

# Newcastle College Procedure

## Academic Appeals Procedure (FE)

### Document Details

<b>Title</b>	Academic Appeals Procedure (FE)
<b>Date approved</b>	August 2024
<b>Version</b>	2
<b>Approved by</b>	Policy Review Group
<b>Review date</b>	August 2026
<b>Responsible Managers</b>	Director of Quality and Learning Enhancement
<b>Group Executive Lead</b>	N/A
<b>Accessible to Students/Customers</b>	Yes / No

### Applicability of Procedure

<b>16-18 full time learners</b>	Yes / No	If no, refer to:
<b>19+ full time learners</b>	Yes / No	If no, refer to:
<b>19+ substantive part time learners</b>	Yes / No	If no, refer to:
<b>19+ non-substantive part time learners</b>	Yes / No	If no, refer to:
<b>Apprentices</b>	Yes / No	If no, refer to:
<b>Higher Education students</b>	Yes / No	If no, refer to:
<b>Employers</b>	Yes / No	If no, refer to:
<b>Other Newcastle College customers/stakeholders</b>	Yes / No	If no, refer to:
<b>Newcastle College employees</b>	Yes / No	If no, refer to:

## Version History

Version	Date	Reason for release/version update	Issued by
1	August 2022	Additional grounds for appeal included in line with JCQ (2022) guidance, and consideration of reasonable adjustments included.	
2	August 2024	General review and update in line with JCQ 2024 guidance	

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## 1. Purpose

The College operates a rigorous system of internal quality assurance to guarantee fair assessment that complies with awarding organisation requirements. It is recognised, however, that there could be exceptional circumstances when individual students or groups may wish to appeal against recommendations or decisions relating to assessment.

## 2. Introduction

The following Student FE Academic Appeals Policy and Procedure details the method by which a student may appeal against an internal assessment decision at Newcastle College. The general principles of the document include the following:

- assuring impartiality of decision makers
- being clear about the difference between appeals and complaints
- upholding sound academic judgement
- maintaining privacy and confidentiality

Where an assessment decision is made by an external organisation, any appeal must follow the awarding organisations process which can be found on their website.

Where applicable, students have the right to appeal against an academic assessment decision without fear of retaliation or victimisation. Newcastle College will deal with such appeals seriously, impartially and within the timescales identified within the Student FE Academic Appeals Procedure.

The Head of Curriculum has the responsibility of ensuring that this procedure is adhered to within their functional area. The College Head of Quality has overall responsibility for the implementation of this procedure across the College.

This policy will fulfil the stated aim by ensuring that:

- a. all FE students are aware of the Academic Appeals Procedure (FE).
- b. all FE students understand the grounds for appeals.
- c. all appeals submitted will receive an impartial, transparent investigation in a timely manner and the decision communicated to the student.

The Policy and Procedure applies to all students studying on further education (FE) programmes which are subject to an internal College assessment process, undertaken either by the College or one of its sub-contractors, and where students receive external assessment results made by an awarding organisation.

## 3. Responsibilities

### Student Responsibilities

Students right to appeal are most likely to be met in full when a student understands and takes responsibility for the following:

- a) familiarising themselves with the Academic Appeals Procedure (FE).
- b) following college procedures associated with assessment arrangements.

- c) Making teaching staff aware of any special educational need and/or disability which may require exam access arrangements (for example extra time in exams) and engaging with the relevant support team
- d) completing exams to a high standard, revising appropriately, practising skills, and suitably preparing themselves for exams.
- e) taking responsibility for their learning.
- f) completing and submitting an Internal Appeals Form (QD050) if required.

### Staff Responsibilities

Teaching and support staff are to ensure that:

- a) they adhere to the expectations of teaching, learning and assessment and the standards of professional practice expected of them by the College.
- b) ensure students are informed about the Academic Appeals Procedure (FE) Policy and Procedure along with assessment arrangements related to their programme of study at the start of their course and at regular points throughout the academic year.
- c) students will not be treated less favourably following submission of their academic appeals.
- d) reasonable adjustments are implemented where the student has an identified SEND need including referring to CSS for exam access arrangements
- e) they try to resolve informal appeals prior to invoking the formal Appeals Procedure.
- f) questions raised by students relating to the academic regulations, or concerns about their academic treatment are actioned objectively and within published timescales.

