



City, University of London

Senate Regulation 20b Academic Appeals (Taught Programmes and Validated Institutions)

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Equality and Diversity Statement

We are committed to promoting equality, diversity and inclusion in all our activities, processes, and culture, under the Public Sector Equality duty and the Equality Act 2010. This includes promoting equality and diversity for all, irrespective of any protected characteristic, working pattern, family circumstance, socio-economic background, political belief or other irrelevant distinction.

We will operate this regulation in accordance with our equality duty under the Equality Act 2010 and our duty of care. Members of staff taking action under this regulation will actively consider any equality and diversity issues which may arise. Where relevant, they may seek advice from specialist student services including in the areas of health and/or disability. We may, where we consider it necessary and appropriate, take disciplinary action irrespective of the causes of any suspected misconduct. Disciplinary proceedings may be postponed, suspended or discontinued where we consider that there is evidence to demonstrate that you are for medical reasons unfit to participate in disciplinary proceedings.

We are committed to championing equality. This includes where applicable to this regulation. We will ensure that in the coordination and make up of decision-making panels we strive to fulfil our commitments to racial equality, gender balance, and actively consider representation of other protected groups.

Contents

Introduction.....	3
Key Principles.....	3
Scope	4
Procedure	5
Stage 1 (Validated institution-level appeal).....	6
Stage 2 (University-level review).....	7
Supporting Evidence	8
Late Appeals	9
Waiting for the Outcome of an Appeal	9
Office of the Independent Adjudicator (OIA)	9
Appendix 1: Overview of Process	10
Appendix 2: Detailed Procedural Notes	12
Appendix 3: Frequently Asked Questions	15

Introduction

1. This regulation sets out the process for submitting and investigating an academic appeal against an Assessment Board decision in relation to a student's progression or award.
2. It also sets out the criteria we use when considering appeals. A successful appeal must meet at least one of the criteria – a student being unhappy with the Assessment Board's decision is not in itself a valid reason for an appeal.
3. For an overview of the process, please refer to Appendix 1.
4. In this regulation you" and "your" means a student registered for a programme taught by an institution, referred to as a "validated institution" whose taught degree programmes are validated by City, University of London. "We", "us" and "our" means the University or any of its staff, depending on context. "Validated institution" refers to the body that delivers and administers a taught degree programme validated by City.

Key Principles

5. We have a responsibility to our students to maintain the quality and standards of our awards and preserve the integrity of academic judgement.
6. Senate Regulation 19 (Assessment) sets out how students are assessed, how they progress and how awards are made. A copy of Regulation 19 is available on our [Student Policies and Regulations webpage](#).
7. We aim to follow the procedures set out in Regulation 19 to ensure that all students are treated fairly, that there is independence in the assessment process, and that the assessment of students is appropriate to maintain the academic standards of our awards.
8. We and your validated institution also aim to ensure that all students are supported to perform at their best during their studies. We provide academic and pastoral support via a number of services. Details can be found on the Help & Support pages on the [Student Hub](#).
9. We recognise that, on occasion, a student may experience problems to do with their assessment, progression or award. These may be related to external circumstances outside the student's control, or to procedural errors made by us or the validated institution during assessment.
10. All students are encouraged to report these problems to a member of staff at the validated institution (such as a Personal Tutor, course leader or course administrator) as soon as they can. The earlier a problem is reported, the more the validated institution will be able to do to assist in minimising disruption to studies.
11. Wherever possible, we will try to provide support and enable early resolution of any procedural errors.
12. When a procedural error cannot be recognised or resolved before an Assessment Board, or when a student faced difficulties at the time of an assessment but was unable to disclose them for the Assessment Board to consider, a student may need to appeal the decision of an Assessment Board. Detailed grounds for appeal are set out in the *Stage 1 (Validated institution-level appeal)* and *Stage 2 (University-level review)* sections below.
13. This regulation sets out the process for appealing an Assessment Board decision, and for investigating an appeal made in good faith which meets the grounds identified here.
14. We adhere to the principles of natural justice, and as such aim to ensure procedural fairness as part of these appeals procedures. Procedural fairness is defined by the OIA as following the University's own procedures correctly when conducting the process and

acting fairly. Therefore: (1) A student should receive copies of all information considered by the decision maker(s). (2) Any staff involved in the academic appeals process are required to be free from the reasonable perception of bias. (3) Clear reasons will be given for the decision that has been made.

