appeals - OIAHE](#).

APPENDIX A – Upheld academic appeals

Where an academic appeal is upheld, the following actions may be considered as a means of resolution:

In the case of an appeal by an undergraduate or taught postgraduate student

- Require the Board of Examiners to reconsider its decision, taking into account such information or findings as deemed appropriate.

In the case of an appeal by a postgraduate research student concerning an examination

- Require the Examiners to reconsider their decision, taking into account such information or findings as deemed appropriate;
- Require that the student be permitted to revise and resubmit their thesis within a specified timeframe, with specified support or supervision; or
- Require the thesis to be re-examined (this may also include the appointment of one or more new Examiners).

In the case of an appeal by a postgraduate research student concerning a progress review

- Require the Review Assessors to reconsider their decision, taking into account such information or findings as deemed appropriate;
- Require that the student be permitted to prepare for a further review of their progress within a specified timeframe, with specified support or supervision; or
- Require the student's progress to be re-assessed (this may also include the appointment of one or more new Assessors).

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