Guidance on
Academic Appeals and Complaints Procedures
for Partner Colleges

January 2015
University of Kent Guidance on Academic Appeals and Complaints Procedures for Partner College Staff Members

**Note:** the following guidance has been taken from Annexes 9 (Concessions Applications and Appeals Against Recommendations of Boards of Examiners) and 10 (Academic Discipline Procedures) of the Credit Framework for Taught Programmes and Section 8 (Academic Discipline) of the General Regulations.

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Introduction

This document has been developed to provide staff members working in the Partner Colleges with guidance on the academic appeals and complaints procedures as agreed with the University for higher education qualifications leading to a University of Kent award. This document provides guidance on the requirements of Annex 9 (Concessions Applications and Appeals Against Recommendations of Boards of Examiners) and 10 (Academic Discipline Procedures) of the University of Kent Credit Framework for Taught Programmes and Section 8 (Academic Discipline) of the General Regulations.

Memoranda of Cooperation/Association

The Memoranda of Cooperation/Association between the University of Kent and the Colleges state that:

It is the responsibility of the College to:

- Handle, in the first instance, all complaints and non-academic disciplinary cases arising from students under this Agreement.
- Have in place a clear, well publicised procedure for dealing with complaints from students
- Abide by the academic disciplinary regulations, principles and procedures set down in Section 8 of the University’s regulations.
- Establish an academic disciplinary committee or committees to consider academic offences as per the requirements of Annex 10 of the University's Credit Framework.
- Inform the University, on an annual basis, of the number of complaints made by students and the outcome of these complaints.

and it is the responsibility of the University to:

- Handle all appeals made by students against decisions of Boards of Examiners.
- Handle all appeals made by students against decisions made by disciplinary committees with respect to academic offences as defined by Annex 10 of the Credit Framework.
- Process any representations made by students against decisions of the Faculty Board that they must withdraw on grounds of persistently failing to perform work satisfactorily.
- Where a complainant has exhausted the College’s complaints’ procedures but remains unsatisfied, to consider the complaint under its procedures for a grievance to the University’s Council.

Definitions

An academic complaint is any specific concern about the provision of a programme of study or related academic service.

An academic appeal is a request for a review of a decision of an academic body charged with making decisions on student progression, assessment and awards.

1. Academic Discipline and Student Performance

1.1. Disciplinary Officer

The College should appoint one or more Disciplinary Officers responsible for considering the attendance and performance of students following HE programmes of study leading to a University of Kent award. Their responsibilities will be to initiate disciplinary action when
satisfied that a student has not offered a reasonable explanation of failure to fulfil academic obligations.

1.2. Programme Information

College responsibilities

It is the responsibility of the College to provide at the time of registration all necessary information about the requirements of the programme to enable students to understand what they have to do to fulfil the requirements of the programme.

The compulsory elements of the programme may include:

- attendance at seminars, supervisions, classes and laboratories.
- coursework assignments & deadlines

Student responsibilities

It is the responsibility of students to ensure that they have the course information for the relevant year, and that they understand and comply with it.

Students are expected to comply with the Regulations and the requirements of their respective programmes. Academic Discipline procedures may be initiated if a student has failed to comply with them.

1.3. Monitoring of Student Progress

The College must ensure that the progress of students in their programmes is properly monitored and that their progress is from time to time discussed with them.

The University of Kent Regulations provide that a student may in certain circumstances when he/she persistently fails to perform prescribed work satisfactorily, be required to withdraw from his/her programme and his/her registration as a student terminated. The Regulations also provide that such a student must be given the opportunity of making representations on his/her own behalf to the relevant University Faculty before the decision requiring him/her to withdraw is taken. If these representations are unsuccessful, the student may appeal to the Senate Academic Review Committee (see section 4.8).

1.4. Procedures

As stated above, each College should appoint one or more disciplinary officer(s), whose responsibilities should include the initiation of disciplinary action when satisfied that a student has not offered a reasonable explanation of failure to fulfil academic obligations.

When receiving a report that a student has not been fulfilling his/her academic obligations, the disciplinary officer should ask the student concerned to an interview to discuss the situation.