### College Management Responsibilities

Management are to ensure that:

- a. all staff involved in teaching and assessing students, and handling assessment claims, are fully aware of this policy and the demands it places upon them.
- b. staff development is made available to staff to support them in implementing this policy and to understand the procedures which underpin the policy.
- c. the policy is implemented correctly and consistently.
- d. the Head of Quality has overall responsibility for the college as an examination centre.

### Responsibility for implementing this policy

Whilst the Director of Quality and Learning Enhancement has overall responsibility for the implementation of the Academic Appeals Procedure (FE) Policy and Procedure, the operational implementation responsibility resides at all levels of the College:

- a) Head of Curriculum and Curriculum Leader.
- b) Quality Improvement Manager / Head of Quality.
- c) Exams Manager and Support Team.

- d) Assigned Programme Leader and Team.
- e) Standards Managers and Skills Trainers.

#### 4. Standards by which the success of this policy can be evaluated:

- a) positive feedback from students, external awarding organisations and regulatory bodies on the effectiveness of the policy and procedure.
- b) all appeals are addressed and concluded appropriately within the timescales identified within the Academic Appeals Procedure (FE).

#### 5. Definitions

Appeal – A request for a decision to be over turned or changed

Internal – Managed by staff at the college, in the context of assessment this may mean the assessment has been written, and marked by teachers at the college

External – Managed by a company outside of the college, in the context of assessment this may mean the assessment is set by an Awarding Organisation such as City and Guilds and marked by them, for example like a GCSE exam

Assessment – This is a way to check someone's knowledge, or skills. Assessment can be a range of activities, such as practical tasks, exams, written assignments, presentations. Where an assessment contributes to the completion of a qualification, this is known as summative assessment and that is the type of assessment that this policy relates to.

Further Education – Qualifications from entry to level 3 that are taken after mandatory schooling is completed

Academic – Relating to education

Academic Year – Calendar of a qualification, usually between September and June in a college

SEND – Special Educational Needs or Disabilities

CSS – Central Support Service, this is the team at college that provides support to those with SEND

Achievement Board – This is a formal meeting at the end of a qualification where teachers present the marks that all students achieved in assessments throughout the year and their final grade (if the qualification is graded)

Candidates – This term is used to describe a student that has been entered for an assessment or examination, external awarding organisations refer to students as candidates and therefore you may see this used throughout this policy

#### 6. Procedure

##### 6.1. Introduction

Certain components of GCSEs, BTECs, and other qualifications, that contribute to the final grade of the overall qualification, are internally assessed (marked) by the subject teacher. The marks awarded (the internal assessment decisions) are then submitted by the deadline set by the awarding body for external moderation.

Newcastle College is committed to ensuring that whenever its staff mark students' work this is done fairly, consistently and in accordance with the awarding body's specification and subject-specific associated documents. This includes external

assessments made by awarding organisations, e.g. postal results such as the marking of external BTEC and GCSE exams.

This procedure relates to appeals against both internal and external assessments, as described above, and that fall within the grounds for appeal – section 6.3

## 6.2. Performance & Progression Process

The College encourages students to make use of informal day-to-day communications with teaching staff or through the tutorial process. This should include queries on academic decisions and judgement. It is essential that students ensure that any circumstance which they feel will adversely affect their performance is recorded either through the tutorial process, or by discussions with an appropriate member of staff. Students cannot submit the formal academic appeals form (QD050 –Academic Appeals) without having first attempted resolution through this stage. The student may also contact the student union for support if required.

