Information for Students, Teachers and Examiners

Annex 9: Concessions Applications and Appeals against Recommendations of Boards of Examiners

1. Introduction

1.1. These procedures cover concessions applications and appeals against recommendations of Boards of Examiners from students taking taught programmes of study.

1.2. All students have a responsibility to manage their learning, revision and assessment activities throughout the duration of each term or assessment period. Students are partners with the University in their studies and are expected to plan carefully and manage their workload; they should not leave coursework, learning, revision or similar activities until too late. Students with Inclusive Learning Plans (ILP) are expected to manage their studies in accordance with their ILP and to make use of the recommendations and provisions of their ILP and to act in partnership with the support services available and to contact them if their needs change.

1.3. Illnesses and difficult or distressing events are a normal part of life. Students are expected to manage these and continue with work or study. Such difficulties are not normally accepted in mitigation for failure to submit coursework, to attend an examination or for impaired performances in coursework or examination. Evidence of illness or other misfortune, such as to cause exceptional interference with academic performance over and above the normal difficulties experienced in life, will be considered by Boards of Examiners if submitted in accordance with the procedures below.

1.4. It is the responsibility of a student to submit at the earliest opportunity, and not later than the deadline given below, as per the directions given in 1.4.1 – 1.4.2, evidence of illness or other misfortune which may have caused exceptional interference with academic performance in order that this may be brought to the attention of the Board of Examiners:

1.4.1 On the Canterbury campus:

1.4.1.1 Undergraduate students in the Faculties of Humanities and Social Sciences: to the Undergraduate Office – Humanities and Social Sciences (except for Architecture students, who should submit the concessionary application directly to the School of Architecture);

1.4.1.2 Undergraduate students in the Faculty of Sciences: to the appropriate School Office;

1.4.1.3 Postgraduate students in any Faculty: to the appropriate School Office.

1.4.2 On the Medway campus:

All students: to the Gillingham Building Reception, with the title of your programme marked clearly on the envelope.

1.5. In all cases, appeals are submitted to the Faculties Support Office.

2. Concessions Applications

2.1. Concessionary Circumstances

2.1.1. The term concession is used to describe action taken by Schools and Boards of Examiners in recognition of events which cause exceptional interference with
academic performance and which are beyond the normal difficulties experienced in life. This includes circumstances such as sudden, severe illness (confirmed by medical certificate) preventing attendance at an examination, or adversely affecting performance at an examination, or preventing work from being submitted by the deadline set.

2.1.2. The University does not normally consider medical certificates for long-standing controlled conditions, or self-limiting illnesses, as mitigation for impaired performance. Affected students are expected to have had the benefit of experience, medical knowledge or help to control the condition, and should have registered with the University Student Support service and have in place measures to support their studies.

2.1.3. The University will not consider concessionary evidence in cases where the student was directly responsible for the circumstances or where a student could reasonably have avoided the situation or acted to limit the impact of the circumstances. The following are examples of circumstances which would not be considered relevant for concessionary treatment (the list is not exhaustive):

- Completing coursework too late and missing deadlines because of computer or transport difficulties.
- Losing work not backed up on computer disk.
- Failure to make alternative travel plans in the face of known disruptions.
- Normal employment commitments.
- Failing to read an examination timetable correctly.

2.1.4. There may be a need to submit concessions evidence where a student suffers a temporary incapacitating medical condition or other exceptional misfortune that may have directly affected the ability of the student to attend or complete an assessment or to perform to the full extent of the student’s ability.

2.2. Submission Procedures

2.2.1. Extensions to Coursework Deadlines

2.2.1.1. Academic staff may not accept coursework submitted after the applicable deadline except in concessionary circumstances.

2.2.1.2. Concessions applications requesting an extension in the deadline for coursework submission must be submitted in writing using the relevant Concessions Application Form to the appropriate School Office.

2.2.1.3. Applications will be considered by the relevant module convenor or other nominated person or body, who has authority to extend the applicable deadline. This approval will be communicated in writing with a new submission date.

2.2.1.4. The maximum extension period permissible for a postgraduate dissertation is three months, except in exceptional circumstances.

2.2.1.5. Permission for an extension period to a postgraduate dissertation must be sought from the appropriate Associate Dean (Graduate Studies), including provision of acceptable concessionary evidence.

