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1. INTRODUCTION

- 1.1. The Office of the Independent Adjudicator defines an academic appeal as “a challenge to or request for reconsideration of a decision by an academic body that makes decisions on student progress, assessment and awards This may include a request to change marks or progress decisions, or final award classifications.”
- 1.2. This Policy is also applicable to students who wish to request the reconsideration of a decision not to grant Exceptional Circumstances.
- 1.3. Istituto Marangoni (‘the School’) has clear process for dealing with student appeals which form part of its quality assurance processes and reflect currently good practice. These processes apply to all current students registered on the Regent’s University London programmes.

2. GROUNDS FOR ACADEMIC APPEALS

- 2.1. Students who are currently enrolled on a course of study with the School or who have recently completed a programme of study may make an Academic Appeal may use this policy where they consider that the following grounds may apply:
 - 2.1.1. For appeals relating to the decision of an assessment board:
 - 2.1.1.1. There is clear evidence of a significant administrative error on the part of the School or in the conduct of the assessment/examination and that this had a significant negative impact on your performance
 - 2.1.1.2. The assessments had not been conducted in accordance with the assessments regulations for the course of study.
 - 2.1.1.3. There exists or existed circumstances affecting the assessment board decision which, for good reason, the decision-makers may not have known about when taking the original decision.
 - 2.1.2. For appeals relating to the decision not to grant Exceptional Circumstances:
 - 2.1.2.1. There are reasonable grounds, supported by authoritative and objective evidence, to believe there has been an administrative or procedural error that may have affected the decision or recommendation to the student’s disadvantage.
 - 2.1.2.2. The decision or recommendation in the case was clearly unreasonable.
 - 2.1.2.3. There exists or existed circumstances affecting the decision which, for good reason, the decision-makers may not have known about when taking the original decision.
- 2.2. This policy cannot be used to:
 - 2.2.1. to challenge the academic judgment of Assessment Boards and any correctly exercised academic judgment (e.g. of an individual academic member of staff) in reaching a decision on progression or on the final level of award, based on the

marks, grades and other information relating to a student's performance. Any such cases will be rejected;

2.2.2. to express dissatisfaction with results where a case cannot be made under section 2.1 above; to pursue allegations that poor teaching, supervision, or guidance affected performance. These matters should normally be progressed through the IML Student Complaints Procedures.

2.3. A student may submit both a complaint and a separate appeal and include common issues in each which link the two together. Under these circumstances the complaint should be investigated and concluded within the timelines specified by the IML Student Complaints Procedures. The appeal will be processed and considered after the complaint has been investigated and concluded in order that any evidence uncovered through this more extended investigation can feed into consideration of the appeal if appropriate.

2.4. These procedures governing appeals against assessment outcomes are treated seriously without negatively affecting student rights or impartial judgement on academic progress. However, if it is established that appeals are malicious and vexatious they will not be considered reasonable, and the School may take disciplinary action.

- A vexatious Academic Appeal is one where we believe you are doing so primarily to cause harassment; or you make repeated Academic Appeals related to a matter that we have formally concluded. This may include making unreasonable and/or unrealistic demands of an individual.
- A malicious Academic Appeal is one where we believe you are attempting to insult, offend or make a false statement about a member of the School or its representatives; or where the remedy requested is disproportionate or not possible.

2.5. Students should be encouraged to disclose any disability they feel may be relevant to their case. The School staff should ensure that in managing the operation of this Procedure for such students, any reasonable adjustments are made to ensure the students are adequately supported. However, students cannot use this Policy to request alternative assessment methods that have not been previously identified in a Personal Learning Plan. A disability does not exempt a student from demonstrating achievement in the learning outcomes required for their course, although an alternative means of assessment may be specified in a Personal Learning Plan.

2.6. The formal and review stages of this Policy will be completed normally within 90 calendar days. The 90-day period will begin when a case proceeds to the formal stage.

3. PROCEDURES

3.1. Early Resolution

- 3.1.1. After students have been notified of their results, they are advised and recommended to first raise a query or concern about an individual assessment or other academic decision with the Programme Leader.
- 3.1.2. A student can seek advice and support from the Student and Academic Services team.
- 3.1.3. If a student is still unhappy with the early resolution, the student can submit an academic appeal application.
- 3.1.4. Academic Appeals about an Extenuating Circumstances decision should skip the Informal Academic Appeal stage and move straight to the Formal Stage (below).

3.2. Formal Stage

- 3.2.1. If a student wishes to submit an academic appeal, they must do so by completing the relevant form with supporting evidence (if any) within ten working days of the confirmation of the outcome of an assessment decision or in the case of an Extenuating Circumstances decision, within ten working days of that decision being sent to you. to the Assessment Coordinator at assessments.london@istitutomarangoni.com.
- 3.2.2. The application form must include the following:
 - A. A clear statement of the grounds for appeal;
 - B. All relevant evidence and details of the events in support of the application;
 - C. Details of whether internal resolution has been attempted and the outcome (if necessary);
 - D. A list of anyone who is known to have relevant information.
- 3.2.3. A late request will not normally be considered. However, the Registrar or nominated representative retains the right to consider a request at their discretion where they deem there to be a credible explanation as to why the application was not made within the required timescales.
- 3.2.4. When an appeal application is received, there will be an initial assessment on whether the application meets the relevant grounds and basis as set out by these regulations. If it is determined that there are no grounds or the application has been submitted out of time (with no credible explanation), the application will be declined, and the student will be informed in no later than 5 working days of the decision.

