

## Section 12: Academic Appeals

*For Academic Appeals: Postgraduate Research, please go to section 12.2*

### 12.1 Academic Appeals: Undergraduate and Taught Postgraduate

#### 12.1.1 The definition of an appeal

For the purposes of this procedure, an academic appeal is defined as ‘a request for a review of a decision of an academic body charged with taking decisions on student progression, assessment and awards.’

#### 12.1.2 General principles

1. The University cannot operate outside of University Regulations and examination conventions, and appeals seeking such outcomes will not be considered.
2. Following the publication of a student’s academic results (end of Semester 1, 2 and the supplementary examination period), a student can submit an appeal against their result(s).
3. Before deciding whether there are grounds for the submission of an appeal, students are encouraged to meet with the relevant academic staff following the publication of their results to seek feedback and to establish whether or not they have grounds for an appeal. If the student wishes to raise the issues further, they may submit an appeal.
4. It is normally expected that appeals will be submitted by the student. However if, at the time of the submission of the appeal, the student feels unable to complete and

submit the form themselves, due to illness or another reason that prevents them from doing so, the student may wish to appoint a representative to complete and submit the appeal on their behalf. A representative could be another student or a representative from the Students' Union. The student would normally be expected to provide written consent, by letter or via their University e-mail account, to authorise someone to act on their behalf (there would have to be a good, valid reason for this not to be possible).

5. If a student has a representative, this should not delay the process. The University will decline to accept appeals from third parties unless they are acting as a student's representative.
6. Where an academic appeal also contains within it a complaint, it is possible for the appeal or complaint to be reclassified (at whatever stage they may have reached) and processed under the most relevant regulation or Procedure if this is likely to lead to a more appropriate outcome for the person(s) appealing or complaining. The student will be informed if this situation arises.
7. Students will not suffer any disadvantage or recrimination as the result of making an academic appeal in good faith. Only if an academic appeal is judged to have been made frivolously (i.e. with no serious purpose or value), vexatiously (i.e. the appeal is distressing or annoying) or with malice (i.e. the desire to inflict harm or suffering), could disciplinary issues arise in relation to the student. (See Aberystwyth University Disciplinary Procedures).
8. Advice about this procedure may be obtained from the Deputy Registrar (or nominee), Academic Registry ([caostaff@aber.ac.uk](mailto:caostaff@aber.ac.uk)) or from a Student Adviser in the Students' Union ([union.advice@aber.ac.uk](mailto:union.advice@aber.ac.uk)).

### 12.1.3 Who can appeal

1. Following the formal publication of University examination results, or upon receipt of formal notification of exclusion under the Academic Regulation on Academic Progress, an Aberystwyth University student studying for an undergraduate or taught postgraduate qualification is entitled to appeal against the decision. Students studying under collaborative arrangements at a Partner Education Provider should also follow this Procedure – further information is available in the student handbook. Students permitted to appeal include:

- (i) students who are prevented from continuing with their studies part-way through a level of study or part of a programme
- (ii) students who fail to qualify to proceed to the next stage of their programme at the end of a level, end of a part or end of a year
- (iii) students who have completed their programme, but who wish to appeal against the result, or students who are dissatisfied with the award of an exit qualification of the University
- (iv) where the implications of the progression decision taken by the Examination Board may have a significant impact on the student's overall result (e.g. capping of marks)
- (v) if students wish to submit a group appeal, they must first contact the Academic Registry at [caostaff@aber.ac.uk](mailto:caostaff@aber.ac.uk) to seek guidance on how the appeal could be considered.

2. Students must submit appeals within 10 working days of the publication of their results, unless they have mitigating circumstances (which they must demonstrate), for not doing so within this time frame.

3. Students can access advice from the Student's Union regarding the submission of their appeal, if necessary.

#### 12.1.4 Grounds for Appeal

1. Appeals will only be considered if they are based on one or more of the following grounds and are accompanied by supporting evidence that was not available to be

presented for consideration by the relevant Examination Board, or the relevant academic department considering a student's academic progress under the Academic Regulation on Academic Progress:

(i) exceptional extenuating circumstances which have had an adverse effect on the student's academic performance. Where a student could have reported exceptional circumstances prior to

(a) the release of their examination results

or

(b) exclusion

those circumstances cannot subsequently be cited as grounds for appeal.

(ii) defects or irregularities in the conduct of the assessments, or in written instructions provided, or in advice given, which could have had an adverse effect on the student's performance. Where a student could have reported defects or irregularities prior to

(a) the release of their examination results

or

(b) exclusion

those circumstances cannot subsequently be cited as grounds for appeal.

(iii) evidence of prejudice, or of bias, or of inadequate assessment on the part of one or more of the examiners, or evidence of prejudice or bias on part of the person(s) administering the Academic Regulation on Academic Progress. Where a student could have evidenced prejudice, bias or inadequate assessment prior to

(a) the release of their examination result

or

(b) exclusion

those circumstances cannot subsequently be cited as grounds for appeal.

