

ACADEMIC APPEALS POLICY

Academic Appeals Policy

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Academic Appeals Policy

This Policy sets out the procedures for processing student academic appeals.

Where the text states 'School' this should be understood to refer to Academic Schools. The appropriate Academic School remains accountable for the operation of these procedures.

Where the text states student, this includes apprentices.

For students of Validated Institutions, where the text states 'School, this should be read as 'Validated Institution'. For students of Partner Colleges and Kent International College, where the text states 'Division', this should be read as "College". For students in the Student Life Directorate, where the text states 'School, this should be read as 'Student Life Directorate'.

PART A - General Information about Academic Appeals

1. Introduction and Scope

- 1.1. An academic appeal is "a challenge to or request for reconsideration of a decision by an academic body that makes decisions on student progress, assessment and awards." (Office of the Independent Adjudicator for Higher Education ([OIAHE](#))).
- 1.2. This Policy applies to students who wish to appeal against the decision of the following academic bodies:
 - 1.2.1. Assessment Boards for either an undergraduate or postgraduate taught course of study (see Appendix 1).
 - 1.2.2. Academic Misconduct Committees or their Chairs (See Appendix 2).
 - 1.2.3 Academic Regulations for Research Courses of Study (Including New Route PhD Courses)² (See Appendix 3).

² See [Academic Regulations for Research Courses of Study \(Including New Route PhD Courses\)](#)

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1.2.4. Social Work Suitability Procedures (See Part D of this procedure)

1.2.5 For appeals in relation to KMMS Fitness to Practice decisions, please see [KMMS Low-Level Concerns, Fitness to Study, and Fitness to Practise Procedure](#).

1.3. The procedures set out in this Policy are for current students.

1.3.1. Should a former student have good reason to submit an appeal beyond the deadlines stated within this procedure, they should be aware that it may be challenging to investigate or respond to the appeal, for example because records may no longer be available. Therefore, it is advisable that an appeal is submitted within the given deadlines to ensure that it can be considered effectively.

2. General Information about Academic Appeals

2.1. Students who submit an appeal can expect to do so without risk of disadvantage or of unfair treatment. The University recognises that pursuing an appeal may be stressful and aims to finalise the process as quickly and efficiently as possible. Student well-being will be considered throughout the process and reasonable adjustments will be made where necessary in order to ensure equity and accessibility for all students submitting an appeal.

2.2. Students have the right to withdraw their appeal at any time.

2.3. Students may not appeal against the academic judgement of the academic body or its academic nominee. Academic judgement is defined as an opinion that can only be given by an academic expert, for example, a judgement about marks awarded for assessment, progression, degree classification or the achievement of course outcomes.

2.4. Students should normally submit their appeals themselves.

2.4.1. However, there may be times where a student wishes or needs to be represented by a third party, for example a Kent Students' Union Adviser, or a relative.

2.4.2. Where the student is represented by a third party, the student must give formal written permission for this representation and for the University to discuss personal information with the third-party representative.

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- 2.4.3. Where written permission is not provided, the University will decline to accept a third-party appeal submission.
- 2.5. All staff involved in the consideration of appeals are required to undertake Equality, Diversity and Inclusivity training and attend training provided by the Appeals, Conduct and Complaints Office.
- 2.6. Students are reminded that all appeals will be dealt with confidentially. All information and evidence submitted as part of an appeal will be treated as sensitive personal data under GDPR legislation ('special category data') and processed as such. Materials will be kept securely, with access restricted to those staff in the University who have a legitimate reason for accessing it in order to process the appeal.

3. Advice on the Appeals Process for Students

- 3.1. Advice and support for students is available from their Students' Union and students considering submitting an appeal are strongly encouraged to contact the Kent Students' Union Advice Centre at the earliest opportunity to discuss their appeal submission. Advice on the procedure itself can also be sought from the Appeals, Conduct and Complaints Office.
- 3.2. Appeals are not legal proceedings and legal representation at an Appeal Review/Final Academic Appeal hearing would only be appropriate in very exceptional circumstances. The involvement of a legal representative has potential to change the nature of the procedure or delay the process. However, if a student asks to use a legal representative, the University will carefully consider whether it would be reasonable in the particular circumstances of the case to allow them to do so.

3.3. Student Complaints and Appeals related to Protected Characteristics

4.1. Student Complaint Procedure

- 4.1.1. The University also has a Student Complaints Policy and Procedure. This policy and procedure is distinct from Academic Appeals policy and procedures.
- 4.1.2. On occasion, students will submit both an appeal and a complaint at the

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same time and when this happens it may be necessary to suspend one process until the other is completed. With the agreement of the student, however, it may be decided to consider these matters together. In this situation a decision will be made by the Senior Appeals Conduct and Complaints Officer in consultation with the Head of Appeals, Conduct and Complaints and the student will be informed.