15. We have a duty to investigate appeals. This will, by necessity, involve the sharing of information during the course of the investigation. We will respect confidentiality with regard to personal information, and the circulation of the appeals documentation, and evidence will always be limited to those directly involved in the investigation, who might reasonably be expected to require direct sight of the information in order to ensure the investigation is conducted with fairness and rigour.
16. All students are encouraged to contact the [Students' Union Advice Service](#) for independent, impartial advice on submitting an academic appeal.
17. If you have a disability or learning difference, support is available to assist you with submitting an academic appeal. Students are advised to contact the [Students' Union Advice Service](#) or [Student Health & Wellbeing](#). They can offer advice and support, and can assist you with receiving the relevant documentation in an alternative format. If you anticipate that it may be difficult to meet the deadlines expressed in this regulation because of a disability or learning difference, you should inform your validated institution, usually before the relevant deadline elapses. Additional time may be granted for submissions that meet these grounds at the discretion of the reviewee.

Scope

18. This regulation may be used by students registered for any taught undergraduate, graduate and postgraduate programme taught by an institution, and validated by City, University of London so that it leads to an award of City, University of London.
19. This regulation cannot be used by the following people:
 - a. Students registered for a degree taught at City, University of London, who should refer to Senate Regulation 20, available on our [Student Policies and Regulations webpage](#).
 - b. Students registered for a research programme, who should refer to Regulation 21 or 21b (Student Academic Appeals for Research Programmes) instead, available on our [Student Policies and Regulations webpage](#).
 - c. Those applying to study at City University (See the admissions policies available on our [Student Policies and Regulations webpage](#).)
 - d. Third parties wishing to raise an appeal on behalf of a student. This includes parents, guardians, relatives or the spouse or partner of a student, except where such representation has been agreed by the University or is in place as a reasonable adjustment.
20. This regulation may be used to appeal any decision made by an Assessment Board, such as
 - a. relating to a mark in a module or assessment
 - b. relating to a student's progression or non-progression to the next stage of their study
 - c. requiring a student to re-sit an assessment
 - d. to make an award or classification
 - e. to withdraw a student from their programme of study, either with no award or a lesser award than intended
 - f. to ratify a recommendation from an Extenuating Circumstances Panel or Academic Misconduct Preliminary Investigation or Academic Misconduct Panel
21. This regulation may also be used to appeal an Academic Misconduct Panel's decision to refer a student to a Stage 2 disciplinary panel or fitness to practise (train) panel. This appeal can be made within 20 working days of the referral and a student does not need to wait for the Assessment Board

to ratify that recommendation. Note that the appeal must be made on the grounds of material error only, as defined in point 31 below.

22. This regulation cannot be used in the following circumstances:
 - a. To appeal against a provisional decision or a recommendation that have not yet been ratified by an Assessment Board (for example, the recommendation of an EC Panel or a provisional mark).
 - b. To appeal against a decision which has been made by an Assessment Board in the proper exercise of academic judgement. **Academic judgement** is defined by the OIA as “a judgement that is made about a matter where only the opinion of an academic expert is sufficient”. For example the final grading of assessment, subsequent to the adherence to clear marking and moderation procedures, is an academic judgement, as is the decision to categorise the type and severity of individual cases of academic misconduct or poor academic practice. As an example, a student cannot appeal simply because they disagree with a decision the University has made or feel that a higher mark should have been given.
 - c. To complain about the quality of teaching, supervision, service provision or other circumstances that relate to the delivery of a programme of study. If an appeal contains matters which fall under Regulation 26 (Student Complaints), it will be transferred to the complaints process and the student will be notified of this. A copy of Regulation 26 can be found on our [Student Policies and Regulations webpage](#).
 - d. To appeal against any other decision made by your validated institution or the University via an alternative procedure, e.g. a decision relating to a student’s fee status or a decision about a disciplinary matter. Other procedures should set out their own appeal processes where available.

23. Where matters raised do not wholly fall within the scope of this regulation, the student will be informed that the appeal will not be progressed. By agreement with the student, the matter may be referred for consideration under the relevant procedure.

24. Related procedures include:
 - a. Academic Integrity and Misconduct Policy
 - b. Extenuating Circumstances Policy
 - c. Regulation 13: Student Discipline
 - d. Regulation 19: Assessment Regulation
 - e. Regulation 26: Student Complaints

These documents can be found on our [Student Policies and Regulations webpage](#).

Procedure

25. Our appeals process has two internal stages:
 - a. Stage 1: Consideration within your validated institution (validated institution-level appeal)
 - b. Stage 2: An independent review of the Stage 1 appeal (University-level review)

26. We aim to conclude both Stage 1 and Stage 2 processes within 90 calendar days.

27. There may be circumstances where, for good reason, we need to extend this timeframe. If this occurs, we will notify you and keep you informed of the extended timeframe.