2. An appeal will only be considered if the student can provide good reasons why the grounds for appeal had not previously been made known to their academic department and/or were not made known to the relevant Examination Board.
3. Exceptional extenuating circumstances (whether relating to University issues, personal or medical problems or any other issue), which were not submitted to the student's academic department by the due date may only be considered as grounds for appeal in the most exceptional circumstances (for instance where the student was unable to disclose the circumstances in advance because of a medical condition that had prevented them from doing so).
4. Although the University permits the submission of extenuating circumstances and corroborative evidence under confidential cover, the fact that a student did not wish to disclose personal information will not normally be considered as an exceptional circumstance. Students would need to provide evidence to support the reason they give for not submitting this evidence ahead of the relevant Examination Board, or upon the request of their academic department or Faculty under the Academic Regulation on Academic Progress. In cases where good reason for late or non-submission is not established, the appeal will not be considered further.
5. Any ground(s) upon which a student wishes to base their appeal must be accompanied by additional corroborative evidence that has not already been submitted for consideration, and which clearly demonstrates how it affected their performance. This must be dated at the time the student was affected by the circumstance(s), or, if dated later, it must be clear that the person certifying the circumstances was in a position to verify them at the time they occurred.
6. The following are not considered to be special circumstances and will therefore not be considered at the point of appeal:
  - (i) problems with computers or printing
  - (ii) lack of access to resources
  - (iii) illness for which no medical evidence is available

- (iv) more than one assessment deadline on the same day
- (v) inability to answer questions or struggling with material
- (vi) crisis games, performance productions, departmental study trips
- (vii) non-academic activities (e.g. military training).

7. Guidelines on special circumstances and acceptable documentary evidence can be found at: [Assessment of Taught Schemes: Academic Registry, Aberystwyth University](#).
8. Appeals that fail to meet any of the above criteria will be rejected and will not be considered by the Academic Appeal Panel. The student will be informed of this by the Academic Registry.
9. Appeals based on the following grounds will be rejected immediately:
  - (i) appeals questioning academic judgement. For the purposes of this procedure, academic judgement is the decision made by academic staff on the quality of the work itself or the criteria being applied to assess the work. Through a variety of means including staff appointment, induction and training procedures, anonymous marking and internal and external moderation, the University ensures that academic judgements are sound. Students are encouraged to seek feedback on their marks from the relevant academic staff
  - (ii) appeals based on factors which were already known to the University and/or Examination Board concerned when the decision regarding the student's performance was determined
  - (iii) appeals based on disappointment or dissatisfaction with results. Students who suspect that an error may have occurred in relation to the transcription of marks should raise the matter directly and in writing with their academic department in the first instance
  - (iv) appeals based on a student's inability to familiarise themselves with the requirements of their courses regarding attendance, the submission of work and methods of assessment

(v) the University will not consider appeals based on information or circumstances about which the student had not informed their academic department because they claimed they did not know they should report special circumstances; they did not think the special circumstances would affect their performance at the time; or they did not mention the circumstances at the time, due to embarrassment and/or shyness.

#### 12.1.5 The process for the submission of an Academic Appeal

1. From the date of formal notification of University examination results or upon receipt of formal notification requiring exclusion under the Academic Regulation on Academic Progress, students will normally have 10 working days in which to submit an appeal. Late appeals will not normally be considered unless independent, corroborative evidence is submitted clearly explaining why the student was prevented from submitting the appeal by the deadline.
2. All appeals must be made in writing using the University's Academic Appeal form, or the student can e-mail [caostaff@aber.ac.uk](mailto:caostaff@aber.ac.uk) to request a copy. All sections must be completed fully. Any partially completed forms will be returned to the student and not considered until a fully completed form is submitted with evidence

##### 12.1.5.1 Evidence

1. When appealing, students must clearly state against what they are appealing, and must clearly demonstrate the impact of their circumstances on their performance, in the form of an explanation and the submission of appropriate evidence.
2. For the purpose of this procedure, evidence submitted in support of a student's appeal must be independent or corroborative, and sufficient to establish any claims or issues raised. A personal statement of what a student believes to be true does not constitute evidence. Students must also clearly state what they wish to achieve from their appeal. Full documentation to substantiate any exceptional circumstances or

claims made **MUST** be submitted with the appeal form. The evidence must be signed and dated; it must indicate how the circumstances affected their performance, and it must be relevant to the affected piece of assessment.

3. The student is responsible for identifying and submitting appropriate evidence with the appeal. The University will not do this on the student's behalf. Any appeal made stating that further information can be sought on the student's behalf will not be actioned and will be rejected.
4. Where the student's academic performance has been affected by circumstances involving a third party, e.g. friend, parent, sibling, students should submit independent documentary evidence that explains the impact that the circumstances have had on them. If a student wishes to submit evidence relating to a third party they must provide written consent that they are permitted to do this from the third party involved.
5. All completed applications of appeal must be submitted directly to [caostaff@aber.ac.uk](mailto:caostaff@aber.ac.uk). If the form is submitted electronically normally from the student's own University e-mail account, this will be considered a 'signed' document in the absence of an original hard copy. If, for any reason a student's University e-mail is inactive, the University will accept applications from a student's alternative email address or by post. Students will receive written acknowledgement to confirm receipt of their application form within 5 working days of receiving their fully complete appeal application with appropriate evidence.
6. The student will be contacted by email regarding the outcome of their appeal. It is a student's responsibility to ensure that their contact details are correct on their on-line student record. The University bears no responsibility for letters that do not reach a student due to their record not being kept up to date. The primary method of contact will be via e-mail, though letters of outcome at the appeal stage will be forwarded to the address on the forms submitted, where requested.

#### 12.1.6 Consideration of the appeal by an Academic Appeal Panel

1. Upon receipt of an appeal based on one or more of the valid grounds outlined above, and submitted on a fully completed appeal form, accompanied by corroborating evidence, the Deputy Registrar (or nominee) responsible for academic appeals shall ask the relevant academic department to verify the facts to which the appeal refers. They will ensure these are verified in time to be presented to the Academic Appeal Panel.
2. Each Academic Appeal Panel shall consist of a minimum of four members which will be selected from a standing Panel by the Panel Secretary.
3. The members of the Panel to consider undergraduate and taught postgraduate appeals shall be:
  - (i) a Pro Vice-Chancellor as Chair
  - (ii) one Head of academic department (or equivalent)
  - (iii) the Head or a Deputy Head of Student Support and Careers Services
  - (iv) one representative from the Students' Union.
4. Any standing panel members directly concerned with the student's studies shall not be invited to participate to avoid any conflict of interest. Any conflicts of interest must be declared by Panel members. The representative from the Students' Union will have had no prior involvement with advising students on their appeals. The Students' Union will have ensured that the adviser(s) and representative on the Panel are different individuals, to avoid any conflict of interest.
5. The Deputy Registrar (or nominee) responsible for Academic Appeals shall serve as Secretary to the Academic Appeal Panel.
6. The Academic Appeal Panel shall be empowered to take either of the following decisions:
  - (i) to uphold the appeal and determine the action to be taken

(ii) to reject the appeal; no further action to be taken.