4.2. ³Appeals that are identified as having no serious purpose or intended to cause disruption or annoyance

- 5.1. Appeals that are identified as having no serious purpose or that are intended to cause disruption or annoyance will be dismissed. Examples include the following types of appeals:
 - 5.1.1. those that the University has previously considered and decided;
 - 5.1.2. those that are about something which a fair-minded person would consider to be trivial;
 - 5.1.3. those where the student is pursuing in a way that is having a seriously negative effect on the University's staff or work;
 - 5.1.4. those where the student is looking for a remedy that lacks any serious purpose or value.
- 5.2. The Head of Appeals, Conduct and Complaints (or nominee) will decide whether an appeal is dismissed on this basis.
- 5.3. Where the appeal is dismissed, the student can submit an Appeal Review Request within **7-calendar days** of being notified.

PART B – Academic Appeals Process – General Information

4. Steps of the Academic Appeals Process

- 4.1. The University of Kent appeal process consists of three steps – Early Resolution, Formal Appeal and Appeal Review.

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Early Resolution

Designed to address a student's concerns quickly and directly with their Academic School (see section 9)

Formal Appeal

Used where a student is either dissatisfied with the outcome of Early Resolution, and has asked for formal consideration of their appeal. Specialist staff outside the student's Academic School consider the appeal (see section 11)

Appeal Review

Review of the process of the Formal Appeal stage by an academic Chair to make sure that appropriate procedures were followed and that the decision was reasonable (see section 18)

- 4.2. Appeals against Social Work Suitability Procedures will be considered at the Final Appeal Stage only. For more information see Part D below.

5. Deadlines for submitting Academic Appeals

- 5.1. Students should submit to the following deadlines:

- 5.1.1. Early Resolution – within **7–calendar days** following receipt of the academic body's decision.
- 5.1.2. Formal Appeal – within **28–calendar days** following receipt of the academic body's decision or within 7-calendar days **following receipt of the outcome of Early Resolution**, whichever is the longer. If a student has not attempted Early resolution the case may be referred back to the Early resolution stage for consideration.
- 5.1.3. Appeal Review Request – within **7–calendar days** of receipt of their Formal Appeal Outcome.
- 5.1.4. Final Appeal against Social Work Suitability Procedures and Fitness to Practice Procedures – within **28-calendar days** of receipt of the formal decision.

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5.2. There is flexibility to extend the deadlines for students set out in this procedure if there is good reason to do so. The following are examples of what may be considered good reason:

- 5.2.1. Where a student has an Inclusive Learning Plan (ILP) that recommends adjustments in order to accommodate difficulties around meeting deadlines; and/or
- 5.2.2. In order to provide a student with a rapid outcome and to prevent unnecessarily entering the formal stages of the appeal process (for Early Resolution only); and/or
- 5.2.3. Extenuating circumstances substantiated with supporting evidence; and/or
- 5.2.4. A delay in receipt of the outcome from the School of an Early Resolution enquiry.

This list is not exhaustive.

5.3. If an appeal is received beyond the deadline, the student should provide good reason as to why the appeal is late.

- 5.3.1. The reason stated, along with supporting evidence, will be considered by a Senior Appeals, Conduct and Complaints Officer.
- 5.3.2. A decision on the validity of the good reason will normally be made within **3-calendar days** of receiving the appeal.
- 5.3.3. If the reason is deemed valid, the appeal will be accepted for consideration.
- 5.3.4. If the reason is deemed invalid, the appeal will be dismissed. The student can appeal this decision by submitting an Appeal Review request within **7-calendar days** (see section 18).

6. Timeframes for processing Academic Appeals

- 6.1. Schools should provide a response to Early Resolution within **14-calendar days** of receipt of the request.
- 6.2. The Appeals, Conduct and Complaints Office should provide an outcome to a Formal Appeal within **28-calendar days** of receipt.

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- 6.3. The Appeals, Conduct and Complaints Office should provide an outcome to an Appeal Review request within **28-calendar days** of receipt unless an Academic Appeals Review Panel is convened, in which case the final outcome should be provided within **52-calendar days** of receipt.
- 6.4. The completion of the formal appeals process should normally take no longer than **90-calendar days**. At each stage of appeal, if deadlines are exceeded, the student will be kept informed.
- 6.5. For the timeframes of processing final appeals against Social Work Suitability to Practice Procedures and Fitness to Practice Procedures, please see section D, below.