## 6.3. Grounds for Appeal\*

Students can only appeal against an internal assessment result or decision of an Achievement Board for the following reasons:

- The student's performance in an assessment was impacted through illness or other convincing circumstance which could not have been reasonably reported at the time of the assessment. Students who appeal on this basis will be required to show why the circumstance could not have been reported earlier.
- There were procedural issues in the conduct of the assessment, which adversely affected the result achieved
- There is evidence of prejudice, bias or inadequate assessment on the part of one or more members of staff conducting the assessment
- The Achievement Board did not consider all previous reported circumstances that may have significantly affected the student's performance. Students are reminded that such circumstances must be recorded at the time they arise.
- Identified reasonable adjustments, including exam access arrangements, were not implemented

\* There may be regulatory amendments in extraordinary circumstances, e.g. Covid-19.

Appeals against external assessments must be authorised by the Head of Quality. This includes private candidates. Before authorising the appeal for submission, the Head of Quality must be able to demonstrate that the centre has the written consent of all candidates on whose behalf they are appealing.

6.3.1 Appeals will only be deemed valid when based on procedural issues in terms of how the assessment was arranged and completed and if the issues impacted the results

6.3.2 Appeals will be deemed invalid and not upheld if based purely on the following:

- Academic judgement of examiners
- Extenuating circumstances affecting performance
- The candidate's lack of awareness of exam regulations and procedures

6.4. Making an Appeal against Internal Assessment Decisions (centre assessed marks)

This procedure confirms Newcastle College compliance with JCQ's General Regulations for Approved Centres 2022-2023, section 5.7 (f) that the centre will:

- Have in place and be available for inspection purposes, a written internal appeals procedure relating to internal assessment decisions and to ensure that details of this procedure are communicated, made widely available and accessible to all candidates.

6.4.1 Appeals should be made as early as possible to ensure that the internal appeals process is completed prior to the submission of centre marks to the Awarding Organisation.

6.4.2 The student submits the QD050 - Academic Appeals to the Head of Curriculum (HoC), setting out clearly the grounds for appeal and including relevant supporting evidence. Such an appeal must be received within 14 days of the date on which the student was informed of the assessment decision/result. The student may also contact the student union for support if required.

6.4.3 The HoC, or suitable nominee, will advise the student on the timescale for the investigation and acknowledge receipt of the appeal. Students should be aware that making an appeal can result in the marks/grades being raised, confirmed, or lowered.

6.4.4 The HoC may collect written evidence from relevant members of staff as appropriate. The HoC will review the candidate's grades and discuss them with the subject teacher and Quality Improvement Manager and then agree on the appropriate action, considering the breakdown of marks, the grade boundaries and the candidate's predicted grades.

6.4.5 If it is established that the student does have grounds for appeal, the HoC will consult with the assigned Course Leader (or equivalent for Apprenticeships) and other members of staff (e.g. for students with a SEND need, a representative of the Central Support Service team) to agree what action, if any, should be taken to address the matters referred to in the appeal.

6.4.6 If, after the above consultation, the HoC establishes that the appeal is not properly based upon one of the acceptable grounds set out above (Section 3.2), then the HoC will notify the student of the decision and indicate the reason why. Both the appeal and the notification of the decision will be recorded on the student's file and appeals log by the Exams Manager.

6.4.7 The student will be deemed to have accepted this decision unless the student rejects the decision by informing the HoC, in writing, within seven days of receiving formal notification.

6.4.8 If it is established that the student does have grounds for appeal the outcome of the appeal, including any relevant communication with the awarding organisation, and any changes made to internal assessment procedures.

6.4.9 In cases where the student has rejected the decision by the HoC, the student may request that the matter is referred to the Academic Appeal Panel (AAP) – section 7. The student can only reject the decision in writing, identifying the reasons for rejection. This letter must be addressed to the Head of Quality within five working days before the published deadline for appeals.