7. A case may be expedited by referral for executive action by the Chair of the Academic Appeal Panel. In this instance, the only decision available to the Chair shall be to uphold the appeal (partially uphold if other grounds aren't eligible). An appeal shall not be rejected by the Chair's executive action.
8. Any student whose appeal satisfies the criteria for consideration by the Academic Appeal Panel shall have the right to appear before the Panel and may be accompanied by a person of their choice, for example a fellow student or a representative from the Students' Union, or a member of the academic staff.
9. Academic appeals procedures are an internal matter and do not have the same degree of formality as a court of law. In most cases it will not be necessary or appropriate for a student or the provider to be legally represented at an appeal panel or meeting.
10. All documents submitted as part of the appeal will be provided to panel members and the student, prior to the hearing, for consideration.
11. The appeal hearing will be conducted as follows:
  - (i) where a student has indicated that they will be attending the hearing, there shall be no discussion of the case amongst panel members prior to the appearance of the appellant. The Chair of the Panel shall ask the student and any other persons present to identify themselves and shall determine that any individual who is accompanying the student is able to satisfy the stipulations in the relevant Academic Appeal Procedures. Any persons accompanying the appellant that do not satisfy the stipulations will be asked to leave
  - (ii) the Chair of the Panel shall then:
    1. Introduce the members of the Panel and other persons present

2. Explain the eligible and non-eligible grounds for the academic appeal
3. State the possible decisions available to the Panel
4. Explain the sequence of events should the academic appeal be upheld
5. Explain the subsequent right to request a Final Review if the student remains unhappy with the decision of the Academic Appeal Panel.

(iii) the Chair shall invite the student to present their case, summarising the main points so that all present have a common understanding of the basis of the case

(iv) once the student has concluded their presentation, members of the Panel may ask questions and explore areas of interest or concern regarding the appeal. When all members of the Panel are satisfied all questions have been answered, the student shall be invited to add any further points which they may wish to bring to the attention of the Panel, and the individual accompanying the student shall be invited to speak in support of the case. The Panel shall then interview any other party who is attending the hearing. The student will remain present and will be invited to respond to the evidence submitted by any other party attending and to add any further points.

12. The student must have submitted all relevant corroborative evidence with the appeal form prior to the Panel hearing. The Chair has the discretion to declare inadmissible any evidence or information that has not been submitted and reviewed by all relevant parties prior to a hearing. In the interest of fairness, it is important that all parties ensure evidence is submitted ahead of the hearing, so that everyone has the opportunity to review the evidence and respond appropriately. Only in exceptional cases where the Chair is willing, and all other parties give consent, will new evidence brought to the hearing be considered.

13. Once the hearing has ended, the student shall be informed of the timing and method of notification of the Panel's decision. All parties, other than members of the Panel and the Secretary, shall then leave the room. The Panel shall consider the evidence before it and reach its decision. The Secretary to the Panel shall advise the Panel on the options available to it, if required.
14. The Secretary shall inform the student, in writing, within five working days of the decision on the appeal.
15. Each academic appeal should be resolved within 6 working weeks. If it appears that a response will be delayed, students will be informed why this is, and will be kept informed of progress.

#### 12.1.7 Final Review

If a student remains dissatisfied with the outcome of appeal, they can request a Final Review. Students will be directed to this procedure upon receipt of the formal outcome of their appeal and will have 10 working days from the date of the letter/email in which to submit a Final Review application. Further details can be found at: [13 Final Review: Academic Registry , Aberystwyth University](#)

#### 12.1.8 Monitoring of Academic Appeals

It is important that the number, level and range of academic appeals are monitored. The Academic Registry shall monitor all academic appeals submitted and will report annually to the Academic Board. Any personal details will remain confidential. It shall be the responsibility of the Academic Board to monitor the data and make appropriate recommendations to relevant bodies or personnel. It shall also be the responsibility of the Academic Board to review the Academic Appeals Procedure and its effectiveness, and make recommendations for changes, where appropriate.

Updated: September 2021

## 12.2 Academic Appeals: Postgraduate Research

### 12.2.1 The definition of an appeal

For the purposes of this procedure, an academic appeal is defined as ‘a request for a review of a decision of an academic body charged with taking decisions on student progression, assessment and awards.’

### 12.2.2 General Principles

1. The University cannot operate outside of University Regulations and examination conventions, and appeals seeking such outcomes will not be considered.
2. Following the publication of a student’s academic results (end of Semester 1, 2 and the supplementary examination period), a student can submit an appeal against their result(s).
3. Before deciding whether there are grounds to submit an appeal, students are encouraged to meet with the relevant academic staff following the publication of their results to seek feedback and to establish whether or not they have grounds for appeal. If the student wishes to raise the issues further, they may submit an appeal.
4. It is normally expected that appeals will be submitted by the student. However if, at any time of the submission of the appeal, the student feels unable to complete and submit the form themselves, due to illness or another reason that prevents them from doing so, the student may wish to appoint a representative to complete and submit the appeal on their behalf. A representative could be another student or a representative from the Students’ Union. The student would normally be expected to provide written consent, by letter or via their University e-mail account, to

authorise someone to act on their behalf (there would have to be a good, valid reason for this not to be possible).