2.2.1.6. Approval will be communicated in writing with a new submission date.

2.2.1.7. Where an extension is granted following acceptance of concessionary evidence extension fees should not be charged.
2.2.2. **Failure to Submit Coursework, Failure to Sit an Examination, and Impaired Performance in Coursework and/or Examination**

Concessions applications relating to (i) failure to submit coursework by the applicable deadline (where an extension is not granted by the module convenor under powers set out in section 2.2.1.3 above), (ii) failure to sit an examination and (iii) impaired performance in either coursework or examination, will be considered only if submitted:

- by means of the Concessions Application Form available from the Undergraduate Office (in the Faculties of Humanities and Social Sciences) or the appropriate School Office (in the Faculty of Sciences).
- With a clear and concise account of the concessionary circumstances and the impact on the student’s studies.
- With all necessary documentary evidence.
- Within the applicable deadline.

2.3. **Deadlines**

Concessions applications for failure to take an examination or impaired performance in an examination must be submitted normally no later than five working days after the examination to which they relate. Concessions applications for coursework assessments should be submitted normally no later than the deadlines to which they relate.

2.4. **Medical Certificates and Other Supporting Documentation**

2.4.1. Any medical documentation submitted to support concessions applications must:

- relate specifically to the dates and duration of the illness.
- contain a clear medical diagnosis or opinion provided by an appropriately qualified practitioner and not merely report the student’s claim that s/he felt unwell, nor report the student’s claim that s/he had reason to believe s/he was ill.

2.4.2. Acceptable supporting evidence other than medical documentation includes an original (not photocopied) document written and signed by an appropriate third party, giving details of the circumstance, its duration, and, where possible, its impact. An appropriate third party would be one who knows the student in a professional capacity or one who can verify the circumstances from a position of authority (e.g. lecturer, personal tutor, Students’ Union representative, GP, University Counsellor) and who is in a position to provide objective and impartial evidence. Letters from family members or fellow students will not be acceptable.

2.4.3. Medical certificates and other supporting documentation should be provided in English. It is the responsibility of the student to submit a translation provided by an accredited organisation.

2.5. **Consideration of Concessions Applications**

2.5.1 Concessions applications relating to non-submission of coursework, absence from examination/s, and to impaired performance in coursework or examination are normally considered by Concessions Panels on behalf of Boards of Examiners. The Panels make recommendations to the relevant Board of Examiners.

2.5.2 Where a student's concessionary submission indicates that s/he will be unable to attend an examination, the Concessionary Committee (or the Chair of the Concessionary Committee acting on its behalf) is authorised, as it sees
appropriate, to grant permission in advance for the absence and report this to the meeting of the Board of Examiners.

2.5.3 Where a student’s concessionary submission indicates that s/he will be unable to submit an item or items of coursework by the published deadline, the Concessionary Committee (or the Chair of the Concessionary Committee acting on its behalf) is authorised, as it sees appropriate, to set a new deadline or deadlines for the submission of the coursework concerned. Where the item of coursework in question constitutes the final piece of coursework for the module, such matters should normally be considered prior to the published deadline for that item.

2.6 Falsified Evidence

Where there are grounds to consider that documentary evidence submitted in support of a concessionary case has been falsified, the Chief Examiner will disregard such evidence and the concessionary application will thereafter be considered on the basis of the remaining evidence. The submission of falsified evidence will be referred for consideration by the Master of the student’s College under the Regulations on Student Discipline in Relation to Non-Academic Matters. The referral will include a recommendation as to whether the matter should be regarded as a ‘minor’ or ‘major’ offence.

3. Appeals

3.1 The most effective route to resolution of an appeal is one in which all parties engage in a spirit of cooperation. The University strives to ensure the fairness and objectivity of its procedures including the maintenance of academic standards. Guidance on appeals is provided on the Faculties Support Office webpages at http://www.kent.ac.uk/fso/appeals/index.html.

3.2 Timing

3.2.1 Appeals against the recommendations of Boards of Examiners will not be considered if they are received more than 21 days from the date of the publication of assessment results.

3.2.2 For the purposes of these procedures, the date of publication of assessment results means the date upon which the full transcript of the results under appeal are first made available to students on the University website, even if the results are subject to confirmation.