#### 6.5. Making an Appeal against Centre Post-results services

Following the issue of results, Awarding Organisations make post-results services available. Full details of these services, internal deadlines for requesting a service and fees charged are provided by the Exams Manager. If the centre or a candidate (or his/her parent/carer) has a concern and believes a result may not be accurate, a review of the result may be requested. Reviews of Results (RoRs) offers three services:

- Service 1 – clerical re-check This is the only service that can be requested for objective tests (multiple choice tests)
- Service 2 – review of marking
- Service 3 – review of moderation (this service is not available to an individual candidate)

6.5.1 In instances where the college is dissatisfied with an assessment result, the HoC will contact the Head of Quality and then the Exams Manager who will apply for a clerical re-check, (Service 1) review of marking (Service 2), or review of moderation (Service 3).

6.5.2 If an appeal application is accepted, an investigation into students' or the college's results will follow – this will generally not involve a review of a candidate's work.

6.5.3 As internal students are not entitled to appeal directly, the college will do it on their behalf if the Head of Quality agrees.

6.5.4 Appeals will be made within 30 calendar days of the awarding body issuing the outcome.

6.5.5 The Exams Manager will record the appeal on the centre Appeal Log (Appendix 1).

6.6. Student (Candidate) - Making an Appeal against Post-results services

This procedure confirms Newcastle College's compliance with JCQ's General Regulations for Approved Centres 2022-2023 (section 5.13a) *"have in place written procedures for how it will deal with candidates' requests for access to scripts, clerical re-checks, reviews of marking, reviews of moderation and appeals to the awarding bodies. Details of these procedures must be made widely available and accessible to all candidates. Candidates must be made aware of the arrangements for post-results services prior to the issue of results"*.

6.6.1 The student submits the QD050 - Academic Appeals to the HoC, setting out clearly the grounds for appeal and including relevant supporting evidence. Such an appeal must be received within 14 days of the date on which the student was informed of the assessment decision/result. The student may also contact the student union for support if required.

6.6.2 The HoC will advise the student on the timescale for the investigation and acknowledge receipt of the appeal. Students should be aware that making an appeal can result in the marks/grades being raised, confirmed, or lowered.

6.6.3 The HoC may collect written evidence from relevant members of staff as appropriate. The HoC will review the candidate's grades and discuss them with the subject teacher and Quality Improvement Manager and then agree on the appropriate action, considering the breakdown of marks, the grade boundaries and the candidate's predicted grades.

6.6.4 If, after the above consultation, the HoC establishes that the appeal is not properly based upon one of the acceptable grounds set out above (Section 3.2), then the HoC will notify the student of the decision and indicate the reason why. Both the appeal and the notification of the decision will be recorded on the student's file and appeals log by the Exams Manager.

6.6.5 If it is established that the student does have grounds for appeal, the HoC will consult with the assigned Course Leader (or equivalent for Apprenticeships) and other members of staff ( e.g. for students with a SEND need, a representative of the Central Support Service team) to agree what action, if any, should be taken to address the matters referred to in the appeal. Any such actions will be reported to the curriculum Quality Improvement Manager and Head of Quality. The HoC will notify the student of the decision and indicate the suggestions to deal with the appeal. Both the appeal and the decision will be recorded on the student's file.

6.6.6 The student will be deemed to have accepted this decision unless the student rejects the decision by informing the HoC, in writing, within seven days of receiving formal notification.

6.6.7 If it is established that the student does have grounds for appeal the cost of the enquiry will be met by the college.

6.6.8 The college must make appeals on students' behalf and approved by the Head of Quality.

6.6.9 The Exams Manager will discuss the matter with the relevant awarding organisation prior to undertaking the appeal.

6.6.10 In cases where the student has rejected the decision by the HoC, the student may request that the matter is referred to the Academic Appeal Panel (AAP) – section 7. The student can only reject the decision in writing, identifying the reasons for rejection. This letter must be addressed to the Head of Quality within five working days before the published deadline for appeals.