28. The Office of the Independent Adjudicator (OIA) for Higher Education provides an independent final stage.

Stage 1 (Validated institution-level appeal)

29. You cannot appeal simply because you are unhappy with the Assessment Board's decision.
30. You may appeal only if you think that:
 - a. there has been a **material error** that has affected the Assessment Board's decision;
and/or
 - b. you were subject to previously **undisclosed extenuating circumstances** at the time of the assessment that are relevant to the Assessment Board's decision
31. To appeal on the basis of **material error**, we expect that you can demonstrate a significant procedural error that has had an impact on (i.e. is *material* to) the Assessment Board's decision. This means that the decision would have been different if the error had not occurred. The error may be in the conduct of the assessment itself, in the proceedings that led to a recommendation being made to the Assessment Board or in the proceedings of the Assessment Board.
32. **Extenuating circumstances** are defined as circumstances which could not have been predicted and are outside a student's control which can be shown to have had a direct and substantial impact on their academic results. This may include an impact on capacity to study prior to an assessment, on ability to complete an assessment, and/or on performance during an assessment.
33. If you are impacted by such circumstances, you are expected to disclose them to your validated institution at the time, and as set out in the Extenuating Circumstances Policy. In some cases, we recognise that you will be unable to do so because of the circumstances themselves and may therefore need to appeal.
34. To appeal on the grounds of **undisclosed extenuating circumstances**, we expect that you can demonstrate:
 - a. that you experienced some extenuating circumstances (as defined above) at the time of the assessment, which you support with evidence,
and
 - b. that you could not have disclosed these at the time via the usual extenuating circumstances procedures for a valid and overriding reason outside your control, which you also support with evidence.
35. It is essential that you explain why you could not disclose circumstances at the time of the assessment. When considering why you could not do so, we will not normally accept the following:
 - a. You say that you were unaware of the extenuating circumstances arrangements at the time.
 - b. You made an assumption at the time of the assessment that your performance would not be affected by an event which you have since decided resulted in extenuating circumstances.
36. Details of how to submit an appeal are provided by your validated institution. You must submit your appeal, together with your supporting evidence, within **20 working days** of the release of results following the relevant Assessment Board.
37. The validated institution will acknowledge receipt of your appeal, which will be given initial consideration by at least two members of staff within the validated institution.
38. Additional details on how appeals are considered can be found in Appendix 2.
39. There are several possible outcomes of this consideration. The validated institution will tell you the outcome in writing within 20 working days from the date they receive your completed appeal. Clear reasons will be given for the decision that has been made.

40. In 'material error' cases, they may uphold your appeal (in full or part) with a recommendation for immediate corrective action by the Chair of the Assessment Board, or with a recommendation to the Assessment Board (normally for an opportunity for re-assessment).
41. In 'undisclosed extenuating circumstances' cases, they may uphold your appeal (in full or part) and pass the Extenuating Circumstances form submitted with your appeal to an Extenuating Circumstances Panel for consideration in accordance with the Assessment Regulations.
42. They reserve the right to return a submitted appeal form to you with an opportunity for you to revise it and resubmit the appeal to us within 10 working days.
43. They may reject your appeal because the form was incomplete, incorrect, not accompanied by supporting evidence, or did not demonstrate grounds for appeal.
44. In exceptional cases, they may refer your appeal for further consideration by a Validated Institution Appeal Panel. In such cases, we are unlikely to be able to conclude the Stage 1 and Stage 2 appeals within 90 calendar days but will keep you informed during the process.
45. If they refer your appeal to a Validated Institution Appeal Panel, you will be invited to participate in the panel meeting. This will normally be convened within 20 working days of the outcome of the initial consideration. You can find more information about the Panel in Appendix 2.
46. There are several possible outcomes from the Panel. The validated institution will tell you the outcome in writing within 10 working days of the Appeal Panel. Clear reasons will be given for the decision that has been made.
47. The possible outcomes of the Appeal Panel are:
 - a. That your appeal is upheld (in full or part) with a recommendation to the Assessment Board to permit you to re-sit some/all failed assessments as a first or additional attempt, reinstating you on the programme if necessary;
 - b. That your appeal is upheld (in full or part) with referral of the case back to the Assessment Board with commentary, noting that the panel may not recommend any alteration to the original marks;
 - c. That your appeal is rejected as you have not demonstrated the grounds for appeal.

