

# **Academic Assessment Appeals Policy 2019-2021**

Policy reviewed: August 2019 by Director of Quality

To be next reviewed: August 2021

To be reviewed by: Quality and Standards Manager

# Academic Assessment Appeals Policy 2019 / 2021

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## Purpose and scope

The aim of this policy is to enable students who are dissatisfied with an internal or external assessment outcome (including a decision where the result of the assessment may require the student's withdrawal from the programme) to request a review of that decision. This procedure does not deal with disciplinary matters and such matters should be reviewed in line with the Student Development and Disciplinary Procedure.

The Academic Assessment Appeals Policy is introduced to learners as part of their induction and is included in the Student Handbook. Students can access the full procedure on the college Virtual Learning Environment and College website.

This procedure applies to those students whose assessment/examinations are assessed under the internal authority of Sandwell College. Where examinations are set and assessed externally, the College has no powers to reconsider assessment decisions, but the procedure sets out how to make an appeal to the external awarding bodies concerned.

## Glossary of Terms

Different awarding organisations use different names for the roles involved in quality assurance of assessment. This glossary is intended to clarify the roles referred to in the policy.

**Assessor:** The person who marks the student's work.

**Lead Internal Verifier/Internal Quality Assurer:** The person who checks the quality, accuracy and fairness of the assessment and feedback to the student. May also be called IV, Lead Verifier, Lead IV, Internal Moderator, IM, Moderator, Internal Standards Verifier, IQA, Internal Quality Assurer.

**External Verifier/External Quality Assurer:** The person appointed by the awarding body to check the quality and fairness of both the assessment and the internal

verification against national standards. This role may also be referred to as: EQA, SV, Standards Verifier, External Standards Verifier, External Moderator.

**Enquiries about results (EAR);** the period of time an awarding body allows for any requests to review assessment outcomes following the publication of results.

## Academic Judgement

There is no formal appeal against the academic judgement of assessors/verifiers i.e. in relation to marks or grades awarded. However, a student who does not agree with an assessment grade/mark awarded ~~may approach the assessor concerned to request an independent re-assessment.~~

~~Refusal by the College to undertake re-assessment by a second examiner would constitute grounds for an appeal.~~

## Grounds of which an Appeal can be made

There are 2 sets of circumstances in which the decision of an assessor may be changed by a higher authority within the college:

### 1. Material error or irregularity

There has been an administrative error

The assessment was not conducted in accordance with the programme regulations

The College failed or refused to undertake re-assessment by a second examiner, or

Some other material irregularity has occurred



### 2. Personal circumstances not known to the assessor/curriculum area

An assessment decision may be reviewed if a student establishes the satisfaction of the Head of Section that his/her performance in the examination or other form of assessment was adversely affected by illness, or other factors, which he/she was unable, or for valid reasons unwilling to divulge prior to assessment.

The student's request must be supported by medical certificates or other appropriate documentary evidence.

## Higher Education

In the case of students enrolled on programmes approved by Higher Education Institutions (HEI) the policies of the HEI may take precedence. In these cases, the relevant partner HEI policy should be invoked. Further guidance can be sought from the Head of Higher Education.

## Internal Appeals Procedure

If a student is dissatisfied with an internal assessment outcome he/she has the right of appeal. There are three stages in the appeals procedure and each stage must be exhausted before proceeding to the next one.

All students may request additional support to assist them with their appeal to address any perceived barriers.

### **Stage 1**

In the first instance, any student who disagrees with their assessment decision should appeal directly to the assessor who carried out the assessment. The appeal must be sent in writing within 5 working days of receipt of the assessment outcome and should clearly indicate:

- The points of disagreement and reasons.
- The evidence in the portfolio which the student believes they meet the requirements of the performance criteria.

Assessor will consider the appeal and provide a response to the student within 10 College working days of receipt of the appeal. Students are advised to keep their own copies of all documents used in the appeals procedure.

The main reasons for an appeal are likely to be:

- The student does not understand why he/she is not yet competent, due to lack of, or unclear, feedback from the assessor.
- The student believes he/she is competent and that the assessor has misjudged them or missed/misinterpreted some vital evidence.

In most cases it is hoped that this stage of the process will terminate the appeals procedure.



## **Stage 2**

Students who are not satisfied with the outcome of their Stage 1 appeal can further appeal to the Lead Internal Verifier/Internal Quality Assurer for the course within 5 College working days. This appeal must be in writing, but need not repeat the detail provided at Stage 1 as all the documentation used at Stage 1 will be passed on to the Lead Internal Verifier/Internal Quality Assurer.

The Lead Internal Verifier/Internal Quality Assurer will investigate the appeal and determine whether the student has valid grounds for an appeal. If the Lead Internal Verifier/Internal Quality Assurer rules valid grounds for an appeal exist, he/she will attempt to resolve the case to the student's satisfaction without an appeal hearing. The Lead Internal Verifier/Internal Quality Assurer will report back to the student within 10 College working days.