#### 6.7. Academic Appeal Panel (AAP)

The Director of Quality and Learning Enhancement will convene the AAP, which will comprise of:

- The Director of Quality and Learning Enhancement or Head of Quality (Chair of the Panel)
- The Head of Curriculum
- Deputy Principal (or nominee)
- Two members of staff (one academic and one support) who are not directly involved with the student's programme
- A student representative, normally the Student Union Co-Ordinator .
- Student presenting their case

The Chair will notify the AAP of the time, date, and place of the AAP hearing at least 7days in advance.

It is the student's responsibility to prepare and present their case. They are entitled to be accompanied by a relative or a friend (who must not be acting in a legal capacity) when attending. If the student is under 18 years of age, their parent or carer will be invited to attend by the Chair. In the instance of an identified special educational need and/or disability, formal representation such as a translator, signer or support worker is permitted. This individual may not participate or provide evidence and should not be a material witness. The student is entitled to call witnesses but must notify the AAP Chair a minimum of four days in advance of the panel hearing if they intend to do so.

If the student fails to attend without good reason, the Academic Appeal hearing will go ahead in their absence using the facts as recorded. The confidentiality of the proceedings shall be observed by all parties involved.

The student is entitled to see, in advance of the hearing, all relevant evidence, except provisional marks or grades, but must keep all such information

confidential. The student is entitled to be present throughout the hearing, except for the private meetings of the panel. The panel may also call witnesses and may seek information from other external sources.

Members of the panel may question the student and witnesses. The student may also question witnesses. All witnesses will leave the meeting after giving evidence.

When all evidence has been heard, including the student's closing statement, the panel will consider its decision in private.

Based upon the evidence the panel will either: -

- Determine to uphold the candidate's decision for an appeal to the awarding body
- Accept the decision by the Head of Curriculum not to appeal.

The Chair will normally communicate the decision to the student immediately after the meeting, and subsequently confirm the decision in writing within 1-week of the meeting. The report of the panel hearing, once approved by the Chair of the panel, will be submitted in confidence to the Achievement Board.

The decision of the Academic Appeal Panel is final in terms of the college funding any appeal.

#### 6.8. Awarding Organisations

Awarding Organisations have their own appeals procedures which may be used if the College Appeals Procedures have been followed fully and the student still does not feel that the outcome is satisfactory. If the student wishes to make an appeal to an awarding organisation independently, they should contact the College's Head of Quality who will provide details on how, and if, an appeal can be made.

Alternatively, where applicable and awarding body procedures allow, the student may write directly to the awarding organisation.

If the college does not agree to support the appeal, the fee will be paid by the candidate at the time the appeal is made. No enquiry will be processed until the correct fee is paid. If the college does not agree to support the appeal and the enquiry is successful, the fee will be refunded to the candidate.