Stage 2 (University-level review)

48. A Stage 2 appeal (University-level review) is not a reconsideration of your original appeal. You cannot ask for a review simply because you are unhappy about the Stage 1 decision.
49. You may ask for a review of the validated institution's decision about your Stage 1 appeal if you think that:
 - a. there has been a **material error** at Stage 1 that has affected the decision of the Stage 1 appeal
and/or
 - b. **new information** has become available which is relevant to the decision of the Stage 1 appeal.
50. To request a review on the basis of a **material error**, we expect that you can demonstrate a significant administrative or procedural error that has had an impact on (i.e. is *material* to) the outcome of the Stage 1 appeal. This means that the Stage 1 outcome would have been different if the error had not occurred.
51. To request a review on the grounds of **new information**, we expect that you can

demonstrate

- a. that there is substantive new information, which you support with evidence,
and
 - b. that you could not have not disclosed this information in the Stage 1 appeal for a valid and overriding reason outside your control, which you also support with evidence.
52. It is essential that you explain why you could not disclose this information in the Stage 1 appeal. When considering your reasons, we will not normally accept that you say that you did not think the information was relevant, or that you did not want to disclose it.
 53. Details of how to submit an appeal are available on the [Student Hub](#). You must submit your Stage 2 appeal, together with your supporting evidence, within **15 working days** of the outcome of the Stage 1 decision.
 54. We will acknowledge receipt of your appeal, which will be given initial consideration by at least two members of staff from City, University of London, usually within Academic Services.
 55. Additional details on how appeals are considered can be found in Appendix 2.
 56. There are several possible outcomes of this consideration. We will tell you the outcome in writing within 20 working days from the date we receive your completed appeal. Clear reasons will be given for the decision that has been made.
 57. In 'material error' cases, we may uphold your Stage 2 appeal (in full or part) with a recommendation for immediate corrective action.
 58. In either 'material error' or 'new information' cases, we may uphold your Stage 2 appeal (in full or part) and refer it back to your validated institution for further consideration. Following this consideration, you may then only request a further review of the decision on the ground of a material error.
 59. If your appeal is referred to your validated institution for immediate corrective action or for further consideration, the validated institution will have 20 working days to respond to you, normally with the final outcome of the referred appeal.
 60. We reserve the right to return a submitted appeal form to you with an opportunity for you to revise it and resubmit the appeal to us within 10 working days.
 61. We may reject your appeal because the form was incomplete, incorrect, not accompanied by supporting evidence, or did not demonstrate grounds for appeal.

Supporting Evidence

62. Stage 1 and Stage 2 appeals without evidence cannot usually be accepted. It is your responsibility to provide evidence to support your appeal; your validated institution or City's Academic Services cannot obtain evidence on your behalf.
63. Evidence normally takes the form of written confirmation from an objective, independent, third party. It relates to facts, not personal opinions, and will often come from an expert or person in authority. Examples include: a medical certificate; a death certificate; an official doctor's or counsellor's report or a similar report from another professional; a police incident report; official notification from a court (e.g. if you are acting as a witness). All these documents are official and independent.

64. A translation (undertaken by an official/accredited translator) must be provided for any material not in English – untranslated documents cannot be considered.
65. Evidence that will not normally be considered includes supporting statements from friends or relatives, as well as evidence that does not relate to the case you are making (e.g. it covers a different period of time or is not relevant to your assessment).
66. If you submit an appeal and have outstanding evidence, you will need to submit this within 10 working days of receipt of your appeal. Evidence cannot usually be accepted after this deadline.

Late Appeals

67. If you foresee any problems meeting the published deadlines, you are advised to contact your validated institution as soon as possible.
68. Appeals received outside the timescales outlined in this regulation will usually be rejected unless you can demonstrate that exceptional circumstances caused the delay. You may submit an explanation and supporting evidence with your appeal form. The explanation provided should be relevant to the period from the published appeal deadline until the submission of the appeal.

Waiting for the Outcome of an Appeal

69. The Assessment Board decision about your award or progression stands unless it is changed as a result of an appeal. This means that you are expected to abide by the original decision regarding your results, award or progression unless they are overturned following the consideration of an appeal.
70. If the Assessment Board's decision was that you should retake assessment(s), you should continue to prepare for any reassessment(s) whilst your appeal is considered. The outcome of your appeal may not result in a change to the Assessment Board decision, and you may need to retake assessment(s) as planned.
71. However, if you are seeking an opportunity to be reassessed, you may like to prepare for the possibility that your appeal may result in you being offered an opportunity for reassessment and the outcome may be issued very close to the next assessment opportunity. Note that we cannot consider your preparation as evidence to support your appeal.

Office of the Independent Adjudicator (OIA)

72. Following Stage 2, we will send you a Completion of Procedures (CoP) Letter confirming that all stages of this regulation at the University have been concluded.
73. If you remain dissatisfied with the final decision made under Regulation 20 (Academic Appeals for Taught Students), you may be able to take a complaint to the Office of the Independent Adjudicator (OIA) for Higher Education.
74. Information and eligibility rules are available at: www.oiahe.org.uk.

Appendix 1: Overview of Process

We recommend that you seek advice from the [Students' Union Advice Service](#) when submitting a Stage 1 or Stage 2 appeal.