7. Early Resolution

- 7.1. Students are strongly advised to resolve any issues or concerns informally with their School before entering the formal appeals process. This can provide a speedy outcome without the stress of a formal appeal.
- 7.2. Where a student does not submit an Early Resolution request and proceeds directly to submit a Formal Appeal, they will be asked to provide a valid reason for not seeking to resolve their issues and concerns informally via Early Resolution.
- 7.3. Requests for Early Resolution should be made within **7-calendar days** of receipt of the decision of the academic body in order to ensure the informal part of the process can be completed within the overall time period allowed for the submission of a formal appeal.
- 7.4. Examples of issues that may be raised directly with the School as part of the early resolution process are laid out in Appendices 1 to 3.
- 7.5. **Important:** where a successful Early Resolution outcome could allow the student to graduate at the next Congregation Ceremony, the student should submit their early resolution request **as soon as possible**.

However, even if a successful outcome is reached, it cannot be guaranteed that they will be able to graduate due to the short timeframe between results publication and the graduation ceremony.

Similarly, time constraints for requests that might result in a student being able to participate in the resit examination period or to progress to the next stage of

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study in the coming academic year mean that these also cannot be guaranteed.

- 7.6. The School must provide a response to the student within **14-calendar days**. This will ensure that, where Early Resolution has not proven successful, students are still able to proceed to the formal stages of the appeals process if they wish.

7.6.1. Normally, a written response should be provided to the student setting out the outcome.

7.6.2. Alternatively, the response can be provided via a face-to-face discussion with the student to explain a decision, or by asking an appropriate member of staff to handle the matter.

7.6.3. In all cases, a record of the Early Resolution request and outcome must be kept by the School.

PART C – Formal Stages of the Academic Appeals Process

8. Important note on evidence for a Formal Appeal or an Appeal Review Request

8.1. New supporting evidence

Where an appeal includes new supporting evidence (i.e., evidence that was not made available to the academic body), original hard copy documentation may be requested before the appeal will be considered. Students will be informed if this is the case.

8.2. Supporting evidence not in English language

If the original documentation is not in English, the student is required to also submit a translation into English that has been provided either by an accredited organisation or verified in writing by a member of University staff fluent in the original language.

8.3. Falsified Evidence

Should the Senior Appeals, Conduct and Complaints Officer have cause to suspect that the documentary evidence provided with the appeal has been falsified, they will refer the case to Student Disciplinary Procedure for consideration. The appeal may be paused, or the appeal outcome withheld until the matter has been resolved.

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8.4. Inclusive Learning Plans (ILP)

- 8.4.1. Students with a fluctuating condition that is covered by an Inclusive Learning Plan ('ILP') who suffer an acute episode or worsening of a fluctuating condition are not required to submit fresh medical or other evidence related to the condition as evidence. The ILP constitutes the already established evidence-base for such applications.
- 8.4.2. However, students are required to submit evidence relating to conditions or extenuating circumstances that are not covered by that established arrangement.

8.5. Self-Certification as evidence

Self-certification can be used as supporting evidence, where the period of self-certification coincides with non-submission of assessments, leads to late submission of assessments, absence from ICTs/practical assessment and absence from examinations.

- 8.5.1. Where a School has already **accepted** self-certification as evidence to support the extenuating circumstances that the student is referring to in their appeal, there is no need for the student to provide additional evidence. This is because it can be assumed that, in accepting the original self-certificate, the School is acknowledging that the student was impacted by the extenuating circumstances at that time. However, if the student's extenuating circumstances extend beyond the period accepted by the School, additional evidence will be required.
- 8.5.2. For more information and limitations of self-certification, please see section 5.2 of Annex 9: Mitigation of Extenuating Circumstances.

9. Formal Appeal

- 9.1. Where a student is not satisfied with the outcome of their Early Resolution attempt, they can submit a Formal Appeal.
- 9.2. Where a student does not submit an Early Resolution request and proceeds directly to submit a Formal Appeal, they will be asked to provide a valid reason for not seeking to resolve their issues and concerns informally via Early

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Resolution. The Senior Appeals Conduct and Complaints Officer may refer the matter to the School for Early Resolution if they feel it would provide a speedier outcome.

