



“Enabling Students to Accomplish their Academic Goal”

Academic Appeal Policy and Procedure

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1 Definition

An appeal is a request for a formal reconsideration of a decision that Belmont College has made about a student. Thus, a decision is a precursor to an appeal and a decision may have been made either on an academic matter, following a complaint or other matters. A review is a request by a student to the Principal with respect to the result of an appeal.

On occasion, however, ATHE's decision might also be questioned and in such cases, centres have the ability to enquire about or appeal to ATHE against quality assurance outcomes or other decisions.

For the reference of ATHE's policy:

- **An Enquiry** can be made when a centre or learner contests the decision(s) taken by an external quality assurer (EQA) and the centre report states that assessment or assessment decisions have not met the unit standard.
- **An Appeal** can be made by a centre or learner against an ATHE decision to an enquiry.

2 References

This policy and procedure have been written with regard to the **QAA Quality Code Chapter B9: Academic appeals and student complaints** which require higher education providers to meet the following expectation:

"Higher education providers have procedures for handling academic appeals and student complaints about the quality of learning opportunities; these procedures are fair, accessible and timely, and enable enhancement".

Belmont College will attempt to resolve all appeals within 28 days of the appeal being submitted by the student, and where this is not possible due to unavoidable reasons, the student will be informed in good time about the delay.

ATHE will aim to reach its final conclusion within the published timescales.

3 Scope

This policy relates to appeals made by a student on an ATHE qualification at Belmont College and is essential for curriculum managers, exams officers, heads of centres, teaching staff, assessors, IQAs and learners who use ATHE qualifications.

Appeals and Enquiries to ATHE will only be considered if the internal Appeals Procedure is exhausted. These must be authorised by the Head or Principle before submitting to ATHE.

4 Right To An Appeal

Students have the right to appeal to the Academic Appeals Panel against any decision made by Belmont College. The following are a few examples:

- A particular assessment result, only if based on a claim of procedural irregularity.
- A decision by Belmont College Academic Awards Committee.
- A decision by the mitigating circumstances panel.
- A decision that a student is withdrawn from Belmont College because s/he has failed to satisfy the attendance requirements.

- A decision by Belmont College in regard to disciplinary procedures.
- A decision by Belmont College in respect of a complaint made by a student against another student or a member of Belmont College staff.
- An appeal must be made on Belmont College Appeals Form, from the Student Support department.

Under specific circumstances, learners who want to make a direct appeal or enquiry to ATHE have the right to do so. However, on most occasions this would be done through the centre, where the external quality assurance took place.

ATHE will consider enquiries or appeals from centres in the following situations:

- the centre disagrees with the outcome of an ATHE EQA's decisions on learner achievement.
- the centre questions the process used by an EQA to reach external quality assurance decisions.
- an appeal by a centre against the wording of an EQA report.
- an appeal by a centre against the decision to decline its request for reasonable adjustment and special consideration.

ATHE will consider enquiries or appeals from learners in the following situations:

- a learner considers that a centre decision continues to disadvantage her/him even after the outcomes of the centre's internal appeals procedure has been followed and there is no further recourse using the internal processes.
- the centre where the learner studied for the qualification and where the external quality assurance took place is no longer in operation.

It should be noted that:

In these circumstances the learner would be regarded as a private candidate. In all other situations ATHE will not consider appeals from learners, family members or other third parties.

5 Belmont's Application for an Academic Appeal

- 5.1** A student who wishes to appeal against the academic decision must do so in writing on the Academic Appeal Form, stating fully and precisely the grounds for appeal.
- 5.2** A student appealing against the progress academic decision must submit a formal appeal within two weeks of the publication of results. In all other cases, the appeal must be submitted within four weeks of publication of results.

6 Belmont's Grounds for An Appeal

The main legitimate grounds for appeal are the following:

- a) Extenuating circumstances of which the Academic decision was unaware of and which the student could not reasonably have been expected to inform the Academic team in advance, of such a nature as to cause reasonable doubt as to whether the result might have been different had they not occurred.
- b) Other grounds will be considered on their merits.