Stage 1 (Validated institution level)

Grounds for appealing: Undisclosed Extenuating Circumstances AND/OR Material Error

Send your appeal within 20 working days of the written confirmation of the Assessment Board decision. If you are waiting for evidence, you may supply this within a further 10 working days but you **must** submit the appeal on time.



Initial scrutiny

An acknowledgement email is sent indicating the receipt of your appeal.

Your appeal is scrutinised (considered) by two members of staff.

An outcome email is sent to you, usually within 20 working days of receipt of appeal.

Possible Outcomes

Upheld and referred to Extenuating Circumstances Panel (ECP)

Your appeal is upheld because there is a valid reason that you could not disclose your extenuating circumstances (EC) at the usual time.

The EC Panel will consider your EC claim and decide if there is evidence of an impact at the time of your assessments.

If the EC Panel rejects the EC claim, you can appeal at Stage 2 if it meets specific grounds

Upheld with immediate action

Your appeal is upheld and your validated institution will get in contact with you to advise on the next steps following the actions recommended.

Returned

You will be asked to resubmit your appeal with the additional information required within 10 working days. Once you do so, your appeal will be considered.

Rejected

Check whether you have grounds for Stage 2 appeal (University level Review)

A Stage 2 submission must be made within 15 working days of the appeal rejection outcome email.

Stage 2 (University Level Review)
Grounds for requesting a review: Material Error AND/OR New Information

Send your appeal within 15 working days of the outcome of the Stage 1 appeal. If you are waiting for evidence, you may supply this within a further 10 working days but you **must** submit the appeal on time.

Initial scrutiny
An acknowledgement email is sent indicating the receipt of your appeal.
Your appeal is scrutinised (considered) by two members of staff.
An outcome email is sent to you, usually within 20 working days of receipt of appeal.

Possible Outcomes

Upheld
Your appeal is upheld and will be referred to your validated institution for either of the following:
(1) Immediate corrective action
OR
(2) Reconsideration of your appeal.
If the reconsidered appeal is then rejected, you may submit a final Stage 2 appeal but only on the grounds of material error.

Returned
You will be asked to resubmit your appeal with the additional information required within 10 working days. Once you do so, your appeal will be considered.

Rejected
You may be able to submit a complaint to the OIA if you are dissatisfied with the outcome.

OIA
If your appeal has been rejected at Stage 2 and all the City St George's internal procedures have been concluded, you will be issued with a Completion of Procedures (CoP) letter. Following this, if you are dissatisfied with the final decision on your case, you may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education. Information and eligibility rules are available at: [Office of the Independent Adjudicator \(OIA\) for Higher Education](#).

Appendix 2: Detailed Procedural Notes

Stage 1: Initial consideration within the validated institution

- The validated institution will appoint an officer to deal with academic appeals – referred to as the Validated Institution Officer(s).
- The Validated Institution Officer and one other member of staff within the validated institution will give initial scrutiny to a student's appeal. The staff performing this role must have knowledge of this regulation and other relevant regulations, policy and procedures.
- The initial scrutiny will assess whether the appeal meets the criteria set out in this regulation.
- Each member of staff undertaking the initial scrutiny will be required to state which outcome they find appropriate. When both members of staff agree on the outcome, and there are reasons provided for this decision, the initial scrutiny will be considered complete.
- A member of staff in the validated institution will act as appeals administrator to manage the initial scrutiny process within the validated institution. This means:
 - Receiving appeals and ensuring that they are acknowledged.
 - Arranging for them to be given initial consideration.
 - Advising the Validated Institution Officer as necessary.
 - Recording the outcome of initial scrutiny and reporting to the Course Board.
 - Informing the student.
 - Implementing the outcome.

Validated Institution Appeal Panel

- In exceptional cases, usually where the two members of staff conducting the initial scrutiny cannot reach a consensus, or further information from the student is required, a Validated Institution Appeal Panel will be convened.
- The Appeal Panel will normally meet within 20 working days of the outcome of initial scrutiny being sent to the student.
- The panel will have three members:
 - A Chair (the Validated Institution Officer or their nominee)
 - Two other members appointed by the Validated Institution Officer
- The validated institution appeals administrator or their nominee will attend the hearing to advise the panel concerning relevant regulation, policy, procedure and guidance. The administrator will not be part of the Appeal Panel.
- The student will be invited to attend the Appeal Panel hearing and can choose to be accompanied by one other person, such as someone from the Students' Union. If the student chooses to be accompanied, they must provide information about the person who is accompanying them to the Secretary of the panel at least 5 working days in advance. This

should include details of the person's relationship to the student and the reason for the person's attendance.