3.2.3 The submission of an appeal is no guarantee of its successful outcome. Where students have been advised to undertake further assessment in failed modules by Boards of Examiners and appeal against this decision, they must proceed to take the further assessment until the outcome of the appeal is known.

3.2.4 University staff members will treat in good faith and maintain confidentiality, according to the procedures, any academic appeal which is brought forward by its students.

3.3 Grounds for Appeal

3.3.1 Students may not appeal against the academic judgement of the examiners.

3.3.2 Appeals from students taking taught programmes of study (see 1.1) against recommendations of Boards of Examiners will be considered in the following circumstances only:

3.3.2.1 where there is reasonable ground supported by objective evidence to believe that there has been administrative, procedural or clerical error of such a nature as to have affected the recommendation of the Board of Examiners; and/or
3.3.2.2 where there is evidence of illness or other misfortune such as to cause
exceptional interference with academic performance and which the student
was, for good reason, unable to submit by the published deadline; and/or

3.3.2.3 where evidence relating to illness or other misfortune submitted under
concessions procedures within the prescribed time limit was not properly
considered by the Board of Examiners.

3.3.3 Appeals that are based on concessionary circumstances which, without good
reason, were not brought to the attention of the Board of Examiners through
concessions procedures at the appropriate time will not be considered.

3.3.4 In cases where a student is appealing a decision that he/she (i) be denied
progression to the next stage of his/her programme of study or (ii) be withdrawn
from the University, and the appeal is upheld after the end of the third week of the
beginning of the stage of study, the appellant will be required to intermit. The Dean
shall be permitted to rule on individual cases in exceptional circumstances.

3.4 Procedures

3.4.1 Appeals will be considered only if submitted:
   • by means of the Appeal Form;
   • accompanied by a letter explaining in full the grounds for the appeal and the
     remedial action sought from the Board of Examiners;
   • providing all necessary documentary evidence substantiating the grounds of the
     appeal.
   • within the applicable deadline.

3.4.2 On receipt of an appeal:
   3.4.2.1 The Faculties Support Officer shall determine whether it meets the technical
           conditions outlined in section 3.4.1 above. If it does not, the student shall be so
           informed. If it does, the appeal shall be submitted for consideration by the Dean.

   3.4.2.2 Administrative, Procedural or Clerical Error

           Where the Dean determines that there is reasonable ground, supported by
           objective evidence, to believe that there may have been administrative,
           procedural or clerical error of such a nature as to have affected the
           recommendation of the Board of Examiners: the Faculties Support Officer will
           investigate whether there has been such error and, where this is the case,
           arrange for such error to be rectified where this is possible. The Faculties
           Support Officer will inform the student of the outcome of these enquiries.

   3.4.2.3 Illness or Other Misfortune

   3.4.2.3.1 Where the appeal claims there is evidence of illness or other misfortune such
           that it may have caused exceptional interference with academic
           performance, which the student, for good reason, was unable to submit by
           the published deadline or that there is evidence relating to illness or other
           misfortune submitted under the concessions procedures within the
           prescribed time limit which was not properly considered by the Board of
           Examiners, the Dean shall determine whether there are sufficient grounds for
           further review.

   3.4.2.3.2 Where the Dean determines that there are sufficient grounds for further
           review the Faculties Support Officer will forward the evidence to the Chair of
           the Board of Examiners to ask whether, in the light of the evidence, the
           Board would wish to reconsider its original recommendation. In considering
such a request, the Chair of the Board will consult with at least one internal member of the Board of Examiners, or more than one as deemed necessary in the circumstances.

3.4.2.3.3 Where the Dean does not consider that there are sufficient grounds, the student shall be so informed.

3.4.3 Where as a result of the Faculties Support Officer’s investigation or the decision of the Chair of the Board of Examiners (as appropriate) the appeal is upheld, the Faculties Support Officer shall so inform the student.

3.4.4 Where, with regard to 3.4.2.2 or 3.4.2.3, the outcome does not correspond to the remedial action sought by the student, the Faculties Support Officer will refer the case to the Dean. The Dean shall determine whether, on the basis of the evidence presented by the student and obtained by the Faculties Support Officer, there are grounds for review. Where the Dean determines that there are grounds, the Dean will refer the matter for consideration by a Faculty Review Panel. Where the Dean determines that there are no grounds, the Dean will ask the Faculties Support Officer to inform the student that the appeal has been rejected and of the reasons for the decision.