5. If a student has a representative, this should not delay the process. The University will decline to accept appeals from third parties unless they are acting as a student's representative.
6. Where an academic appeal also contains within it a complaint, it is possible for the appeal or complaint to be reclassified (at whatever stage they may have reached) and processed under the most relevant regulation or Procedure if this is likely to lead to a more appropriate outcome for the person(s) appealing or complaining. The student will be informed if this situation arises.
7. Students will not suffer any disadvantage or recrimination as the result of making an academic appeal in good faith. Only if an academic appeal is judged to have been made frivolously (i.e. with no serious purpose or value), vexatiously (i.e. the appeal is distressing or annoying) or with malice (i.e. the desire to inflict harm or suffering), could disciplinary issues arise in relation to the student. (See Aberystwyth University Disciplinary Procedures).
8. Advice about this Procedure may be obtained from the Deputy Registrar (or nominee), Academic Registry ([caostaff@aber.ac.uk](mailto:caostaff@aber.ac.uk)) or from a Student Adviser in the Students' Union ([union.advice@aber.ac.uk](mailto:union.advice@aber.ac.uk)).

### 12.2.3 Who can appeal

1. Following the formal publication of University examination results, or upon receipt of formal notification of exclusion under the Academic Regulation on Academic Progress, an Aberystwyth University student studying for postgraduate research qualification is entitled to appeal against the decision. Students studying under collaborative arrangements at a Partner Education Provider should also follow this

Procedure – further information is available in the student handbook. Students permitted to appeal include:

- (i) students who are prevented from continuing with their studies part-way through a level of study or part of a programme
- (ii) students who fail to qualify to proceed to the next stage of their programme at the end of a level, end of a part or end of a year
- (iii) students who have completed their programme, but who wish to appeal against the result, or students who are dissatisfied with the award of an exit qualification of the University
- (iv) where the implications of the progression decision taken by the Examination Board may have a significant impact on the student's overall result (e.g. capping of marks)
- (v) if students wish to submit a group appeal, they must first contact the Academic Registry at [caostaff@aber.ac.uk](mailto:caostaff@aber.ac.uk) to seek guidance on how the appeal could be considered.

2. Students must submit appeals within **20 working days** of the publication of their results, unless they have mitigating circumstances (which they must demonstrate), for not doing so within this time frame.
3. Students can access advice from the Student's Union regarding the submission of their appeal, if necessary.

#### 12.2.4 Grounds for Appeal

1. Appeals will only be considered if they are based on one or more of the following grounds and are accompanied by supporting evidence that was not available to be presented for consideration by the relevant Examination Board, or the relevant academic department considering a student's academic progress under the *Academic Regulation on Academic Progress*:

(i) exceptional extenuating circumstances which have had an adverse effect on the student's academic performance. Where a student could have reported exceptional circumstances prior to

(a) the release of their examination results

or

(b) exclusion

those circumstances cannot subsequently be cited as grounds for appeal.

(ii) defects or irregularities in the conduct of the assessments, or in written instructions provided, or in advice given, which could have had an adverse effect on the student's performance. Where a student could have reported defects or irregularities prior to

(a) the release of their examination results

or

(b) exclusion

those circumstances cannot subsequently be cited as grounds for appeal.

(iii) evidence that the supervision provided was inadequate and that there were exceptional reasons why this had not been reported by the student prior to the decision of the Examining Board. Where a student could have evidenced that the supervision provided was inadequate prior to

(a) the Examination Board meeting

or

(b) receipt of formal notification under the Academic Regulation on Academic Progress

those circumstances cannot subsequently be cited as grounds for appeal.

(iv) evidence of prejudice, or of bias, or of inadequate assessment on the part of one or more of the examiners, or evidence of prejudice or bias on part of the person(s) administering the Academic Regulation on Academic Progress.

Where a student could have evidenced prejudice, bias or inadequate assessment prior to

(a) the release of their examination result

or

(b) exclusion

those circumstances cannot subsequently be cited as grounds for appeal.

2. An appeal will only be considered if the student can provide good reasons why the grounds for appeal had not previously been made known to their academic department and/or were not made known to the relevant Examination Board.
3. Exceptional extenuating circumstances (whether relating to University issues, personal or medical problems or any other issue), which were not submitted to the student's academic department by the due date may only be considered as grounds for appeal in the most exceptional circumstances (for instance where the student was unable to disclose the circumstances in advance because of a medical condition that had prevented them from doing so).
4. Although the University permits the submission of extenuating circumstances and corroborative evidence under confidential cover, the fact that a student did not wish to disclose personal information will not normally be considered as an exceptional circumstance. Students would need to provide evidence to support the reason they give for not submitting this evidence ahead of the relevant Examination Board, or upon the request of their academic department or Faculty under the Academic Regulation on Academic Progress. In cases where good reason for late or non-submission is not established, the appeal will not be considered further.
5. Any ground(s) upon which a student wishes to base their appeal must be accompanied by additional corroborative evidence that has not already been submitted for consideration, and which clearly demonstrates how it affected their performance. This must be dated at the time the student was affected by the circumstance(s), or, if dated later, it must be clear that the person certifying the circumstances was in a position to verify them at the time they occurred.
6. The following are not considered to be special circumstances and will therefore not be considered at the point of appeal:
  - (i) problems with computers or printing

- (ii) lack of access to resources
- (iii) illness for which no medical evidence is available
- (iv) more than one assessment deadline on the same day
- (v) inability to answer question or struggling with material
- (vi) crisis games, performance productions, departmental study trips
- (vii) non-academic activities (e.g. military training).

