

# EXAMINATION & ASSESSMENT REGULATIONS: ACADEMIC APPEALS

## 1. General

- 1.1. Academic Appeals refer to all appeals against decisions made by Extenuating Circumstances Officers, Module Assessment Boards and Boards of Examiners
- 1.2. A student who feels aggrieved over a formal academic assessment and/or its consequences is recommended in the first place to seek an interview with the Extenuating Circumstances Officer, the Chair of the Module Assessment Board or the Chair of the Board of Examiners to clarify her/his position.
- 1.3. A student who wishes to appeal must submit their case in writing to the Academic Registrar within 10 working days of the publication of the decisions. Exceptionally, if a student is unable to submit the case within this time limit, the case must state why it was not possible to submit it any earlier than it was submitted.
- 1.4. The appeal must be submitted by the student.
- 1.5. The only grounds on which an appeal will be considered are that:
  - a) there had been a material and significant administrative error in the information received and considered; or
  - b) that the assessments had not been conducted in accordance with the approved regulations for the course of study; or
  - c) that some other material irregularity had occurred; or
  - d) the student had been prevented from attending or submitting an assessment artefact by illness or other good cause that related to the student's personal circumstances, that she or he had been unable, for a sound and acceptable reason related to the circumstances themselves, to divulge before the deadline for extenuating circumstances.
  - e) that the decision made by the Extenuating Circumstances Officer was perverse by reference to the evidence supplied by the student.
- 1.6. It is the responsibility of the appellant to produce evidence to support her/his contention. In an appeal relating to extenuating circumstances, the appeal must also state why the existence of this factor had not been brought to the University's attention through the Extenuating Circumstances Procedure.
- 1.7. When the Academic Registrar receives from the student concerned an appeal, she/he shall decide if the appeal is valid. This is done by reference to the criteria in regulation **1.1.ii** and by a determination of whether it is soundly based upon the grounds defined at regulation **1.1.v**.

- 1.8. If the Academic Registrar decides the appeal is not valid, she/he shall write to the student and explain her/his reasons for finding the appeal to be invalid.
- 1.9. If the Academic Registrar decides the appeal is valid, she/he shall, as soon as possible, interview the student, in the presence of an independent member of Academic Council as assessor, to ascertain the basis of an appeal. A representative of the Students' Union or other friend may assist the student in this process and may accompany her/him at this and any other subsequent interview.
- 1.10. If the Academic Registrar and the assessor agree that no prima facie case exists, the appeal fails, and the failure will be reported to Academic Council.
- 1.11. If a prima facie case is held to exist, the Academic Registrar shall inform the Chair of Academic Council, who shall appoint an Appeals Committee, to consist of three members. Such members must be members of Academic Council, and shall not be otherwise involved with the relevant course.
- 1.12. If, exceptionally, following an interview conducted in accordance with regulation **1.1.ix**, the Academic Registrar, in consultation with the independent member of Academic Council decides that appellant's case is so strong that the decision of the Extenuating Circumstances Officer, Module Assessment Board or Board of Examiners should be reviewed, he/she shall so report to the Chair of Academic Council.
- 1.13. The Appeals Committee shall be governed by the Inquiries Procedure of the University of Portsmouth as defined in the "Handbook of Student Regulations". The persons entitled to appear are the student making the appeal and the Extenuating Circumstances Officer or the Chair of the Module Assessment Board or the Board of Examiners that made the decision against which the appeal is being made. They shall have the power to see other persons and papers relevant to the case. The Appeals Committee shall then decide, and so report to the Chair of Academic Council, whether the decision of the Extenuating Circumstances Officer, the Module Assessment Board or the Board of Examiners should be reviewed.