- 9.3. The submission of an appeal is not a guarantee of a successful outcome. The decision that the student is appealing against remains in force until the appeal is completed.
- 9.4. Formal Appeals should be submitted within **28-calendar days** from the date the University informed the student of the academic body's decision.
- 9.5. The Appeals, Conduct and Complaints Office will let the student know the outcome of their appeal within **28-calendar days** of receipt of their appeal. If it is likely to take longer than this, the student will be kept informed.
- 9.6. All appeals are assessed for level of urgency upon receipt. This is to ensure that urgent appeals are dealt with first. Where appeals are assessed as less urgent, they will be processed in the order in which they were received. Examples of urgent appeals are normally those where a successful outcome will allow a student to continue with their studies or graduate with their cohort, where there are visa implications, or there are concerns about the impact on the student's health.
- 9.7. Where an appeal affects more than one student, the students concerned may make a single appeal submission as a 'group' appeal. Each student concerned must confirm their participation in the appeal. The students concerned may wish to nominate one of the group to act as the group representative during the appeal. If this is the case, it should be clearly stated in the group appeal submission.
- 9.8. There may be circumstances under which a student may wish to submit an appeal anonymously. In such cases, the student concerned is advised to discuss this in advance with the Appeals, Conduct and Complaints Office or their Students' Union advisor, as there could be difficulties investigating this type of appeal with the limited information likely to be provided.

10. Grounds for making a Formal Appeal

- 10.1. Formal Appeals can only be made if they meet the specified grounds; these are laid out in the following documents:

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- 10.1.1. For appeals against the decision of an undergraduate or taught postgraduate Assessment Board please see Appendix 1.
- 10.1.2. For appeals against the decision of an Academic Misconduct Committee (or Chair) please see Appendix 2.
- 10.1.3. For appeals against a decision related to a postgraduate research degree, please see Appendix 3.
- 10.2. The following matters are not grounds for appeal:
 - 10.2.1. Academic judgement of the examiners or markers. Academic judgement is defined as an opinion that can only be given by an academic expert, for example, a judgement about marks awarded for assessment, progression, degree classification or the achievement of course outcomes.
 - 10.2.2. Lack of awareness of the relevant procedure or regulations,
 - 10.2.3. Matters that would be more appropriately addressed through the University's Student Complaints Procedure.
- 11. Technical conditions for the submission of a Formal Appeal, an Appeal Review Request or Final Appeal Request**
 - 11.1. Formal Appeals will only be considered if submitted in accordance with these technical conditions:
 - 11.1.1. it is submitted using the online appeal form⁴;
 - 11.1.2. includes all necessary documentary evidence substantiating the grounds of the appeal;
 - 11.1.3. within the applicable deadline (see point 7.3 for exceptions);
 - 11.1.4. includes a clear explanation of how it meets one or more of the grounds for appeal as per the relevant appendix;
 - 11.1.5. includes an explanation of the outcome that is being requested;

This means that the student clearly lays out the reasons why they believe the outcome is appropriate to their situation and how it is permissible

⁴ [Online Appeal Form](#).

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within the University's Regulations, conventions and procedures;

11.1.6. (for Formal Appeals only) the inclusion of the Early Resolution outcome or provides a good reason why Early Resolution has not been sought.

12. Process of Formal Appeals by the Appeals, Conduct and Complaints Office

12.1. On receipt of a Formal Appeal, the Appeals, Conduct and Complaints Co-Ordinator will undertake an initial assessment to determine whether it meets the technical conditions outlined in section 13, above.

12.2. If the appeal meets the technical conditions, it will go forward for investigation in line with section 15, below.

12.3. In exceptional circumstances, the Appeals Conduct and Complaints Co-Ordinator may contact the student for additional information to be submitted by a given deadline. If the student fails to respond, the appeal may be dismissed by an Appeals Conduct and Complaints Officer.

12.4. Where the appeal is dismissed on technical conditions, the student can ask for a review of the decision by submitting an Appeal Review request which will be considered in line with section 18, below.

13. Investigation of the Formal Appeal

13.1. The Formal Appeal will be investigated by an Appeals, Conduct and Complaints Officer in the Appeals, Conduct and Complaints Office.

13.1.1. If there is a conflict of interest that would prevent any Appeals, Conduct and Complaint Officer/Senior Officer from dealing with the case and any subsequent reviews (see section 18), the case will be assigned to other members of staff outside of the Office who have the required training, experience and authority to process the appeal.

13.2. The Appeals, Conduct and Complaints Officer will compile a case file, which normally contains the evidence base for the appeal:

13.2.1. Appeal form submitted by the student;

13.2.2. supporting evidence submitted by the student with their appeal form;

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- 13.2.3. information relating to the decision made by the academic body that is the subject of the appeal;
- 13.2.4. any other relevant information gathered by the Appeals, Conduct and Complaints Officer.