7 What is NOT Considered Legitimate Grounds for An Appeal

The following are **NOT** considered legitimate grounds on which to appeal, and any appeals based exclusively on one or more of these grounds will be rejected automatically, and a Completion of Procedures letter will be issued:

- 7.1 Disagreement with a mark or grade and/or appeals against the academic judgement of internal or external examiners. Coursework and examinations cannot be remarked, except in cases of procedural irregularities.
- 7.2 Any provisional mark or informal assessment of the student's work by a member of staff that is not the final mark approved by the Academic Awards Committee.
- 7.3 The retrospective reporting of extenuating circumstances which a student might reasonably have been expected to disclose to the Academic team before their meeting.
- 7.4 Appeals against the judgement of the Academic decision in assessing the extenuating circumstances.
- 7.5 Marginal failure to attain a higher class of degree.
- 7.6 Appeals where the grounds of complaint concern the inadequacy of teaching or other arrangements during the period of study; such complaints must be raised, in writing, before the Academic decision is made.

8 Submission of An Appeal Form

The form (available from the Student Support department) must be returned to the quality officer who will acknowledge the receipt of the appeal within five working days.

When submitting a request for an Enquiry or Appeal to ATHE, centres and individual learners must provide as much information as possible to facilitate the Enquiry or Appeals process. If Belmont College is making an appeal on behalf of its learner/learners, then the learner/learners' permission must be obtained prior to communication with ATHE.

Submissions of Appeals and/or Enquiries to ATHE should be in writing and should include:

- the nature of the Enquiry or Appeal with reference to the Scope at Section 1 above.
- the qualification and specific unit.
- the learning outcome and/or assessment criteria in question.
- the grounds for making an Enquiry or Appeal, along with any supporting documentation.

9 The Head of Quality May Reject the Appeal

If the student does not cite legitimate grounds for appeal. In that case, the Quality Officer will inform the student in writing within 10 days, sending a copy of the Completion of Procedures letter and the appeal form to the Head of Quality (HoQ).

10 Legitimate Grounds for Appeal

- 10.1 If there appear to be **legitimate grounds** for appeal then the Head of Quality will forward the appeal form, together with all relevant documentation, for consideration by the Academic team consisting of the HoQ and a Programme Manager not directly

responsible for the programme area covering the appealing student's course. The Academic Appeals Panel will consider any appeal that meets the criteria stated above (6 and 7). The student will be informed by the HoQ within 10 days from receipt that the investigation is under way.

- 10.2** Any such appeal will be considered by the Academic Appeals Panel, who may consult such persons as they think fit, including the student who has lodged the appeal, in arriving at a decision as to whether or not the appeal is well founded.
- 10.3** The Academic Appeals Panel will conduct the investigation as quickly as possible but, particularly during the summer vacation, there may be unavoidable delays. The HoQ will write to the student within six weeks of receipt about the progress of the appeal and will let the student know when he or she can expect to receive a decision.

11 The HoQ May Dismiss the Appeal

- 11.1** If the Academic Appeals Panel decides that there are no sufficient grounds for putting the case to the Academic team, the student will be informed in writing, and the reasons for the decision will be stated. The communication of this decision shall, in such cases, constitute the formal dismissal of the appeal.
- 11.2** If a student is dissatisfied with the outcome of the appeal, s/he may request a review on the following grounds:
 - 11.2.1 Procedural irregularity in the appeals process.
 - 11.2.2 Consideration of whether the outcome was reasonable given all the circumstances.
 - 11.2.3 That new material evidence is now available which the student was unable, for valid reasons, to provide earlier in the process.
 - 11.2.4 The review stage will not normally consider the issues afresh or involve further investigation.
 - 11.2.5 In order to request a review of an appeal, students must complete a Request for Review Form (available from the Quality office) and submit it back to the Head of Quality within four weeks from receiving the decision letter.

The Head of Quality will then pass the request to the Head of Academics or his/her nominee for consideration. The Head of Academics (or his/her authorised nominee) will review the complaint but will not usually consider the issues afresh or undertake a further investigation. The Head of Academics or his/her authorised nominee will then respond in writing within fifteen working days where possible with a copy to the head of Quality who will maintain a record of the appeal. Students will be issued with a Completion of Procedures letter at this stage.