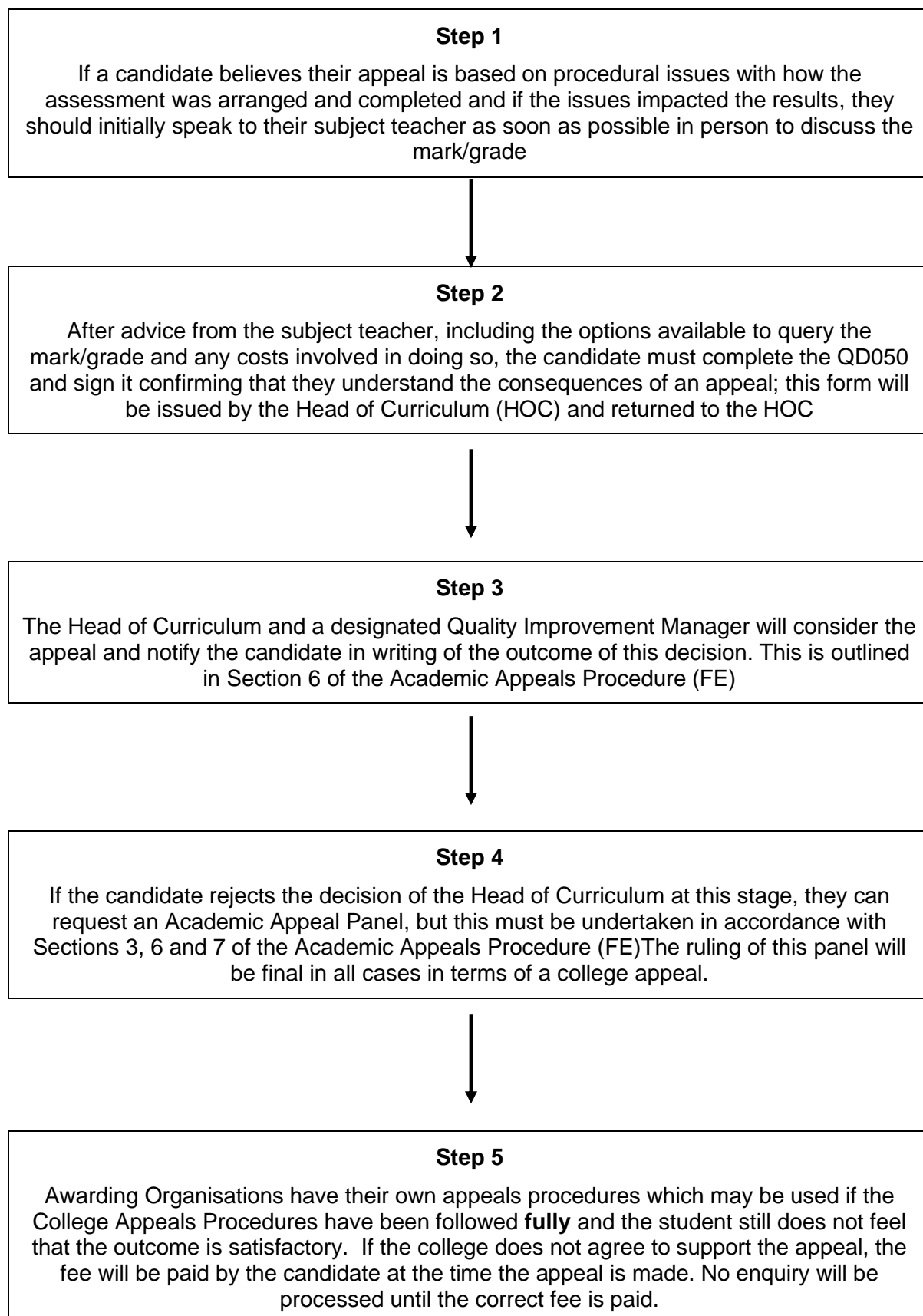
If the college is dissatisfied with an appeal from an awarding body, the college may request for an appeal hearing – the full procedure for this is detailed in Jcq's (2024) 'A guide to the awarding bodies' appeals processes (Appeals booklet linked below)' .