14. Formal Appeal Outcomes

- 14.1. When the Appeals, Conduct and Complaints Officer has investigated the case, they will come to one of three outcomes. The outcomes are:
 - 14.1.1. that the appeal is upheld in full; ie, the student's appeal has been successful and the outcome that they requested has been achieved;
 - 14.1.2. that the appeal is partially upheld; ie, the student's appeal has been partially successful and they have achieved part of the outcome they requested or an alternative outcome has been reached that has changed the original decision of the academic body to the benefit of the student;
 - 14.1.3. that the appeal is dismissed on one or more of the reasons outlined in section 17, below; ie, the student's appeal has not been successful and they have not achieved the outcome they requested or any alternative outcomes.

15. Reasons for dismissing the Formal Appeal

- 15.1. The Formal Appeal can be dismissed for one or more of the following reasons:
 - 15.1.1. that the grounds cited for the appeal are not consistent with the technical conditions for appeals or grounds for appeal have not been met;
 - 15.1.2. that no evidence, or no relevant evidence, has been submitted to support the appeal;
 - 15.1.3. that the appeal is based on evidence that relates to extenuating circumstances that could have been reported to the University at the time they occurred, but were not, and the student is unable to provide a valid reason for not having provided the evidence at the time;
 - 15.1.4. that the appeal is against the academic judgement of the academic body;
 - 15.1.5. that the outcome requested is not achievable or permissible within the University's Regulatory Framework;

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15.1.6. that the recommendation against which the appeal is directed has yet to be made or, if made, has yet to be confirmed.

16. Appeal Review

16.1. The purpose of the Appeal Review stage is to review the decision taken at the Formal Appeal stage. The matter of the Formal Appeal itself will not normally be considered afresh and no new investigation will be carried out.

16.2. The Appeal Review will be undertaken by an Academic Chair of an Appeal Review Panel.

16.3. Where a Formal Appeal is dismissed or partially upheld by the Appeals, Conduct and Complaints Officer, the student may submit a request for a review of this decision within **7-calendar days** of being notified of it.

16.4. Requests should be submitted to the Appeals, Conduct and Complaints Office using the online form⁵.

16.5. Students are encouraged to enter the Appeal Review stage if they believe they have grounds (as per section 19, below).

16.5.1. Students should be aware that entering the Appeal Review stage of the formal appeals process might impact upon their ability to proceed to the next stage of their course, graduate with their cohort or participate in the re-sit period. This is because of the additional time that the Appeal Review will add to the overall timescale for completion of the formal appeals process.

16.6. The Appeals, Conduct and Complaints Office will let the student know the outcome of their Appeal Review request within **28-calendar days** of receipt of their appeal. If it is likely to take longer than this, the student will be kept informed.

17. Grounds for requesting an Appeal Review

17.1. When requesting a review of the decision taken at the Formal Appeal stage, the student is required to show that they have evidence to demonstrate that one or

⁵ Students will be provided with the link to the online form as part of their appeal outcome, where applicable.

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more of the following grounds apply:

- 17.1.1. that, in making their decision, the Appeals, Conduct and Complaints Officer failed to follow the University's conventions and/or the Academic Appeals Policy, or failed to follow them with due care;
- 17.1.2. that relevant new evidence has become available that should be considered and there are valid reasons why it was not presented at the time of the appeal.
- 17.1.3. that there are reasonable grounds to suggest that the Appeals, Conduct and Complaints Officer has shown bias against the student in the way that the decision was taken;
- 17.1.4. that the decision of the Appeals, Conduct and Complaints Officer was unreasonable. Note that a reasonable decision is defined as one that is made based on the evidence and possible outcomes available at the Formal Appeal stage.

18. Submission of an Appeal Review Request – Technical conditions

- 18.1. On receipt of an Appeal Review request, the Academic Chair of the Academic Appeals Review Panel will assess whether it meets the technical conditions outlined in section 13 above.
- 18.2. If the Appeal Review request **does not** meet the technical conditions set out in section 13 above, it will be dismissed, and the student will be issued with a Completion of Procedures letter by the Appeals, Conduct and Complaints Office.
- 18.3. If the Appeal Review request meets the technical conditions for an Appeal Review, it will be reviewed by the Academic Chair.
- 18.4. In exceptional circumstances, the student may be contacted for additional information to be submitted by a given deadline. If the student fails to respond, the appeal may be dismissed.

19. Academic Chair of an Appeal Review Panel

- 19.1. The Academic Chair will be a School Director of Education (or nominee) from a School which does not have responsibility for the student's course of study.