3.5. Faculty Review Panels

3.5.1 Where an appeal is referred for consideration by a Faculty Review Panel the student and the Chair of the Board of Examiners shall be informed by the Faculties Support Officer of the date on which the Review Panel will consider the appeal, that they may submit evidence to the Review Panel in writing and/or in person, that, except where the Chair of the Review Panel decides that evidence provided by either party should be confidential to the Review Panel, they will each be provided with copies of the written evidence submitted by the other and that they will both be permitted to hear the other’s verbal evidence.

3.5.2 Where a student attends a meeting of the Review Panel, he/she may be accompanied by a member of staff or a student of the University or a member of staff of the Students’ Union or a relative. Review Panels are not legal proceedings and a student may not be accompanied by a legal representative, even if the legal representative is a member of staff or a student of the University or a member of staff of the Students’ Union or a relative.

3.5.3 A student who does not take up the opportunity of a Review Panel hearing will forego his/her right to such a hearing and will have no further right of redress within the appeals procedures. Where non-attendance is thought to be for reasons beyond the student’s control, the Chair of the Review Panel will have discretion to proceed with the hearing in the student’s absence or to reconvene the Review Panel at a later date.

3.5.4 The Chair of the Board of Examiners may appoint another member of the Board of Examiners to act on his/her behalf.

3.5.5 The Chair of the Review Panel shall have the right to decide that evidence submitted verbally or in writing should be ignored by the Review Panel on the grounds that it is irrelevant or inappropriate and shall give reasons for doing so.

3.5.6 The Review Panel will meet privately to reach a decision. The Review Panel shall be authorised to confirm or to vary the original recommendation of the Board of Examiners and will vary the recommendation only if it is satisfied:

- that one or more of the grounds for appeal has been demonstrated; and
- where appropriate, that the Board of Examiners (or the Chair of the Board of Examiners acting on behalf of the Board of Examiners) did not act reasonably in
exercising its discretionary powers in its consideration of evidence relating to illness or other misfortune submitted within the concessions and/or appeals proceedings.

3.5.7 Where the Review Panel recommends that the original recommendation of the Board of Examiners should be changed, its recommendation shall carry the weight of a recommendation of a Board of Examiners and will require approval as if it were the recommendation of a Board of Examiners. The student and the Chair of the Board of Examiners will be informed by the Faculties Support Officer in writing of the decision and of the reasons for the decision.

3.5.8 A written record of the hearing will be prepared and this will be approved by the Chair of the Faculty Review Panel.

3.6. **Appointment of Review Panels**

3.6.1. Each Faculty shall have a Review Panel appointed by the Faculty Board. Meetings of Review Panels should be provisionally arranged at times when it is anticipated that they will be required. Meetings may also be convened at short notice to consider individual cases as they arise.

3.6.2. Any member of the Review Panel who is a member of the Board of Examiners concerned in a particular appeal shall take no part in the Review Panel’s consideration of that case and shall withdraw during consideration of the case.

3.6.3. Each appeal which is referred for consideration by a Review Panel must be considered by at least three members of the Review Panel.

3.7. **Further Right of Appeal**

Where an appeal against a recommendation of a Board of Examiners is considered by the Faculties Support Officer not to meet the technical conditions outlined in section 3.4.1, or where it is rejected by a Dean, a Chair of a Board of Examiners or a Review Panel, the student shall have a further right of appeal to the Senate Academic Review Committee, which will consider only whether the original appeal was considered properly and fairly.

3.8 **Falsified Evidence**

Where there are grounds to consider that documentary evidence submitted in support of an appeal has been falsified, the Dean of the Faculty will disregard such evidence and the appeal will thereafter be considered on the basis of the remaining evidence. The submission of falsified evidence will be referred for consideration by the Master of the student’s College under the *Regulations on Student Discipline in Relation to Non-Academic Matters*. The referral will include a recommendation as to whether the matter should be regarded as a ‘minor’ or ‘major’ offence.