7. Guidelines on special circumstances and acceptable documentary evidence can be found at: <https://www.aber.ac.uk/en/academic-registry/handbook/taught-schemes/>
8. Appeals that fail to meet any of the above criteria will be rejected and will not be considered by the Academic Appeal Panel. The student will be informed of this by the Academic Registry.
9. Appeals based on the following grounds will be rejected immediately:
  - (i) appeals questioning academic judgement. For the purposes of this procedure, academic judgement is the decision made by academic staff on the quality of the work itself or the criteria being applied to assess the work. Through a variety of means including staff appointment, induction and training procedures, anonymous marking and internal and external moderation, the University ensures that academic judgements are sound. Students are encouraged to seek feedback on their marks from the relevant academic staff.
  - (ii) appeals based on factors which were already known to the University and/or Examination Board concerned when the decision regarding the student's performance was determined.
  - (iii) appeals based on disappointment or dissatisfaction with results. Students who suspect that an error may have occurred in relation to the transcription of marks should raise the matter directly and in writing with their academic department in the first instance.

(iv) appeals based on a student's inability to familiarise themselves with the requirements of their courses regarding attendance, the submission of work and methods of assessment.

(v) the University will not consider appeals based on information or circumstances about which the student had not informed their academic department because they claimed they did not know they should report special circumstances; they did not think they would affect their performance at the time; or they did not mention them at the time due to embarrassment and/or shyness.

#### 12.2.5 The process for the submission of an Academic Appeal

1. From the date of formal notification of University examination results, or upon receipt of formal notification under the Academic Regulation on Academic Progress, students will normally have **20 working days** in which to submit an appeal. Late appeals will not normally be considered unless independent, corroborative evidence is submitted clearly explaining why the student was prevented from submitting the appeal by the deadline.
2. All appeals must be made in writing using the University's Academic Appeal form, or the student can e-mail [caostaff@aber.ac.uk](mailto:caostaff@aber.ac.uk) to request a copy. All sections must be completed fully. Any partially completed forms will be returned to the student and not considered until a completed form is submitted with evidence.

##### 12.2.5.1 Evidence

1. When appealing, students must clearly state against what they are appealing, what element (e.g. supervision/research/viva) has been affected, and must clearly demonstrate the impact of their circumstances on their performance in that element, in the form of an explanation and appropriate evidence.

2. For the purpose of this Procedure, evidence submitted in support of a student's appeal, must be independent or corroborative, and sufficient to establish any claims or issues raised. A personal statement of what a student believes to be true does not constitute evidence. Students must also clearly state what they wish to achieve from their appeal.
3. Full documentation to substantiate any exceptional circumstances or claims made **MUST** be submitted with the appeal form. The evidence must be signed and dated; it must indicate how the circumstances affected their performance, and it must be relevant to the affected piece of assessment.
4. The student is responsible for identifying and submitting appropriate evidence with the appeal. The University will not do this on the student's behalf. Any appeal made stating that further information can be sought on the student's behalf will not be actioned and will be rejected.
5. Where the student's academic performance has been affected by circumstances involving a third party, e.g. friend, parent, sibling, students should submit independent documentary evidence that explains the impact that the circumstances have had on them. If a student wishes to submit evidence relating to a third party they must provide written consent that they are permitted to do this from the third party involved.
6. All completed applications of appeal against the decision of an Examination Board must be submitted directly to [caostaff@aber.ac.uk](mailto:caostaff@aber.ac.uk). If the form is submitted electronically, normally from the student's own University e-mail account, this will be considered a 'signed' document in the absence of an original hard copy. If for any other reason a student's University e-mail is inactive, the University will accept applications from a student's alternative email address or by post. Students will receive written acknowledgement to confirm receipt of their application form within 5 working days of receiving their fully complete appeal application with appropriate evidence.

7. The student will be contacted by email regarding the outcome of their appeal. It is a student's responsibility to ensure that their contact details are correct on their on-line student record. The University bears no responsibility for letters that do not reach a student due to their record not being kept up to date. The primary method of contact will be via e-mail, though letters of outcome at the appeal stage will be forwarded to the address on the forms submitted, where requested.

#### 12.2.6 Consideration of the appeal by an Academic Appeal Panel

1. Upon receipt of an appeal based on one or more of the valid grounds outlined above, and submitted on a fully completed appeal form, accompanied by corroborating evidence, the Deputy Registrar (or nominee) responsible for academic appeals shall ask the relevant academic department to verify the facts to which the appeal refers. They will ensure these are verified in time to be presented to the Academic Appeal Panel.
2. Each Academic Appeal Panel shall consist of a minimum of four members which will be selected from a standing Panel by the Panel Secretary.
3. The members of the Panel to consider research degree appeals shall be:
  - (i) a Pro Vice-Chancellor as Chair
  - (ii) one Head of academic Department (or equivalent)
  - (iii) the Head or a Deputy Head of Student Support and Careers Services
  - (iv) one representative from the Students' Union.
4. Any standing panel members directly concerned with the student's studies shall not be invited to participate to avoid any conflict of interest. Any conflicts of interest must be declared by Panel members.
5. The representative from the Students' Union will have had no prior involvement with advising students on their appeal(s). The Students' Union will have ensured that the

adviser(s) and representative on the Panel are different individuals, to avoid any conflict of interest.