- A student may only be represented in their absence in exceptional circumstances. Any request for this requires the agreement of the Chair of the Panel. If a student chooses not to attend, or fails to attend without submitting, in writing, valid reasons for a postponement, the panel may meet in the student's absence.
- The Programme Director (or nominee) may attend the hearing but does not form part of the panel and will not be present during the panel's deliberations. The Programme Director's role is to provide information and/or clarification to the Panel.
- The appeals administrator will manage the Appeals Panel process within the validated institution. This means:
 - Arranging for Panels to meet as necessary.
 - Acting as Secretary to Panels, or appointing a nominee to act in their place.
 - Advising the Panel as necessary.
 - Recording the outcome of the Panel meeting and reporting to the Course Board.
 - Formally writing to the student after the meeting to confirm the outcome.
 - Implementing the outcome.

Stage 2: (University-level) review

- Senate will appoint an officer at City, University of London to oversee the Stage 2 process, referred to as the University Officer.
- The University Officer and one other member of staff, usually within Academic Services, will give initial scrutiny to a student's appeal. The staff performing this role must have knowledge of this regulation and other relevant regulations, policy and procedures.
- The initial scrutiny will assess whether the appeal meets the criteria set out in this regulation.
- Each member of staff undertaking the initial scrutiny will be required to state which outcome they find appropriate. When both members of staff agree on the outcome, and there are reasons provided for this decision, the initial scrutiny will be considered complete.
- The Stage 2 administrator will be a senior member of staff within Academic Services, and will the Stage 2 process. This means:
 - Acknowledging receipt of Stage 2 appeals.
 - Identifying two senior members of Academic Services, with knowledge of this regulation and other relevant regulations, policy and procedures, and advising them as necessary.
 - Recording the outcome of the scrutiny, and reporting it to the validated institution and Senate.
 - Implementing the outcome of the scrutiny.
 - Writing formally to the student to tell them the outcome of the scrutiny, including

advising them of the completion of procedures (CoP) in line with the OIA requirements.

Appendix 3: Frequently Asked Questions

What is the difference between an appeal and a complaint?

An appeal is directly related to a decision by an Assessment Board regarding a student's assessment, progression or award. A complaint may concern any aspect of the student experience or the wider, including educational aspects, with which a student has a grievance (excepting issues which are covered by appeals).

The appeal regulations require certain grounds to be satisfied in order for an appeal to be considered. The complaints regulation does not specify particular grounds which must be met, although it is expected that all reasonable efforts are made to resolve the matter/s informally. We may refer your appeal to the complaints procedure if we determine that the information you have provided pertains to that process.

If you aren't sure, speak to your personal tutor, Course Officer, Programme Director or the [Students' Union Advice Service](#).

I believe there was a mistake in the marking of my assessment. Should I submit an appeal?

You can request a clerical check of your marks rather than submitting an appeal. Please note that clerical checks do not involve remarking; your assessment marks are instead recounted to ensure they have been calculated correctly. Your request must be submitted within 28 calendar days of the notification of your results. You should contact your Course Office to request this.

Detailed information can be found in City's Senate Regulation 19: Assessment Regulations available on our [Student Policies and Regulations](#) webpage.

When is it possible to appeal?

Before you decide whether or not to appeal, it is a good idea to talk to your module leader, Programme Director or personal tutor. It may be that you have a question which could be answered that way, rather than by making an appeal. You may also find it helpful to take advice from the [Students' Union Advice Service](#).

If you decide to appeal, this must be done as soon as possible after confirmation of the decision regarding your results, progression or award. For taught programmes, the decision is made by the Assessment Board and you must appeal no later than 20 working days after the release of your results. For research programmes an appeal may be made no later than 20 working days after official notification of your registration status or the outcome of your examination.

What is the difference between a provisional result and a final result?

You can only appeal against the final decision regarding your results, award or progression. You cannot appeal against any provisional results or decisions you receive (e.g. prior to the final Assessment Board). For example, taught students may receive provisional results during the year, but will need to wait until formal notification from the Assessment Board before considering an appeal.

What is the difference between Stage 1 (validated institution) appeal and a Stage 2 review?

A validated institution-level appeal (Stage 1 appeal) is an appeal against the decision of the Assessment Board for taught students or the decision regarding your registration status or examination results for research students. For example, you can appeal against the decision that you are required to take a resit examination, or that you may not progress to your next stage of study.

A Stage 2 review is a request for a review of the outcome of the Stage 1 appeal. You must have submitted and received a response to your Stage 1 appeal before you can consider submitting a request for Stage 2 review.

What is a material error?

A material error is a significant procedural error on the part of the institution that has had an impact on (i.e. is *material* to) a decision that has been made. This means that the decision would have been different if the error had not occurred.

For example, you may wish to tell us at Stage 1 about an error may be in the conduct of the assessment itself, in the proceedings that led to a recommendation being made to the Assessment Board or in the proceedings of the Assessment Board. At Stage 2, you may wish to tell us about an error made during the Stage 1 appeal process.