In the light of that interview or of the student's failure to attend for the interview (such failure would be prima facie additional evidence of non-compliance with academic obligations), the Disciplinary Officer may decide to warn the student. Whether to issue a warning will depend on the circumstances of each case but if the Disciplinary Officer does decide to warn the student he/she should convey the warning, or at least confirm it to the student in writing. The letter should contain:

- the grounds for the warning.
• the further action (such as the issue of a Formal Warning) that would follow if this warning is not heeded.
• a statement of what will constitute 'not heeding this warning' and;
• if appropriate a time limit by which the student must have shown the required improvement.

If the warning is not heeded or the required improvement not shown by the stipulated time, the Disciplinary Officer will have in mind whether the student on account of his/her past record in this respect, is now seen or is in danger of being seen as a persistent offender (i.e. one who persistently fails to perform prescribed work satisfactorily). If this is so, he/she will issue a Formal Warning, which would again stipulate the conditions to be met and the time by which these must be achieved.

When a written Formal Warning has been issued to a student, it will cease to have effect as such after twelve months, unless further proceedings under this section are initiated as a result of the student's work and progress during this period.

When a Formal Warning is issued, the Disciplinary Officer (or a committee) should at the end of the prescribed period, consider whether the conditions set out in the Formal Warning have been met. If the Disciplinary Officer considers that they have been met, the student should be informed that he/she is permitted to continue his/her course. If the Disciplinary Officer considers that the conditions have not been met, he/she may either (i) issue a further warning or (ii) recommend that the student be required to withdraw from the University. If it is recommended that the student be required to withdraw, the Disciplinary Officer should inform the Faculties Support Officer as soon as possible so that he/she can write to the student offering him/her the opportunity to make representations against this recommendation.

The Faculty Board should lay down procedures by which the recommendation that a student be required to withdraw from the programme of study be considered and a decision taken either to reject it or to accept and implement it. That decision may be taken either by the Faculty Board itself in accordance with the Regulations or by a duly authorised body acting with delegated powers. Before the decision is taken, the student concerned must be given the opportunity (whether or not he/she takes it) of explaining himself/herself and making representations directly to the body empowered to take the decision. If he/she takes the opportunity offered and decides to make representations in person, he/she may be accompanied by one other person, either a member of staff, or a student of the University, a member of staff of the Students Union or a relative.

Note: No one should take part in making the final decision who has directly supervised the student or been directly concerned with earlier stages of this disciplinary procedure.

If a student is required to withdraw, he/she should be told that he/she may request a review of his/her case at Senate level in accordance with the Standing Orders of the Senate Academic Review Committee (see section 4.8).

2. Academic Disciplinary Committee
2.1. Requirement

Each Partner College is required to have an Academic Disciplinary Committee to consider alleged breaches of General Regulation V3 which states that:

Students are required to act with honesty and integrity in fulfilling requirements in relation to assessment of their academic progress.

Note: The following are some examples of conduct which will be regarded as a breach of this regulation:
• **Cheating in examinations:** including the use of unauthorised materials, mobile phones and other prohibited electronic devices.

• **Attempting to influence an examiner or teacher improperly**

• **Plagiarism:** reproducing in any work submitted for assessment or review (for example, examination answers, essays, project reports, dissertations or theses) any material derived from work authored by another without clearly acknowledging the source.
  
  o It should be noted that the University regards plagiarism a strict liability offence and so does not require evidence of intent to commit plagiarism in order to determine that an offence has occurred. However, where it is determined that the act of plagiarism has occurred as a result of poor academic practice, it is open to the Chair to interpret the matter as constituting a minor offence.

  o The University makes information about the definition and seriousness of plagiarism offences available to students and that it is the responsibility of the student to consider this carefully. Lack of understanding on behalf of the student will not be considered acceptable grounds in response to an allegation of plagiarism or when appealing a penalty imposed under the academic discipline procedures.

  o The identification of plagiarism is an academic judgement, based on a comparison across the student's work in general, and/or on knowledge of the sources, of practice in the discipline and of expectations for professional conduct. The Chair of the Academic Disciplinary Committee, or the Committee itself, may therefore determine that plagiarism has taken place even if the source has not been identified.