12 The Academic Appeal Panel Upholds the Appeal

- 12.1.1 If the academic appeal panel decides there are sufficient grounds for putting the case to the Academic team, they will forward it, together with their written comments, to the relevant Head of Department. The Head of Quality will inform the student within two weeks and will subsequently inform the student when the Academic team will meet to reconsider the case. On receipt of the appeal and the Academic Appeals Panel's comments, the programme managers shall suggest the Academic team

to instruct the responsible department for the assessment against which the student has appealed to reconvene and put before the committee the student's submission, the Academic team's comments and any material relevant to the original assessment. The Programme Manager will then formally ask the committee to review its decision. The Academic team will have the right to attend and to address the meeting of the Academic team.

- 12.1.2 If the Academic team decides to uphold an appeal by a student on the grounds of extenuating circumstances of which the Academic team was unaware and of which the student could not reasonably have been expected to inform the Academic team in advance, the Academic team will decide whether it is appropriate to ask the programme manager of the department to reconvene the Academic team. If it is the Academic team view that the likely outcome of such a meeting would be that the Academic team would decide either that the extenuating circumstances should be carried forward to the next academic year committee, or that the extenuating circumstances would not have a material effect on the results, then the Academic team will not ask the programme manager to reconvene the committee meeting. However, the Academic team will ensure that the programme manager is fully apprised of the extenuating circumstances, so that they can be placed before the Academic team in the student's next academic year.
- 12.2 In causing an Academic team to reconvene, the Programme Manager or Chair may, at his or her discretion, consult by telephone or in writing any of the internal or external examiners who is/are not able to attend this reconvened meeting of the Board.
 - 12.2.1 If, following review of its decision, the Academic team is satisfied that there is no reason to amend its original decision, the Programme Manager/Chair will so inform the Academic team in writing, giving the committee reasons for reaffirming its original decision and its comments, if any, on the grounds for appeal stated by the student. If, following review of its decision, the Academic team is satisfied that there is no reason to amend its original decision the programme manager/Chair will so inform the Academic team in writing, giving the committee's reasons for reaffirming its original decision and its comments, if any, on the grounds for appeal stated by the student.
 - 12.2.2 If, following review of its decision, the Academic team concludes that its original decision was wholly or partly incorrect to the extent that it decides on a new outcome, the programme manager/Chair will inform the Academic team in writing and advise them of the amended mark or classification.
 - 12.2.3 The decision of the Academic team following review will be communicated in writing to the student stating the grounds for the decision. The communication of the decision shall in all cases constitute the formal conclusion of action taken in accordance with these procedures and will take a form of Completion of Procedures letter.

13 All Appeal

In cases where the Internal Appeals process of Belmont College is exhausted students studying on ATHE Qualifications have the right to make an Enquiry or Appeal to ATHE.

The ATHE outlines two stages with regards to Enquiries or Appeals.

1. Enquiries regarding External Quality Assurer Decisions

Where an EQA notifies the centre that any or all of its assessment or assessment decisions have not met the unit standard, the centre may, if contesting the decision, request a review of the decision.

This is termed an Enquiry and the centre should include the information referenced by the specific regulator.

For example: In the case of ATHE Programmes:

- Section 6 will be referenced as all the relevant details are found there.
- All requests must be made within 15 working days of the receipt of the EQA visit report.
- In exceptional circumstances, a learner may request an enquiry directly to ATHE.
- ATHE will arrange for a member of its staff, or an appropriate EQA, who has not been involved in the original decision, to review all of the original decisions and will let the centre know the outcome of the review.
- In the case of an independent learner who faces the situation(s) stated in Section 1 and raises an enquiry, the learner work will be:
 - quality assured by an EQA from ATHE.
 - be informed of the outcomes of the quality assurance.
- In all cases, ATHE will ensure there is a clear explanation of reasons for the decision. Either party may request a meeting if it is appropriate to do so.
- ATHE will respond within 15 days of receiving the enquiry.

If the centre or the learner is dissatisfied with the outcome of the enquiry, they may appeal against ATHE's decision.

For the purpose of this document ATHE has been used as an example. Each Programme will have its own specifications with regards to Appeals and students will be made aware of their rights and the procedures expected by their awarding body.

2. Appeals

For appeals made against an ATHE decision to an enquiry, the appeals procedure will focus on whether ATHE: used procedures that were consistent with the requirements if the regulators followed the processes set out in this policy and applied the procedures properly and fairly in arriving at judgements. In respect of assessment outcomes, the appeals process investigates procedures and is not concerned with making judgements about the learner's work.