## **Stage 3**

Before proceeding to Stage 3, the student must have exhausted the requirements of Stage 1 and 2.

Students who are not satisfied with the outcomes of Stage 2 of the Appeals Procedure may then proceed to Stage 3 by appealing in writing to the Director of Quality within 5 College working days of receipt of the outcome of stage 2.

The Director of Quality and the Vice Principal of Teaching and Learning will examine the findings and call a meeting, within 10 College working days of receiving the appeal, to report to the student, assessor and Lead Internal Verifier/Internal Quality Assurer.

While the appeal remains unresolved, the student shall have the right to proceed to the next stage of the programme, provided the programme regulations permit it.

If the Director of Quality and the Vice Principal of Teaching and Learning decide in favour of the student, the assessor responsible for the original decision must meet with the Lead Internal Verifier/Internal Quality Assurer and Head of Section within 10 College working days to reconsider the student's results i.e. reassess the student's work and regrade the work, or repeat the assessment process for the student. The Lead Internal Verifier/Internal Quality Assurer and Head of Section undertaking such reconsideration should take into account the report from the meeting and the recommendations contained in it.

Where the Director of Quality and the Vice Principal of Teaching and Learning uphold the original assessment decision, there will be no further appeal.

The Director of Quality and the Vice Principal of Teaching and Learning will not deal with appeals arising from disciplinary matters or from allegations of cheating or plagiarism.



#### **Stage 4: Appeals to an Awarding Organisation**

(For regulated qualifications), before proceeding, the student must have exhausted all the internal appeals procedures of the College.

Students who are not satisfied with the outcomes of Stage 3 of the Appeals Procedure may then appeal to the awarding organisation or Qfqual.

This appeal must be in writing to the Chief Executive of the awarding organisation (or person advised by awarding organisation), and be accompanied by copies of all the documentation used in Stages 1, 2 and 3. The College will provide the information to the awarding organisation and will facilitate arrangements where required. There must also be evidence that students have exhausted all the internal appeals procedures of the College.

An investigation will be undertaken by the External Verifier/ External Quality Assurer appointed by the awarding organisation. On receipt of a report, the application will be considered by the awarding organisation's 'Appeals Committee'. This consideration will lead to one of two decisions:

1. The appeals committee supports the decision of the External Verifier.
2. The appeal may be rejected or upheld.

Ofqual or an Awarding Organisation cannot overturn assessment decisions of academic judgements, but may investigate the effectiveness of the centres and/or Awarding Organisation appeals process and require corrective action.

#### **Appeals Against External Assessment Decisions**

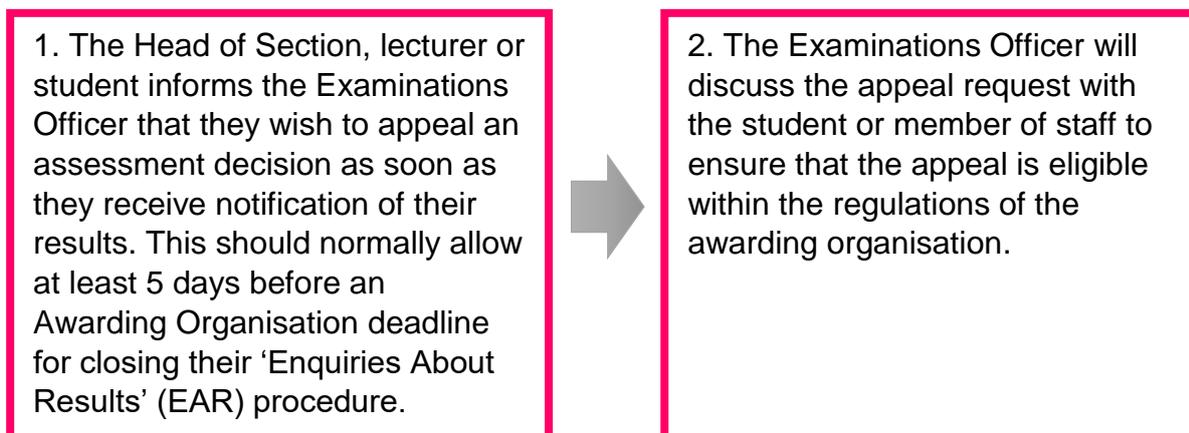
This procedure enables students to appeal against the outcome of external assessment and the process of controlled assessments within the College.

If a student has any concerns about the procedures used in assessing their internally assessed work for public exams i.e. controlled assessment/coursework/portfolios, he/she should discuss the matter with their Personal Tutor and Head of Section immediately. Following that, if the matter remains unresolved, the formal appeal procedure may be used by the student concerned.