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19.2. The Academic Chair of the Panel will assess the Appeal Review request. The Academic Chair is empowered to come to one of the following decisions:

- 19.2.1. Uphold the Appeal Review Request; ie, the student's appeal review request has been successful and the outcome that they requested has been achieved;
- 19.2.2. Partially uphold the Appeal Review Request; ie, the student's appeal review request has been partially successful and they have achieved part of the outcome they requested or an alternative outcome has been reached that has changed the original decision of the academic body to the benefit of the student;
- 19.2.3. Dismiss the Appeal Review Request; ie, the student's appeal has not been successful and they have not achieved the outcome they requested or any alternative outcomes.

19.3. In reaching the outcome as outlined above, the Academic Chair will take one of the following actions:

- 19.3.1. Convene a hearing of the Academic Appeal Review Panel;
- 19.3.2. Refer the appeal request to the academic body for reconsideration;
- 19.3.3. Refer the appeal request back to the formal stage.

This list is not exhaustive.

19.4. The Academic Chair will normally not have the power to alter decisions related to academic judgement.

- 19.4.1. Where the Appeal Review request relates to academic judgement, the Academic Chair will normally refer the appeal request to the academic body for reconsideration.
- 19.4.2. Where the academic body does not wish to revise its decision, the Academic Chair may decide to convene an Academic Appeal Review Panel hearing if they deem that the academic body's decision is not reasonable.
- 19.4.3. The Academic Appeal Review Panel will have the power to vary any of the academic body's decisions, including those related to academic judgement (see 22.2).

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20. Academic Appeal Review Panel

- 20.1. The Academic Appeal Review Panel is an independent body convened to consider the student's Appeal Review request, where the Academic Chair decides it is appropriate to do so.
- 20.2. An Academic Appeal Review Panel is empowered to alter the academic body's decision and, in such cases, will direct the appropriate academic body to amend its decision.
- 20.3. The membership of an Academic Appeal Review Panel comprises three members from a pool of trained panel members as follows:
- 22.3.1 School Director of Education from a School which does not have responsibility for the student's course of study, who would normally act as the Chair;
 - 22.3.2 a member of academic staff outside of the student's School/Subject Area (whichever is more appropriate) and may be either from within the student's School or from another School;
 - 22.3.3 a Kent Students' Union sabbatical officer or a student member nominated by the Students' Union;
 - 22.3.4 A Senior Appeals, Conduct and Complaints Officer is in attendance as Secretary to the Panel.
- 20.4. Members of an Academic Appeal Review Panel will have no current academic or personal connection with the student (or students) considered by the Panel.
- 20.5. The Panel hearing will normally be held within **14-calendar days** of the student being informed that a Panel will be convened.
- 20.6. Academic Appeal Review Panels are arranged by the Appeals, Conduct and Complaints Office.

21. Academic Appeal Review Panel Hearing

- 21.1. The student has the right to attend the Academic Appeal Review Panel hearing.
- 21.2. Where a student attends a meeting of the Review Panel, they may be accompanied by a supporter (member of staff or a student of the University or a member of staff of the Students' Union or a relative). It is the student's

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responsibility to ensure that their supporter is available to attend the scheduled hearing.

- 21.3. Where a student attends a hearing, that attendance will either be in person or via Teams link.
- 21.4. The Appeals, Conduct and Complaints Office will make every effort to accommodate the student's preferences when arranging the hearing. However, due to the busy schedules of all involved parties, there may be instances where scheduling conflicts arise. The Senior Appeals, Conduct and Complaints Officer in cooperation with the Chair will set the hearing date to avoid any further delay so that it does not negatively impact on the student journey. A student who does not take up the opportunity to attend the hearing should be made aware that the Academic Chair of the Review Panel will have discretion either to proceed with the hearing in the student's absence or to reconvene the Review Panel at a later date.
- 21.5. The student will be informed of the outcome of the Academic Appeals Review Panel within **5-calendar days** of the meeting by the Chair. This can be in writing or in person.

22. Appeal Review Outcomes Following a Hearing

- 22.1. An Academic Appeal Review Panel is empowered to come to one of three outcomes:
 - 22.1.1. Uphold the Appeal Review Request; ie, the student's appeal review request has been successful and the outcome that they requested has been achieved;
 - 22.1.2. Partially uphold the Appeal Review Request; ie, the student's appeal review request has been partially successful and they have achieved part of the outcome they requested or an alternative outcome has been reached that has changed the original decision of the academic body to the benefit of the student;
 - 22.1.3. Dismiss the Appeal Review Request; ie, the student's appeal has not been successful and they have not achieved the outcome they requested or any alternative outcomes.