• **Duplication of material:** reproducing in any submitted work any substantial amount of material used by that student in other work for assessment, either at this University or elsewhere, without acknowledging that such work has been so submitted. (*Conventions may be published which define more precisely for purposes of particular disciplines, programmes or types of assessment-work, the offences denoted at * above, provided such conventions have been approved by the appropriate Faculty Board, and a copy lodged with the Secretary to the Learning and Teaching Board.*)

• **Conspiring with others** to reproduce the work of others without proper acknowledgement, including knowingly permitting work to be copied by another student

• **Falsification of data/evidence**

2.2. **Members**

The Academic Disciplinary Committee will consist of three academic members of staff (one of whom will be nominated Chair of the Committee). The Partner College will provide a Secretary to the Committee.

2.3. **Procedures**

In the event of an alleged breach of regulation V.3 (as described above), the staff member who uncovers the alleged breach should contact the Secretary of the Academic Disciplinary Committee. The Secretary will inform the student concerned and the Chair of the Academic Disciplinary Committee of the alleged breach. The Chair shall be provided with full details of the alleged breach and supporting evidence.

If on first examination of the evidence the Chair considers that the allegation is without foundation, he/she shall so inform the student and no further action shall be taken.
2.4. Plagiarism First Offence – Determining Formal Warnings and Minor Penalties

The University acknowledges that at the start of a student's career, plagiarism may be inadvertent and a result of inexperience or poor academic practice. In recognition of this fact, the following procedures have been developed:

Where a first offence of plagiarism is suspected in a piece of work submitted by a stage 1 undergraduate student, discretion is afforded the Chair to treat the case as warranting only a formal warning.

Where a first offence of plagiarism is suspected in a piece of work submitted by a student other than a Stage 1 undergraduate student, the Chair has discretion to treat the case as warranting a formal warning and a minor penalty.

In either case this is provided that:

- The Chair is satisfied that the incidence of plagiarism is a result of poor academic practice;
- That there is therefore no evidence of any intent to deceive;
- That the piece of work in question constitutes the first such incidence of plagiarism for that student;

Such cases will be conducted as per the procedures for uncontested minor offences and, if proven, will result in the Chair issuing a formal warning letter to the student. The formal warning letter will set out the possible consequences of any further cases of plagiarism and will provide direction to sources of advice and guidance to prevent any future breaches.

In the case of a Stage 1 undergraduate student, the Chair, in consultation with the module convenor, will determine if a mark may be returned for the piece of work based on the portion which is not plagiarised or whether the student should be permitted to re-submit the piece of work without penalty by an agreed deadline. Where, subsequent to the discounting of the plagiarised portion, the mark awarded is lower than the pass mark, the student may be given the opportunity to resubmit the work where it is considered appropriate to do so, by an agreed deadline.

In the case of a student other than a Stage 1 undergraduate student, the Chair, in consultation with the module convenor, will determine if a mark may be returned for the piece of work based on the portion which is not plagiarised or whether the student should be permitted to re-submit the piece of work without penalty by an agreed deadline. Where, subsequent to the discounting of the plagiarised portion, the mark awarded is lower than the pass mark, the student may be given the opportunity to resubmit the work where it is considered appropriate to do so, by an agreed deadline for a maximum of a pass mark.

(Note: this opportunity to resubmit in term time prior to the next available resubmission opportunity does not apply to minor/serious offences – see below).

Such cases will not – in isolation - be regarded as constituting a breach of academic discipline and will not be recorded on the student’s transcript or academic reference. However, when considering any subsequent cases of plagiarism, the Chair will take into account whether a formal warning has earlier been issued to the offender.

2.5 Determining Minor Offences/Serious Offences

Whether for a first or subsequent offence, where the Chair considers the evidence is substantive, he/she will determine if the breach should be regarded as constituting a minor or a more serious offence. In reaching this determination, the Chair will take into account such factors as the following:
• The contribution to the overall mark for a module made by the piece of work in which the instance of alleged plagiarism has been detected;
• The proportion of the piece of work that is plagiarised;
• Whether the student is in receipt of a formal warning;
• The number of previous or contemporaneous offences, if any, with any instances of repeat offending normally to be regarded as constituting a more serious offence;
• Evidence of intent to deceive, with any such evidence normally to be regarded as requiring the treatment of the case as per a more serious offence;

The Chair may consult other members of the Academic Disciplinary Committee about how to proceed with the case if he/she considers this appropriate.