If upon initial assessment it is determined that the application meets the grounds and criteria, as set out by these regulations, the student will be informed of this within 5 working days of submitting their appeal, and the application forwarded to the Academic Appeal Panel for review. The Academic Appeals Panel will normally be organised within ten working days following the communication with the student.

3.3. Academic Appeals Panel

3.3.1. The Academic Appeals Panel will consist of a minimum of 3 people.

Membership will vary according to the award level and location of provision. The Registrar (or nominated representative) will appoint panel members from a pool of appropriately trained academic and/or professional services staff. The Panel will consist of at least 2 academic members of staff, and the panel will not contain any member of staff previously involved in the decision which is the basis of the appeal.

3.3.2. The Academic Appeal Panel will normally consider appeals by written representation, a student may attend and should inform the Assessment Coordinator of their wish to do so, noted in the appeal application form.

3.3.3. The student will be notified of the following:

- A. Date, time and location of the Panel;
- B. Membership of the Panel;
- C. The right to submit a further statement;
- D. The right to be accompanied by a friend or a representative of the student.
- E. To advise the student that if they fail to attend, the Panel will proceed in their absence.

3.3.4. Upon receiving the paperwork, the Academic Appeals Panel may decide that the application should be heard with the student in attendance. (Normally this is when the matter is complex, and the Panel wishes to hear from the student directly prior to making a determination).

3.3.5. The Chair's ruling is final on any point of procedure about the conduct of the hearing, upon receipt of advice from the Registry team.

3.3.6. The Academic Appeals Panel may make the following decisions:

- A. To decline the application (in whole or in part).
- B. To uphold the appeal (in whole or in part).

3.3.7. Upholding the decision in whole or in part does not necessarily mean the original decision on your assessment(s) will be reversed or altered.

3.3.8. If the decision is upheld, in whole or in part, the decision may require to be returned for reconsideration by the original decision makers.

3.3.9. The student will be notified of the outcome within 5 working days of the Academic Appeal Panel date.

3.3.10. Formal Academic Appeals end when an outcome is issued or if you have not received an outcome within twenty working days of confirmation of receipt of your Formal Academic Appeal.

3.4. Review Stage

3.4.1. Students have the right to request a review of the outcome of a formal appeal.

3.4.2. For reviews relating to the decision of an assessment board:

3.4.2.1. For matters relating to the outcome of an assessment board, requests for review should be directed to Regent's University London, who will consider the appeal where the following conditions for eligibility are met:

- a) There is evidence of a mistake at an earlier stage of the Academic Appeal that – if it had not occurred – would have resulted in a different, more favourable outcome or
- b) There is new evidence that was not reasonably available at an earlier stage and which would have made a difference to the outcome reached or
- c) The outcome of an earlier stage was not reasonable.

3.4.2.2. Students should contact QualityOffice@regents.ac.uk to request an Appeal Review form and/or for further guidance. Reviews will be conducted under the Regent's University London regulations and process, outlined in Section 6 of Regent's Academic Regulations: Academic Appeals. See <https://www.regents.ac.uk/policies>.

3.4.2.3. Requests for a Review must be submitted to the University within ten working days of the end of the Formal Academic Appeal.

3.4.3. For reviews relating to the decision not to grant Exceptional Circumstances:

3.4.3.1. For matters relating to a decision not to grant extenuating circumstances, requests for review should be directed to Istituto Marangoni London in no later than 10 working days of the outcome, explaining the basis of their dissatisfaction and the remedy they seek. Requests for review can only be made on the following grounds:

- a) That there exists evidence that could not reasonably have been made available at the earlier stages; or

- b) That there exists evidence of a material procedural irregularity from the earlier stages; or
- c) That there exists evidence that the judgement at the previous stage(s) did not meet the expectations of natural justice. No new areas of appeal may be requested at this stage, but the student may submit further evidence (subject to point a).

3.4.3.2. The Registrar or nominated representative, will consider the application, and determine if the application meets the chosen grounds and basis. Where the review is rejected, the student will be provided with the outcome and completion of procedures letter which sets out their right to refer the matter to the Office of the Independent Adjudicator.

3.4.3.3. Where the application is deemed to meet the chosen grounds the Registrar or nominated representative, will undertake the review, or request the review to be completed by an independent member of staff.

3.4.3.4. The review will be restricted to the consideration of those matters identified as the grounds for review; the reviewer will not rehear the original appeal. The burden of proof will be on the student and the standard will be on the balance of probability.

3.4.3.5. The student will receive the outcome of the review and be provided with the basis of the conclusions reached. The student will also receive a completion of procedure letter which sets out their right to refer the matter to the Office of the Independent Adjudicator.

4. THE OFFICE OF THE INDEPENDENT ADJUDICATOR

- 4.1. Following the issue of a Completion of Procedures letter by the School or Regent's University London, the students have the right to refer the case to the Office of the Independent Adjudicator (OIA) for Higher Education. An application to the OIA must be made within 12 months of the issue of the Completion of Procedures letter.
- 4.2. The grounds, eligibility for review and outcomes shall be determined by the Office of the Independent Adjudicator.
- 4.3. Details of the OIA and the relevant information in relation to the Scheme can be accessed at <https://www.oiahe.org.uk/>.

5. RECORDING AND MONITORING

- 5.1. A record of all appeals considered by the School Academic Appeals Panels will be maintained by Registry Team.

- 5.2. Appeals shall be monitored to identify trends, areas of good practice and where improvements could be made.
- 5.3. The Registry Team will prepare an annual report on academic appeals for the Istituto Marangoni London Quality Committee and Academic Board, and Regent's University London. Recommendations from this report shall be used to enhance the quality of the student experience by informing the future development of School's practices, procedures, and activities.