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Part D – Appeals against Social Work Suitability Procedures and Fitness to Practice Procedures

- 25. Appeals against Social Work Suitability Procedures will be considered at the Final Appeal stage. This is because Social Work Suitability Procedures involve substantive investigation stages and, where appropriate, panel hearings.
- 26. The student must submit a Final Appeal against Social Work Suitability Procedures within **14-calendar days** of receiving a formal outcome of the decision making body.
- 27. The Final Appeal review will be undertaken by an Academic Chair of a Final Academic Appeals Panel.
- 28. Requests should be submitted in writing to the Appeals, Conduct and Complaints Office.

29. Timeframes for Processing Final Appeals against Social Work Suitability Procedures

- a. The Appeals, Conduct and Complaints Office should inform the student whether their appeal meets the technical conditions and subsequently will be considered by the Final Academic Appeals Panel within **15-calendar days** of receipt.
- b. Where a Final Academic Appeals Panel is convened, the Appeals, Conduct and Complaints Office should make the hearing arrangements within **68-calendar days** of receipt.
- c. The Appeals Conduct and Complaints Office should provide an outcome to a Final Appeal within **7-calendar days** following the Final Academic Appeals Panel hearing.
- d. The completion of the formal appeals process should normally take no longer than **90-calendar days**. At each stage of appeal, if deadlines are exceeded, the student will be kept informed.

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25. Grounds for Submitting a Final Appeal against Social Work Suitability Procedures

When submitting a Final Appeal against the Social Work Suitability to Practice Procedures, the student is required to show that they have evidence to demonstrate that one or more of the following grounds apply:

- a. **Ground 1: Administrative, Clerical or Procedural Error:** where there are reasonable grounds, supported by objective evidence, to believe that there has been an administrative, procedural or clerical error of such a nature as to have affected the decision of the academic body;
- b. **Ground 2: Illness or Other Extenuating Circumstances:** where there is evidence of illness or other extenuating circumstances affecting the student's performance of which the relevant staff members were not, for good reason, aware when their decision was made;
- c. **Ground 3: Unreasonable outcome:** That the decision made by the academic body was unreasonable or not justified given the evidence which was available at the time;
- d. **Ground 4: Bias:** where there is evidence of bias or a reasonable perception of bias that casts reasonable doubt on the reliability of the decision. That is, that the student's case has not been impartially assessed.

30. Submission of a Final Appeal against Social Work Suitability Procedures – Technical Conditions

- a. On receipt of a Final Appeal, the Academic Chair of the Final Academic Appeals Panel will assess whether it meets the technical conditions outlined in section 13 above.
- b. If the Final Appeal **does not** meet the technical conditions set out in section 13 above, it will be dismissed, and the student will be issued with a Completion of Procedures letter.
- c. If the Final Appeal meets the technical conditions, it will be reviewed by the Academic Chair.
- d. In exceptional circumstances, the student may be contacted for additional information to be submitted by a given deadline. If the student fails to respond, the appeal may be dismissed.

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31. Academic Chair of a Final Academic Appeals Panel

- a. The Academic Chair will be a School Director of Education from a School which does not have responsibility for the student's course of study.
- b. The Academic Chair of the Panel will assess the Final Appeal. If the Final Appeal meets the technical conditions, the Chair will normally convene a hearing of the Final Academic Appeals Panel.

32. Final Academic Appeals Panel against Social Work Suitability Procedures

- a. The Final Academic Appeals Panel is an independent body convened to consider the student's Final Appeal, where the Academic Chair decides it is appropriate to do so.
- b. A Final Academic Appeals Panel is empowered to alter the decision made by the Social Work Professional Suitability Panel including those related to academic and professional judgement and in such cases, will direct the appropriate panel to amend its decision.
- c. The membership of a Final Academic Appeals Panel against Social Work Suitability to Practice Procedures should comprise four members as follows:
 - I. School Director of Education from a School which does not have responsibility for the student's course of study, who would normally act as the Chair;
 - II. An External Registered Practitioner who holds a current license to practice with the relevant Professional, Statutory or Regulatory Body (PSRB) (or equivalent authority to practice)⁶;
 - III. An academic member registered with the PSRB (or equivalent authority to practice), or a member of academic staff outside of the student's division; A sabbatical officer or a student member nominated by the Students' Union; A Senior Appeals Conduct and Complaints Officer in attendance as Secretary to the Panel; A member of Student Support and Wellbeing in attendance, where appropriate.
- d. Members of a Final Academic Appeals Panel will have no current academic or personal connection with the student (or students) considered by the Panel.

⁶ For Suitability to Practice (Social Work) – also a member of the Social Work Partnership Initiative group where possible.