2.6 Minor Offences

Where the Chair determines on the basis of the available evidence that the case should be treated as per a minor offence he/she will write to the student and set out the details of the allegation and the nature of the evidence against the student. The Chair will also propose a penalty for the offence and will inform the student of the proposed penalty and that it will be automatically applied should the student either decide not to contest the allegation or fail to respond to the Chair within the prescribed deadline (normally 14 days, though this may be a shorter period if this is necessary to ensure that the outcome can be made available to a meeting of the Board of Examiners).

If the student contests the allegation and/or the proposed penalty, the Chair will refer the case to the School Disciplinary Committee. The student will be invited to submit representations in writing. An oral hearing will be convened where the Chair considers that there are sound reasons for doing so.

If the student does not contest the allegation by the prescribed deadline, the Secretary will inform the relevant Board of Examiners of the decision of the Chair and confirm the outcome of the case to the student. The maximum penalty that may be applied by a Chair for an uncontested minor offence will be a mark of zero for the piece of work in question. The student shall be informed of his/her right to appeal against this decision as per the procedure set out below.

2.7 Serious Offences

Where the Chair determines on the basis of the available evidence that the case should be treated as per a serious offence the Chair will ask the Secretary to convene the School Disciplinary Committee to hear the case.

The student shall be informed by the Secretary of the date on which the School Disciplinary Committee will consider the case; that they may submit evidence to the Committee in writing or, where the Chair considers an oral hearing appropriate, in person; that, except where the Chair decides that evidence provided by either party should be confidential to the Committee, they will each be provided with copies of the written evidence submitted by the other and, where an oral hearing is held, that they will both be permitted to hear the other’s verbal evidence.

Where a student attends a hearing of the School Disciplinary Committee, 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. Such hearings 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.

A student who, where the opportunity is offered, does not attend a School Disciplinary Committee hearing will have no further right of redress within the University’s appeals procedures. Where non-attendance is thought to be for reasons beyond the student’s control, the Chair of the Academic Disciplinary Committee will have discretion to proceed with the hearing in the student’s absence or to reconvene the Committee at a later date.

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

The School Disciplinary Committee will meet privately to determine whether, in its view, there has been a breach of Regulation V.3 and, if so, impose an appropriate penalty;

The Secretary shall inform the student and the Chair of the relevant Board of Examiners of the decision of the School Disciplinary Committee. The student shall be informed of his/her right to appeal against this decision as per the procedure set out below.

The Secretary shall be responsible for ensuring that a confidential record is kept of all cases notified under 2.6 and 2.7. The University is obliged to release details relating to academic discipline offences if these are explicitly requested by prospective employers as part of an academic reference or where disclosure is an obligatory professional requirement.

2.8 Penalties

Where a student is considered to be in breach of Regulation V.3, the penalties to be imposed should be in accordance with the following guidelines. These penalties may however be varied where the School Disciplinary Committee or the Chair (as appropriate to the case) feels that the suggested penalty would be too lenient or too harsh in the particular circumstances. In determining an appropriate penalty the following factors may be taken into consideration:

- The severity of the offence
- Whether the student admits or denies the allegation;
- Evidence of intent to deceive;
- The number of previous or contemporaneous offences;
- Whether the student is in receipt of a formal warning;
- The contribution to the overall mark for a module made by the piece of work in which the instance of alleged plagiarism has been detected;
- The proportion of the piece of work that is plagiarised;
- The effect of the intended penalty on the student’s progression or (potential) award (the overall outcome should not be disproportionate to the offence)

Possession of Unauthorised Materials, Mobile Phones or Other Electronic Devices in Examination

First Offence: Penalised mark for the examination appropriate to the nature of the offence, or a warning about consequences of further offences where the offence is considered inadvertent

Subsequent Offences: Mark of zero for examination in question

Use of Unauthorised Materials/Mobile Phones/Electronic Devices in Examinations
Mark of zero for examination in question

**Subsequent offence(s):** Terminate registration/ineligible for award or to resit examinations

**Communicating with another student**

**First Offence:** Minimum penalty - warning about consequences of further offence(s)

**Subsequent Offence(s):** Mark of zero for examination in question

**Copying from another student**

**First Offence:** Mark of zero for examination in question

**Subsequent offence(s):** terminate registration/ineligible for award or to resit examinations

**Impersonating another student/conspiring to impersonation**

Terminate registration/ineligible for award or to resit examinations

**Attempting to Influence a Teacher or Examiner Improperly**

The penalty may range from a mark of zero for a single piece of work to termination of registration depending on the circumstances of the case.