6. The Deputy Registrar (or nominee) responsible for Academic Appeals shall serve as Secretary to the Academic Appeal Panel.
7. The Academic Appeal Panel shall be empowered to take either of the following decisions:
  - (i) to uphold the appeal and determine the action to be taken
  - (ii) to reject the appeal; no further action to be taken.
8. If an appeal is upheld following the decision of an Examination Board, the Appeal Panel may also adopt one of the following courses of action:
  - (i) to recommend to the Examination Board that, for the reasons stated, the original, or a properly constituted, Board should reconsider the decision of the previous Board
  - (ii) to recommend that an entirely new Examination Board should reconsider the decision of the previous Board
  - (iii) to give the candidate permission to re-write the thesis and to re-submit for re-examination by the original, or a properly constituted, Examination Board within a specified time limit
  - (iv) to give the candidate permission to re-write the thesis and to re-submit for re-examination by an entirely new Examination Board within a specified time limit.
9. If an appeal is upheld (or partially upheld) following the decision made under the Academic Regulation on Academic Progress, the Appeal Panel may also adopt one of the following courses of action (this list is not exhaustive however):
  - (i) that the student be permitted to resume their studies
  - (ii) that the student be permitted to resume their studies, but with conditions; for example, changing mode of study, changing degree scheme, temporary withdrawal, etc.

10. A case may be expedited by referral for executive action by the Chair of the Academic Appeal Panel. In this instance, the only decision available to the Chair shall be to uphold the appeal (partially uphold if other grounds aren't eligible). An appeal shall not be rejected by the Chair's executive action.
11. Any student whose appeal satisfies the criteria for consideration by the Academic Appeal Panel shall have the right to appear before the Panel and may be accompanied by a person of their choice, for example a fellow student or a representative from the Students' Union.
12. Academic appeals procedures are an internal matter and do not have the same degree of formality as a court of law. In most cases it will not be necessary or appropriate for a student or the provider to be legally represented at a complaints panel or meeting.
13. All documents submitted as part of the appeal will be provided to Panel members and the student, prior to the hearing, for consideration.
14. The appeal hearing will be conducted as follows:
  - (i) where a student has indicated that they will be attending the hearing, there shall be no discussion of the case amongst panel members prior to the appearance of the appellant. The Chair of the Panel shall ask the student and any other persons present to identify themselves and shall determine that any individual who is accompanying the student is able to satisfy the stipulations in the relevant Academic Appeal Procedures. Any persons accompanying the appellant that does not satisfy the stipulations will be asked to leave.
  - (ii) the Chair of the Panel shall then:
    1. Introduce the members of the Panel and other persons present
    2. Explain the eligible and non-eligible grounds for the academic appeal

3. State the possible decisions available to the Panel
  4. Explain the sequence of events should the academic appeal be upheld
  5. Explain the subsequent right to request a Final Review if the student remains unhappy with the decision of the Academic Appeal Panel.
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15. The Chair shall invite the student to present their case, summarising the main points so that all present have a common understanding of the basis of the case.
  16. Once the student has concluded their presentation, members of the Panel may ask questions and explore areas of interest or concern regarding the appeal. When all members of the Panel are satisfied all questions have been answered, the student shall be invited to add any further points which they may wish to bring to the attention of the Panel, and the individual accompanying the student shall be invited to speak in support of the case. The Panel shall then interview any other party who is attending the hearing. The student will remain present and will be invited to respond to the evidence submitted by any other party attending and to add any further points.
  17. The student must have submitted all relevant corroborative evidence with the appeal form prior to the Panel hearing.
  18. The Chair has the discretion to declare inadmissible any evidence or information that has not been submitted and reviewed by all relevant parties prior to a hearing. In the interest of fairness, it is important that all parties ensure evidence is submitted ahead of the hearing, so that everyone has the opportunity to review the evidence and respond appropriately. Only in exceptional cases where the Chair is willing, and all other parties give consent, will new evidence brought to the hearing be considered.

19. Once the hearing has ended, the student shall be informed of the timing and method of notification of the Panel's decision. All parties, other than members of the Panel and the Secretary, shall then leave the room. The Panel shall consider the evidence before it and reach its decision. The Secretary to the Panel shall advise the Panel on the options available to it, if required.
20. The Secretary shall inform the student, in writing via email, within five working days of the decision on the appeal.
21. Each academic appeal should be resolved within 6 working weeks. If it appears that a response will be delayed, students will be informed why this is, and will be kept informed of progress.

#### 12.2.7 Final Review

If a student remains dissatisfied with the outcome of appeal, they can request a Final Review. Students will be directed to this procedure upon receipt of the formal outcome of their appeal and will have 10 working days from the date of the appeal outcome letter/email in which to submit a Final Review application. Further details can be found at: [Final Review : Academic Registry , Aberystwyth University](#)

#### 12.2.8 Monitoring of Academic Appeals

It is important that the number, level and range of academic appeals are monitored. The Academic Registry shall monitor all academic appeals submitted and will report annually to the Academic Board. Any personal details will remain confidential. It shall be the responsibility of the Academic Board to monitor the data and make appropriate recommendations to relevant bodies or personnel. It shall also be the responsibility of the Academic Board to review the Academic Appeals Procedure and its effectiveness, and make recommendations for changes, where appropriate.

Updated: September 2021

## 12.3 Appeals Procedure Senior Doctorates

1. Candidates for the degree of DLitt, DSc, DSc Econ, or LLD, may appeal under this procedure against the decision of an Internal Committee not to recommend the award of the degree in respect of which the candidate submitted their works.
2. The University is only prepared to consider appeals which are based on one or both of the following grounds:
  - Defects or irregularities in the conduct of the assessment procedure, including an interview if held, which are of such a nature as to cause reasonable doubt whether the Internal Committee would have reached the same decision had they not occurred.
  - Evidence of prejudice or of bias or of inadequate assessment on the part of one or more of the members of the Internal Committee or referees.

Appeals which question the academic judgement of the Internal Committee or referees shall not be admissible.