Jcq General Regulations for further information

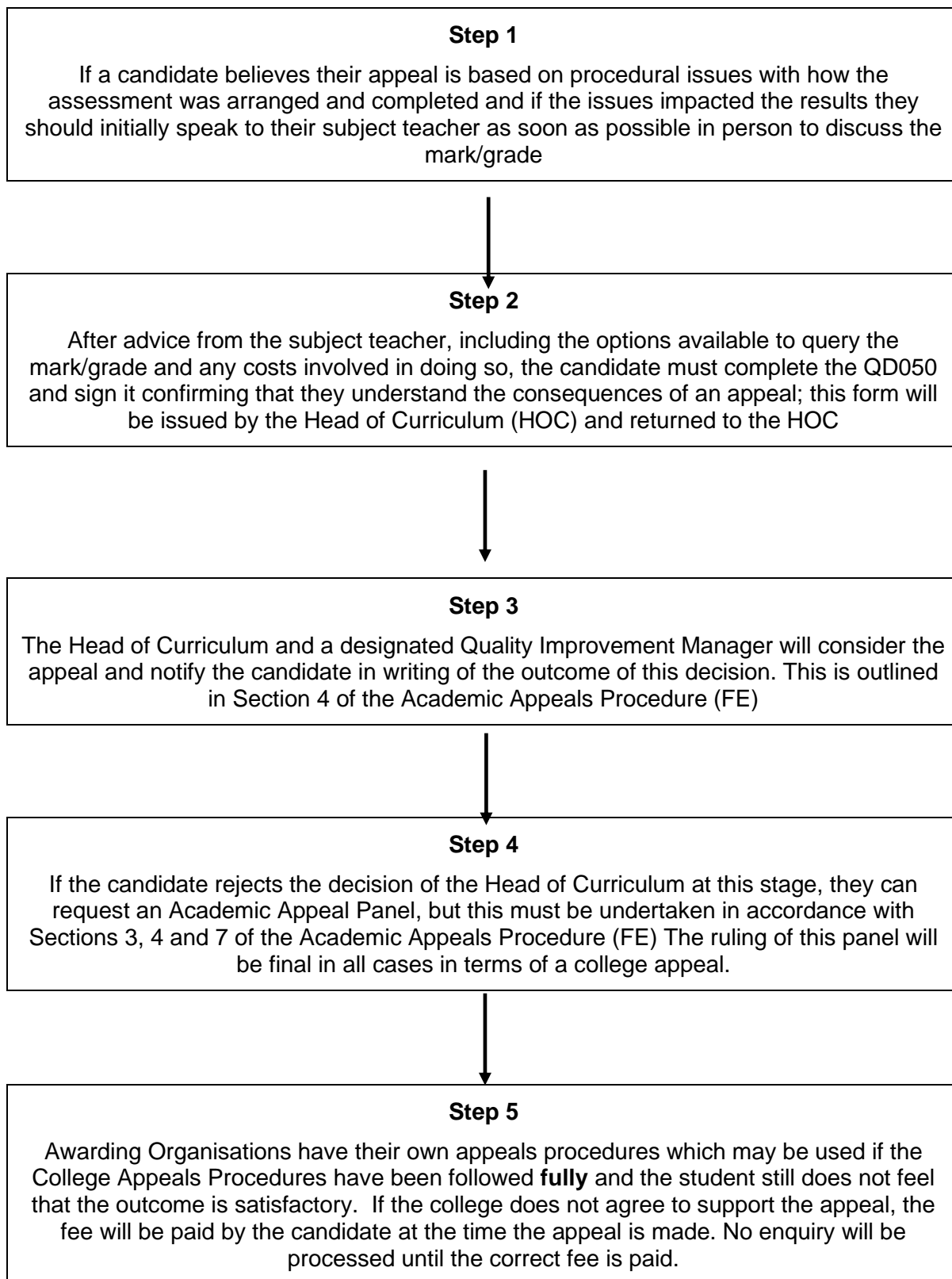
<https://www.gov.uk/appeal-exam-result>

[Appeals Booklet 2024 FINAL.pdf \(jqc.org.uk\)](#)

## 6.9. Flow Chart for Making an Appeal Candidate Post-results services



#### 6.10. Flow Chart for Making an Appeal against Internal Assessment Decisions (centre assessed marks)



## **7. References/Linked Policies and Procedures**

This policy should be read in conjunction with the following policies / procedures:

- NCL Tutorial Procedure
- NCL Complaints Procedures
- NCG Equality, Diversity, Inclusion and Belonging Policy
- NCG Assessment and Internal Verification and Moderation Policy

QD050 - Academic Appeals

## **8. Variations**

List any variations to this procedure. This should also outline the areas and context not covered by the procedure.

## 9. Appendices

### a) Appeal log

Appeals must be logged by the Exams Manager and acknowledged within 2 working days of receipt. Investigations and outcome/findings must be reported back typically within 2 weeks. Appeals must be logged and acknowledged within 2 working days of receipt.

Ref No.	Date received	Candidate	Head of Curriculum	Outcome/Date