On completion of external assessments and the notification of results, Heads of Section/Lecturers or Students themselves may wish to appeal the outcome. Each awarding organisation has specific procedures to be followed which follow the guidelines agreed by the Joint Council for Qualifications (JCQ). Therefore, all

appeals against external assessment decisions will be processed and managed by the Examinations Department.

The procedure for appealing against external assessment decisions is as follows:



### **If the Curriculum Manager agrees to support the EAR**

The request, together with the appeal form, should be made to the Examinations Officer immediately and before the awarding organisations published deadline for EARs. The cost of the enquiry will be met by the Examinations budget.

### **If the Curriculum Manager does not agree to support the EAR**

A student may appeal against the decision not to support an EAR. Appeals should be made in writing to the Examinations Officer, at least 5 working days before the Awarding Organisations published deadline for EARs. The appeal should state, in detail, the reason(s) for the appeal. This appeal should be signed and dated and should include the daytime contact telephone number of the student, parent or guardian. The appeal information will be reviewed by the Examinations Officer and a member of the Senior Management Team; the outcome of the appeal will be communicated by telephone and 1st class letter posted within 24 hours of receipt. This decision is final.

### **If the College does not support the EAR**

The student may still proceed with the EAR but all costs involved will be paid by the student at the time the EAR is made. No EARs will be made until fees are paid. Requests must be made in person to the Examinations Officer before the awarding body's published deadline for EARs. If the enquiry is successful, the fee will be refunded to the student.

3. The Examinations Officer contacts the awarding organisation to clarify procedures and timescales for the submission of appeals and liaises with teaching staff or the student to collate any evidence being submitted in support of the appeal.

4. The Examinations Officer submits the appeal to the awarding organisation, together with any supporting evidence, and notifies the student/teaching staff.

5. On receipt of the appeal outcome, the Examinations Officer communicates the result to the relevant parties in line with awarding organisation requirements.\*

\* Many awarding organisations communicate appeal outcomes directly to students, copying centres for information only.

## **Record Retention**

In the case of an academic appeal against an internal or external assessment result, all records must be retained, including all materials and learner evidence, until the appeal has been resolved.

Records will be made available for scrutiny by:

- Auditors from the Joint Council for Qualifications (JCQ);
- The External Quality Assurer from the Awarding Organisation;
- College Quality Team.

Thereafter, assessment and internal quality assurance records for appeals will be retained electronically for at least 6 years (and including where any criminal investigation is involved). Documentation will be retained by the curriculum area for internal appeals stage 1 and stage 2 and by the Curriculum area and Quality team for internal appeals stage 3 and external appeals to an Awarding Organisation or Ofqual. In all cases, a summary of relevant detail will be recorded on ProMonitor by the curriculum area.

## **General Data Protection Regulation**

In accordance with the GDPR effective from 25th May 2018, any personal data shall be;

- Processed lawfully, fairly and in a transparent manner in relation to individuals.
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.
- Adequate, relevant and limited to what is necessary in relation to the purpose for which they are processed.
- Accurate and where necessary, kept up to date, every reasonable step taken to ensure that personal data that are inaccurate, having regard to the purpose for which they are processed, are erased or rectified without delay.
- Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing

and against accidental loss, destruction or damage using appropriate technical or organisational measures.

- Uploaded to a secure Awarding Organisation online portal (where facility allows) for external quality assurance activity.
- Password protected where individual personal data is sent to an Awarding Organisation or External Quality Assurer via email.
- *Individuals have a right to be informed about the collection and use of their personal data. See full General Data Protection Regulation.* <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/principles/>

## Summary Assessment Appeals Structure and Timeframe

### Stage 1

- Within 5 working days of the assessment decision
- Appeal should be in writing
- Appeal to the assessor
- Assessor responds within 5 College working days of receiving the appeal

### Stage 2

- Submit within 3 working days of stage one feedback
- Appeal should be in writing
- Appeal is made to the Lead Internal Verifier/Internal Quality Assurer
- Lead Internal Verifier/Internal Quality Assurer responds within 3 College working days of receiving the appeal

### Stage 3

- Submit within 3 College working days of stage two feedback
- Appeal should be in writing and should include reasons for continued appeal from stage two
- Appeal is made to the Director of Quality or the Head of Higher Education
- The Director of Quality will call a meeting within 5 College working days to discuss their response

### Stage 4: Appeals to Awarding organisation/Office of Independent Adjudicator

- Stages 1-3 of the internal appeals procedure need to be exhausted before continuing to this stage, or the outcome of an internal or external assessed exam or test
- Appeals need to be made in writing with details provided by the Examinations Officer and are submitted to the awarding organisation or the office of the independent adjudicator (higher education students only). A fee may be payable to the awarding organisation and must be paid before submission of the appeal
- Appeals must be made at least 5 days before the published end date of Enquiries About Results (EAR), this is usually about 5 weeks after results are published