Appeals do not inevitably involve the reassessment or remarking of the learner's work, but a review of the learner's work may be ordered if the outcome of the appeal authorises such a decision.

An appeal from an individual learner must first go through the internal appeals procedures of the learner's centre before the appeal is submitted to ATHE.

The learner's Head of Centre is required to submit the appeal on behalf of the learner to ATHE.

When reviewing an appeal from an individual learner, ATHE will consider:

- whether the procedures followed by the centre were consistent with the centre's appeals policy.

In exceptional circumstances such as the centre where the learner studied no longer being in operation or the internal processes being exhausted a learner may appeal directly to ATHE.

- **There are two stages in the appeals process:**

- **Stage 1:** Internal ATHE Appeals Panel - ATHE will communicate the outcome of this appeal to the Head of Centre within 10 working days of the meeting of the Appeals Panel. A report of the review will be sent to the Head of Centre within 15 working days of the appeal hearing.

- **Stage 2:** Independent ATHE Appeals Panel- This stage is the final step in the appeals process and a final decision will be made regarding the outcome of the initial appeal. The Independent Appeals Panel will communicate the outcome of the hearing to both parties within 5 working days of the hearing. A report of the hearing will be sent to both parties within 15 working days of the hearing.

For any appeal case that goes beyond stage 1, the Independent Appeals Panel will conduct this final stage of the appeals process.

The outcome of the Independent Appeals Panel is final; there is no further right of appeal beyond this stage. When the outcome of an enquiry or appeal questions the validity of other results, ATHE will take appropriate to protect the interests of other learners and the integrity of the qualification.

Following an enquiry or appeal, ATHE will amend centre and/or learner records where appropriate.

In cases where the outcome of an enquiry or appeal against an assessment decision affects the accuracy of results for other learners in the same cohort, the personnel involved in the review of the appeal or enquiry about a result will decide whether or not the outcome warrants reassessment of all assessments affected and any changes in grading in line with the outcome of the enquiry or appeal.

ATHE will confirm with the centre that a communication will be sent to the other learners in the same cohort, advising them of the reassessment and any changes in grading resulting from the outcome of the enquiry or appeal.

It should be noted that ATHE charges a fee to cover the administrative and personnel costs of any enquiry or appeal as well as additional fees if they need to carry out a centre visit. However, if ATHE upholds an appeal or enquiry the fee will be returned.

For any queries about the contents of the policy, please contact the Centre Support Team:
Contact: ATHE Centre Support Team: Email: support@athe.co.uk Telephone: +44 (0)1603 760 030 Post: ATHE Ltd, Suite 4B, Rosebery Court, St Andrew's Business Park, Norwich NR7 0HS United Kingdom

Following any Appeals or Enquiries to ATHE that are also exhausted, the Office of the Independent Adjudicator for Higher Education (OIA) provides an independent scheme for the review of student complaints or appeals.

When the Institution's internal procedures for dealing with complaints and appeals have been exhausted, Belmont College will issue a Completion of Procedures letter.

Following this, students have the opportunity to appeal to or enquire to ATHE and finally, students may also avail themselves of the opportunity of an independent review by the OIA.

Note:

For the purpose of this document ATHE has been used as an example. Each Programme will have its own specifications with regards to Appeals and students will be made aware of their rights and the procedures expected by both their awarding body as well as Belmont College.

Bellmont College Academic Appeal Policy and Procedure					
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1	March 2023	EWV	New Document	Advisory Board	October 2024
2	June 2023	EWV	Updated According to ATHE Guidelines	Advisory Board	October 2024
3	February 2024	EWV	Updated Document	Advisory Board	October 2024

Document Context	
This document relates to:	
Document/Policy	Date/version
Bellmont College Quality Assurance Handbook	February 2024 v2
Bellmont College Student Handbook	February 2024 v2
Bellmont College Academic Integrity and Misconduct Policy	February 2024 v2
Bellmont College Internal Verification Policy	February 2024 v2
Bellmont College Complaint Policy and Procedure	February 2024 v2
ATHE Enquiries & Appeals Concerning ATHE Qualifications	2023
QAA Quality Code Chapter B9: Academic appeals and student complaints	2019