What will you do to put a material error right?

If we find evidence of a material error, we will take steps to resolve it for you. This may mean that we take immediate action to correct a mistake and we re-issue your corrected results for you; it may mean that we offer you another attempt at the affected assessment(s).

What are extenuating circumstances?

Extenuating circumstances (EC) are circumstances which could not have been predicted and are outside a student's control, and which can be shown to have had a direct and substantial impact on their academic results. This may include an impact on capacity to study prior to an assessment, on ability to complete an assessment, and/or on performance during an assessment. You can read more about EC in the EC Policy, available on our [Student Policies and Regulations webpage](#).

What are undisclosed extenuating circumstances?

Undisclosed extenuating circumstances (EC) are circumstances that affected that you at the time of the assessment (as defined above) which you could not have disclosed at the time via the usual EC procedures for a valid and overriding reason outside your control. If you submit an appeal on the grounds of undisclosed EC, you will be asked to complete an appeal form *and* a EC form. The form will ask you to do this automatically and both will be submitted.

What will you do if I have undisclosed extenuating circumstances?

We will first look at your appeal to establish whether you have a good reason for not telling us about your circumstances at the time. This reason needs to be valid and overriding, so it cannot be that you did not want to tell us or thought you would not be affected but have later decided that you were. You will need to support this reason with evidence. If we find that you have demonstrated a valid and overriding reason, we will uphold your appeal and ask an EC Panel to take a look at the EC claim. The EC Panel may make a recommendation to the Assessment Board that you are offered a further attempt at the affected assessment(s).

Please note that your appeal form and EC form are considered separately, even if you have disclosed the same or similar circumstances in both. Therefore, your appeal being upheld is no indication that the EC Panel will also uphold the EC claim itself. Similarly, while you may have faced genuine extenuating circumstances at the time of the assessment, we cannot uphold your appeal and ask the EC Panel to consider your EC claim if we do not find a valid and overriding reason for not disclosing the circumstances.

I need to appeal on grounds of undisclosed Extenuating Circumstances and material error. Do I need to submit two separate appeals?

No, you should only submit one appeal and explain both grounds there. There are separate sections of the form to allow you to enter details of your undisclosed Extenuating Circumstances and any material error.

I want to appeal to submit new information about multiple issues which affected me - do I need to submit multiple appeals to cover these issues?

No, you should submit only one appeal – include all the new information you want considered in the one appeal submission.

My appeal relates to multiple assessments. Do I need to submit an appeal for each individual assessment?

No, you can add details of multiple assessments to the same appeal form.

How strict are the deadlines for submission of an appeal?

It is important that validated institutions and City St George's adhere to the deadlines for submission of appeals and outstanding evidence for fairness and parity to all students. But, if you believe you have a very good reason why you are not able to submit your appeal or evidence within the specified deadline and that reason is outside your control, you may like to contact your department or the [Students' Union Advice Service](#) for further advice or guidance.

How and where do I submit my appeal?

You must submit a Stage 1 appeal within **20 working days** of the notification of your results (for taught students) or the decision regarding your registration status (for research students).

A request for review must be submitted within **15 working days** of the date that the Stage 1 appeal decision was issued.

If you are a BVS/BPTC/LPC student in The City Law School, you should refer to your Programme Handbook for the correct procedure.

Links to the forms for all students can be found on the Student Hub here: studenthub.city.ac.uk/help-and-support/extenuating-circumstances-complaints-appeals.

What can be used as evidence in my appeal?

The appeals form gives detailed guidance on what can and cannot be used as evidence. Evidence normally takes the form of written confirmation from an objective, independent, third party. It relates to facts, not personal opinions, and will often come from an expert or person in authority. Examples include: a medical certificate; a death certificate; an official doctor's or counsellor's report; a police incident report; official notification from a court (e.g. if you are acting as a witness); official confirmation of bankruptcy proceedings; a ticket and compensation claim for disrupted travel. All these documents are official and independent. Any evidence not originally in English must be translated via an official translation service.

Evidence that will not normally be considered would include supporting statements from friends or relatives as well as evidence that doesn't relate to the case you are making (e.g. it covers a different period of time or isn't relevant to your assessment).

I need to add more information/evidence to an appeal I have already submitted. How do I do this?

Once an appeal has been submitted, it cannot be edited and no further evidence can be uploaded by the student. If you need to add more information to the content of your appeal, you should contact your validated institution in the first instance. Your appeal would need to be returned to you in order for you to be able to edit your appeal. If you would like to submit additional evidence, you should send the evidence directly to your department asking that it be considered with your appeal. A member of staff will be able to attach this evidence to your appeal submission.

Can I get help putting my appeal together?