## 2. Action Following the Meeting of the Appeals Panel

- 2.1. The Appeals Committee may also separately report to the Chair of Academic Council any general or specific matter arising from the appeal that it considers of interest to Academic Council. The Chair of the Academic Council will decide what action is to be taken.
- 2.2. If the Academic Registrar, or the Appeals Committee decides that there is a case for a decision of an Extenuating Circumstances Officer, Module Assessment Board or Board of Examiners to be reviewed, the Academic Registrar shall write to the relevant Extenuating Circumstances Officer, Module Assessment Board or Board of Examiners to require that they reconvene to review its decision(s).
- 2.3. The Extenuating Circumstances Officer, the Module Assessment Board or the Board of Examiners (including the external examiners where relevant) shall, as soon as practicable, reconsider the case in the light of the Academic Registrar's or Appeals Committee's report. The final decision shall be conveyed in writing to the Academic Registrar, and shall include an account of the process whereby the decision was made and the reasons for it. Where appropriate, the Module Assessment Board or the Board of Examiners should take care to consider the impact of the case on marks or classifications awarded to other students.

- 2.4. The result of the review, together with any consequences of a revised decision, will be conveyed, by the Academic Registrar, to the student.
- 2.5. The Academic Registrar shall report to the Chair of Academic Council the final outcome of the appeal.

### 3. Annulment of a Decision by a Board of Examiners or Module Assessment Board

- 3.1. If, after reconsideration, the decision is not modified, Academic Council shall have the right to annul that decision if, in its opinion, proper account has not been taken of the factors specified by the review.
- 3.2. Where there has been procedural or other irregularity, or it is not possible to contact the Extenuating Circumstances Officer, or reconvene the appropriate Board, Academic Council shall have the right to annul a decision of an Extenuating Circumstances Officer, Module Assessment Board or Board of Examiners without previously requiring reconsideration. If the error or irregularity is found to have affected more than one student, Academic Council shall have the right to annul all or part of the assessment.
- 3.3. Where a decision has been annulled, Academic Council shall appoint an Extenuating Circumstances Officer, Module Assessment Board and/or Board of Examiners, including, if necessary, new external examiners, empowered to make decisions on confirmation of marks, the assignment of credit, student progression or awards.

### 4. Procedure for Requesting a Review of a Mark

- 4.1. Students may not question the academic judgement of the examiners and any requests based on such grounds alone will be dismissed.
- 4.2. Students can only request a remark under the following circumstances:
  - a) there had been a material and significant administrative error;
  - b) there had been a procedural irregularity in the assessment process.
- 4.3. All requests for remarks should be made to the Head of Department of the Module Coordinator within 10 working days of the receipt of the result, together with a copy of the work to be reviewed.
- 4.4. If a student's request for a review is deemed to be invalid, the Head of Department shall write to the student giving clear reasons for turning down the request for review.
- 4.5. Should a student's request for a review of the mark be valid, the Head of Department shall arrange for the assessment artefact to be remarked by an appropriate academic member of staff. The final mark may be higher or lower than the original mark, or it may stay the same. There is no further right of appeal against the mark awarded.
- 4.6. Where the review identifies a problem affects other students on the same module, the Head of Department shall arrange for all assessment artefacts to be reviewed.

- 4.7. Due to their nature, certain forms of assessment, such as presentations, cannot be reviewed. However, if a valid case is made for a review of a mark, the Head of Department may suggest remedies under the course management issues procedure.

## 5. Relationship Between Academic Appeals and Complaints

- 5.1. There may be appeals against academic decisions that refer to matters and allegations which are, or which become, the subject of a formal student complaint. In such circumstances, the processing of the appeal will be resolved before the completion of the written report of findings and conclusions relating to the complaint.

### Navigating this document

This extract comprises one element of the University's Examination and Assessment Regulations. The overarching Examination and Assessment Regulations document and index is available at [Examination and Assessment Regulations](#).

### Links to useful documents

[Module Assessment Boards](#)

[Boards of Examiners](#)

[Complaints Policy](#)

[Students Union Academic Caseworkers](#)