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- e. The Panel hearing will normally be held within **28-calendar days** of the student being informed that a Panel will be convened.
- f. Final Academic Appeals Panels are arranged by the Appeals, Conduct and Complaints Office.

33. Final Academic Appeals Panel Hearing (against Social Work Suitability Procedures)

- a. The student has the right to attend the Final Academic Appeal Panel hearing.
- b. Where a student attends a meeting of the Panel, they may be accompanied by a supporter (member of staff or a student of the University or a member of staff of the Students' Union or a relative).
- c. Where a student attends a hearing, that attendance will either be in person or via Teams link.
- d. The Appeals, Conduct and Complaints Office will make every effort to accommodate the student's preferences when arranging the hearing. However, due to the busy schedules of all involved parties, there may be instances where scheduling conflicts arise. The Senior Appeals, Conduct and Complaints Officer in cooperation with the Chair will set the hearing date to avoid any further delay as it is likely to negatively impact on the student journey.
- e. A student who does not take up the opportunity to attend the hearing should be made aware that the Academic Chair of the Panel will have discretion either to proceed with the hearing in the student's absence or to reconvene the Panel at a later date.
- f. The student will be informed of the outcome of the Final Academic Appeals Panel within **7-calendar days** of the meeting.

34. Final Academic Appeal outcomes following a Hearing

- 35.1 A Final Academic Appeal Panel is empowered to come to one of three outcomes:
- a. Uphold the Final Appeal Request; ie, the student's appeal review request has been successful and the outcome that they requested has been achieved;
 - b. Partially uphold the Final Appeal Request; ie, the student's appeal review request has been partially successful and they have achieved part of the outcome they requested or an alternative outcome has been reached that has changed the original decision of

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the academic body to the benefit of the student;

- c. Dismiss the Final Appeal Request; ie, the student's appeal has not been successful and they have not achieved the outcome they requested or any alternative outcomes.

35.2. Where the Panel decides to vary the original decision (as per 35.1(i) and 35.1.(ii), it will select the most appropriate outcome from the possible

outcomes outlined in Section 4 of the Social Work Suitability to Practice Procedures

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PART E – Completion of Procedures Letters

i) Issuing Completion of Procedures Letters

- a. Completion of Procedures Letters are only issued when the student reaches the end of the internal appeals process and there is no further route available to pursue their case.
- b. A Completion of Procedures letter will allow the student to take their case to the Office of the Independent Adjudicator for Higher Education (OIAHE)⁷ and will only be automatically issued at the end of the Appeal Review or Final Appeals stage where the Appeal Review or Final Appeal has been dismissed. This includes cases where the appeal was dismissed due to not meeting the technical conditions for an Appeal Review/Final Appeal (Section 13 above).

ii) Process for Requesting a Completion of Procedures Letter

- a. A student whose **Formal Appeal** was **upheld**, can request a Completion of Procedures letter by emailing appeals@kent.ac.uk within 28 calendar days of receipt of the Formal Appeal outcome.
- b. A student whose **Formal Appeal** was **partially upheld** or **dismissed** and does not have grounds to submit an Appeal Review request, can request a Completion of Procedures letter by emailing appeals@kent.ac.uk within 7-calendar days of

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receipt of their Formal Appeal outcome.

- c. A student whose **Appeal Review or Final Appeal** request was **upheld or partially upheld**, can request a Completion of Procedures letter by emailing appeals@kent.ac.uk within 28-calendar days of receipt of their Appeal Review/Final Appeal outcome.

PART F - Reporting Processes and improving the Student Experience

iii) Ensuring consistency and improving Student Experience

- a. The Head of Appeals, Conduct and Complaints will have oversight and will closely monitor all aspects of the procedure to ensure compliance, consistency and fairness.
- b. The Head of Appeals, Conduct and Complaints will liaise with the Kent Students' Union and Schools in order to share areas of learning in order to improve the student experience.

iv) Appeals Statistics

- a. On an annual basis, the Appeals, Conduct and Complaints Office will analyse appeals statistics for report to the Education and Academic Standards Committee, Graduate and Researcher College Board, Senate and Council. Areas of concern will be identified and addressed as required; areas of good practice will be highlighted and disseminated as appropriate.
- b. It is the responsibility of the Quality Assurance & Enhancement Office to keep data on the number of early resolution requests that it receives along with the resulting outcomes. These statistics will be analysed by the Head of Appeals, Conduct and Complaints and incorporated into the annual report (as per point 28.1, above).
- c. On a termly basis, the Appeals, Conduct and Complaints Office will provide appeals statistics to each of the School Education and Student Experience Committees. Schools will identify and address areas of concern as required.