3. Any appeal shall be sent, in full, in writing to the Pro Vice-Chancellor (ref: Appeals) and must reach them not later than two months after the despatch to the candidate of the notification of their result. Simple notice of appeal given in writing by a candidate within the above deadline shall not be deemed to constitute an appeal proper and shall not be accepted. Receipt of an application for appeal shall be acknowledged normally within three working days, and the appellant shall be provided with a written progress report within 25 working days.
4. If the Vice-Chancellor, or their nominee\* decides, after examining the candidate's submission and any other written evidence, which they may require, that there is a case to be considered, they shall refer it to an Appeal Board consisting of three persons drawn from a Standing Panel as follows:

- 3 lay members appointed by Council
- 4 representatives of each Faculty

The Appeal Board shall be chaired by a lay member and its academic members will be drawn from Faculties and/or departments unconnected with the appeal under consideration.

5. If the Vice-Chancellor, or their nominee\*, decides that there is no case to be considered, this shall have the effect of disallowing the appeal. This shall normally be within three months of receipt of the application for appeal.
6. Where a case is referred to an Appeal Board for hearing, the Board shall identify the grounds of the appeal and shall base its decision on the evidence of the appellant's submission, a report from the Chair of the Original Examining Board, and any further evidence which it considers relevant.
7. An appellant shall be offered a personal hearing by the Appeal Board, and shall be informed of the time and date of such a hearing. The appellant may be accompanied, but not represented, by a member of the academic, welfare or advisory staff of the University.
8. The Chair shall, at an Appeal Board meeting, have discretion to declare inadmissible any matter introduced by the appellant, or by any individual accompanying the appellant, if they deem it not directly related to the contents of the appeal previously lodged in writing within the stipulated deadline.
9. The Appeal Board shall be empowered to take either of the following decisions:
  - That the appeal be rejected and no further action be taken
  - That the appeal be upheld.

10. If an appeal is upheld, the Appeal Board may also adopt one of the following courses of action:
  - To recommend to the Internal Committee that, for the reasons stated, the Committee should reconsider its decision
  - To recommend that a new Internal Committee should reconsider the decision of the previous Committee.
11. When a re-assessment is undertaken as a result of either paragraphs 10.1 or 10.2 above, the Appeal board may also specify that two new referees should be appointed. The new referees will not be provided with any information about the previous assessment other than that they are conducting a re- assessment of the candidate's submission on appeal.
12. The decision of the Appeal Board shall be final.
13. The decision of the Appeal Board (and of any re-assessment if applicable) shall be notified by the Pro Vice-Chancellor or their nominee as soon as possible to the appellant.
14. In the case of 10 or 11 above, the Pro Vice-Chancellor or their nominee shall arrange for the decision and recommendations of the Appeal Board to be implemented. An Internal Committee's decision on whether any change should be made to any previous decision shall be reported back to the Appeal Board and shall be final. On receipt of this decision, the Pro Vice-Chancellor or their nominee may, in exceptional cases only, refer the case to the Chair of the Appeal Board for review of the procedures followed. If it transpires that a **serious** procedural irregularity has occurred, the case may be referred back to the Internal Committee for reconsideration.
15. If, as a consequence of a successful appeal, a candidate is regarded as having qualified for a degree, the Pro Vice-Chancellor shall arrange admission to the degree.

16. The Appeal Board may make recommendations for consideration by the Academic Affairs Committee or the Senate as appropriate on any matter arising from the consideration of appeals.
  
17. Under the Higher Education Act 2004 the University subscribes to the independent scheme for the review of student complaints. Once all internal procedures have been exhausted a candidate may submit a complaint to the OIA (Office of the Independent Adjudicator), providing the complaint is eligible under its rules.

Should a candidate decide to make a complaint to the OIA, their OIA Complaint Form must be received by the OIA within three months of the date of the Completion of Procedures letter.

The OIA's leaflet, An Introduction to the OIA for Students can be downloaded [here](https://www.oiahe.org.uk/media/2264/intrototheoia-students-jan-2019.pdf) <https://www.oiahe.org.uk/media/2264/intrototheoia-students-jan-2019.pdf> and a link to the OIA Complaint Form is available on page 11. Alternatively, the OIA can be contacted as follows:

Telephone – 0118 959 9813

E-mail – [enquiries@oiahe.org.uk](mailto:enquiries@oiahe.org.uk)

Post – The Office for the Independent Adjudicator of Higher Education, Second Floor, Abbey Wharf, 57-75 Kings Road, Reading, RG1 3AB

Guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the [OIA's website](#). The candidate may also wish to seek advice from the Students' Union about taking their complaint to the OIA.

The OIA will normally only review issues that have been dealt with through the University's internal procedures.

\*An Officer of the University may be nominated by the Vice-Chancellor to act on their behalf.

## 12.4 Frivolous, vexatious or malicious complaints or academic appeals

1. Students will not suffer any disadvantage or recrimination as the result of making a complaint or academic appeal in good faith. Only if a complaint or academic appeal is judged to have been made frivolously (i.e. with no serious purpose or value), vexatiously (i.e. it is distressing or annoying) or with malice (i.e. the desire to inflict harm or suffering), could disciplinary issues arise in relation to the student. (See Aberystwyth University Disciplinary Procedure).
2. The University is committed to dealing with all complaints and academic appeals transparently and fairly and in line with its published procedures. However, the University reserves the right to consider a complaint or academic appeal frivolous, vexatious or malicious for the reasons below, though this list is not exhaustive;
  - (i) Complaints or academic appeals which are obsessive, harassing, or repetitive
  - (ii) Insistence on pursuing non-meritorious complaints or academic appeals and/or unrealistic, unreasonable outcomes
  - (iii) Insistence upon pursuing meritorious complaints or academic appeals in an unreasonable manner
  - (iv) Complaints or academic appeals which are designed to cause disruption or annoyance
  - (v) Demands for redress which lack any serious purpose or value.
3. Where it is believed that there is a case to be investigated, a report should be submitted by the relevant department to [caostaff@aber.ac.uk](mailto:caostaff@aber.ac.uk). An independent investigator will be appointed by the Academic Registry who will decide whether or not a complaint or academic appeal is vexatious and will take into account all the circumstances of the case when reaching their decision. The independent investigator will consider both the contents of the complaint or academic appeal and

the student's behaviour in relation to the complaint or academic appeal before reaching a decision.