City St George's [Students' Union Advice Service](#) is a free, confidential service for students. They will spend time listening and talking to you in order to understand your situation and how you are being affected. They will then explain all the different options to you and what is involved in each one. Once you have decided on your preferred option, they will support you in taking the appropriate action. Their support may involve assistance in writing, explaining relevant rules and regulations, preparing for meetings or hearings, and attending those meetings or hearings with you.

How will my appeal be dealt with?

Academic appeals by students are dealt with under Regulations 20, 20b, 21 and 21b (depending on your student group). The relevant regulation outlines the process.

Who will look at my appeal?

Your appeal will be reviewed by senior members of staff within your Validated Institution or Academic Services. All appeals go through an initial scrutiny process which is undertaken by two members of staff. You will be informed of the outcome of the initial scrutiny by email. Almost all appeals are resolved at this stage. Very occasionally, an appeal may be referred to an Appeal Panel hearing; full details about this can be found in the main regulation.

Taught students should note that an Appeal Panel is not the same as an Extenuating Circumstances Panel. An Extenuating Circumstances Panel will consider what circumstances affected you at the time of your assessment and make a recommendation to the Assessment Board. If you submit an appeal on the grounds of undisclosed extenuating circumstances, your appeal will be considered via initial scrutiny and, if it is upheld, it will be referred to the EC Panel for further consideration.

How quickly will my appeal be dealt with?

You will receive an acknowledgement telling you your appeal has been received. The initial scrutiny can take up to 20 working days from the date of receipt of a complete appeal, i.e. once we have received all details and evidence. You will be notified if consideration of your appeal is going to take longer than the published timeframes. Some appeals may then need to be referred to an Extenuating Circumstances Panel which will take additional time.

Many appeals are delayed because the information given by the student is not accurate, complete, or clear. Staff will do their best to get back to you and ask you to make changes but this will inevitably delay the process. If you don't provide the right information and evidence then it is likely that your appeal will be rejected.

Can I carry on with my studies while my appeal is considered?

The Assessment Board decision about your award or progression stands unless it is changed as a result of an appeal. This means that you are expected to abide by the original decision regarding your results, award or progression unless they are overturned following the consideration of an appeal.

Should I continue to work on coursework/prepare for examination(s) whilst my appeal is considered?

If the Assessment Board's decision was that you should retake assessment, you should continue to prepare for any reassessment whilst your appeal is considered, as the outcome of your appeal may not result in a change to the Assessment Board decision.

If your appeal is seeking an opportunity to be reassessed, you may like to prepare for the possibility that your appeal may result in you being offered an opportunity for reassessment and the outcome may be issued very close to the next assessment opportunity. However, the School cannot consider your preparation as evidence to support your appeal.

I don't understand the advice I have been given about my appeal or what the outcome of my appeal means. What do I do?

Speak to the person who contacted you with the advice/outcome in the first instance to seek clarification. Your Course Officer, Personal Tutor or Programme Director may also be able to help with detailed advice specific to your course. You may also wish to contact the [Students' Union Advice Service](#) who will be able to advise you and help you get the clarification you need.

What happens if my appeal is successful?

If your Stage 1 appeal is upheld, we may offer you another attempt at the affected assessment(s), take corrective action or ask the EC Panel to consider your EC claim. If your appeal is upheld and your EC claim is referred to the EC Panel, you are advised to wait until this has been considered before taking any further action. As above, your EC claim and appeal are considered separately so if the appeal is upheld but your EC claim is then rejected, you may wish to consider whether you have grounds for seeking a Stage 2 Review.

If a Stage 2 appeal is upheld, we may take corrective action or we may refer the case back to your School for further consideration.

What happens if my appeal is unsuccessful?

If your appeal is unsuccessful, the original decision regarding your results, progression or award will stand. If your appeal was at Stage 1 then you may wish to consider whether you have grounds for seeking a Stage 2 Review. If your request was for a Stage 2 Review, you may wish to consider whether you have grounds to apply to the Office of the Independent Adjudicator for Higher Education.

What is the OIA?

The Office of the Independent Adjudicator for Higher Education (OIA) is an independent scheme which reviews student complaints against universities. The scheme is free for students to use. You can only apply to the OIA once you have exhausted all procedures at City St George's and received a Completion of Procedures letter. Information on the OIA and the types of cases they will consider can be found at: www.oiahe.org.uk.

Who can I contact for more information?

For impartial advice and guidance, you may wish to contact the [Students' Union Advice Service](#).

Stage 1 Appeals

Please contact your validated institution directly for any queries you may have about your Stage 1 appeal.

Stage 2 Reviews

Please contact the Student Experience (Casework) team in City St George's Academic Services for any queries you may have about your Stage 2 review: ace@city.ac.uk.