4. A student who is believed to have submitted a frivolous, vexatious or malicious complaint or academic appeal may be subject to the University's Disciplinary Procedure.
5. Students whose programme of study leads to professional registration may be subject to under the Fitness to Practise Procedure.
6. Students whose behaviour is a cause for concern and where the University considers that there may be an underlying problem may be subject to the Fitness to Attend Procedure.
7. If a decision is taken by the independent investigator that a student's complaint or academic appeal is vexatious, the Academic Registry will write to the student explaining that they are no longer prepared to engage with the student in relation to the vexatious complaint or academic appeal and the complaint or academic appeal will be rejected. The student will be given a full written explanation for the decision.
8. If a student wishes to challenge the decision they should submit an application for a Final Review to the Complaints and Appeals Office [caostaff@aber.ac.uk](mailto:caostaff@aber.ac.uk). The application will be considered by a Pro Vice-Chancellor or their nominee.
9. The Pro Vice-Chancellor or nominee will review the information of the case, including any representations the student has made, and will decide whether the Final Review is to be upheld or rejected. If the Final Review is upheld, the Pro Vice-Chancellor will instruct that the student's complaint or academic appeal is reviewed in line with the University's published procedures.
10. The decision of the Pro Vice-Chancellor or nominee under the Final Review procedure is final and the student will be informed in writing, by the Academic

Registry, of the decision. A Completion of Procedures Letter will be issued to the student, on request.

11. If a student remains dissatisfied with the University's final decision they may submit a complaint to the Office of the Independent Adjudicator for Higher Education.

## Restrictions

12. The University may restrict contact in person, by telephone, email etc. or by any combination of these. The University will try to maintain at least one form of contact with a (frivolous, vexatious or malicious) complainant.
13. The University reserves the right to write to the person concerned, informing them that no direct contact between them and the University will be entered into. Further communication may be maintained between the University and a third party representative of the person concerned.
14. The University will not deal with communications that are abusive, or contain unsubstantiated allegations. Should such communications be received, the University will advise where it finds the language offensive, unnecessary or unhelpful. The University will ask the person concerned to stop using such language. They will also be advised that the University will not respond to their communications if their use of offensive language or malicious accusations etc. does not stop. The University may require that future communication takes place via a third party (see above).
15. University staff may end telephone calls or leave a face-to-face meeting where they consider the language or behaviour of the complainant to be aggressive, abusive, or offensive. The member of University staff has the right to make that decision. They should advise the person concerned that their behaviour is unacceptable, and to end the interaction if that behaviour does not immediately stop.

16. Where a complainant repeatedly emails, phones, visits the University, raises repeated issues, or sends large numbers of documents where their relevance is not clear, then the University may decide to:
  - (i) Limit contact to telephone calls from the complainant at set times on set days
  - (ii) Restrict contact to a single, named member of University staff who will deal with future calls or correspondence from the complainant
  - (iii) Arrange to see the complainant by appointment only
  - (iv) Restrict contact from the complainant to writing only, or from a third party representing the complainant
  - (v) Return any documents to the complainant or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed
  - (vi) Suspend access to campus and university buildingsor
  - (vii) Take any other action that is considered appropriate.
  
17. In exceptional cases, the University reserves the right to refuse to consider a complaint or academic appeal or future complaints or academic appeals from an individual. The University will take into account the impact on the individual and also whether there would be a broader public interest in considering the complaint further.
  
18. The following process will be followed to impose restrictions:
  - (i) The University will ensure that the complaint is being, or has been, investigated properly according to the complaint or academic appeal process, if appropriate;
  - (ii) Unless it is not appropriate to do so, the University may first write to a complainant to provide reasonable warning that their behaviour is giving cause for concern. This gives the complainant the chance to consider and to modify their behaviour before any restrictions available through this Policy are applied.

19. The Academic Registrar or nominee will provide to the Pro Vice-Chancellor an assessment of whether the actions/behaviour of a complainant are abusive, persistent or vexatious, or otherwise within the scope of this Policy.
20. A Pro Vice-Chancellor or nominee will determine what (if any) restrictions are to be imposed.
21. The University will confirm in writing with the complainant:
  - (i) Why the University has taken the decision
  - (ii) What action(s) are being taken
  - (iii) The duration of that action(s)
  - (iv) The review process of this decisionand
  - (v) The right of the complainant to contact the OIA.
22. Complainants can ask the University to review the decision to impose restrictions, following a determination that a complainant's behaviour is unacceptable. The grounds for review are limited to:
  - (i) In reaching a judgment that a complainant's behaviour is unacceptable, the University has made a substantial error in factor
  - (ii) Significant, new evidence comes to light. A review will normally be undertaken by a Pro Vice-Chancellor or nominee. At review, the Pro Vice-Chancellor or their nominee has the discretion to remove or vary the restrictions as they think best. They will make their decision based on the evidence available to them. Following review, the complainant will be advised in writing of the outcome i.e. that either the restrictions applied by the Pro Vice-Chancellor or nominee still apply or a decision to follow a different course of action has been reached.