**Plagiarism/Duplication of material**

Where the work contains a component of plagiarised or duplicated material, but also contains sufficient evidence that the student has satisfied the requirements to Pass, either:

(i) cap the mark for the piece of work at a minimum Pass; or

(ii) allocate a reduced final mark for the module overall proportionate to the offence, subject to a minimum mark of a minimum Pass, and return a mark for the piece of work based on the portion which is not plagiarised or duplicated. Where the work contains a component of plagiarised or duplicated material which casts doubt on whether the student has satisfied the requirements to Pass, return the appropriate fail mark for that portion of the coursework that is unplagiarised.

The maximum penalty that may be applied by a Chair for an uncontested minor offence will be a mark of zero for the piece of work in question.

Where the application of a penalty for a minor offence results in the failure of a module, the Board of Examiners may grant the student the opportunity to resit as per normal resit rules.

For serious, substantial or repeat offences: termination of registration/ ineligible for award or to resit examinations.

**Conspiring with others to reproduce the work of others, including knowingly permitting work to be copied by another student**

The penalty may range from a reprimand to a mark of zero for a piece of work, or for a number of pieces of work, depending on the circumstances of the case.

**Falsification of Data**

The penalty may range from a mark of zero for a single piece of work to termination of registration depending on the circumstances of the case.

*These examples are not exhaustive and do not limit the application of this Regulation from other acts deemed to be in contravention of the Regulation.*

**Falsification of Evidence in Appeal**

Where there are grounds to consider that documentary evidence submitted in support of an appeal has been falsified, the Dean of Faculty (or Chair of SARC etc) 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.

In cases where the penalty of termination of registration has been applied by a School for academic discipline offences, the student will not be permitted to register on another programme of study at the University.

2.9 Appeals

Students may appeal against the decision of the School Disciplinary Committee by submitting an appeal to the Faculties Support Officer at the University of Kent (contact details are given in Appendix 1).

The student may appeal against a decision and/or penalty made under these regulations on one or more of the following grounds, by writing to the Faculties Support Officer within 21 days of the date on which notification of the decision was sent:

• that there is evidence of a failure to follow the procedures set out in these regulations, which casts reasonable doubt on the reliability of the decision; and/or
• that fresh evidence can be presented, which could not reasonably have been made available before the decision was made, and which casts reasonable doubt on the reliability of the decision; and/or
• that the decision was unreasonable or irrational given the evidence which was available at the time.

In considering cases referred under these regulations the remit of the Faculty Review Panel will be to determine one of the following outcomes:

• Confirm the original decision;
• Confirm that an offence has occurred, but adjust the penalty. It should be noted that, if in the view of the Faculty Review Panel, the evidence suggests that the offence was more serious than had been determined by the School Disciplinary Committee or its Chair, a more severe penalty may be applied than had originally been proposed;
• Decide that an offence has not occurred, and remove the original penalty.

Staff members should inform students that appeals to the relevant Faculty at the University of Kent will only be considered if submitted:

• by means of the Discipline Appeal Form;
• accompanied by a letter explaining in full the grounds for the appeal and the remedial action sought from the School Discipline Committee;
• providing all necessary documentary evidence substantiating the grounds of the appeal.
• within the applicable deadline (i.e. within 21 days of the notification of the penalty).

Appeals will be considered as described in section 4 of this guidance.

3. Concessions

3.1 Students following higher education courses at Partner Colleges should be advised that:
All students have a responsibility to manage their learning, revision and assessment activities throughout the duration of each term or assessment period. They are expected to plan carefully and manage their workload and should not leave coursework, learning, revision or similar activities until too late.

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 relevant procedures.

It is the responsibility of the student to submit at the earliest opportunity, and not later than specified deadlines, 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.

3.2 What is a concession?

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.

Medical certificates for long-standing controlled illnesses, or self-limiting illnesses will not normally be accepted for impaired performance. Affected students are expected to have the benefit of experience and medical knowledge to help to control the condition, and should have registered with the University’s Student Support and Wellbeing service and have in place measures to support their studies.

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

i. Completing coursework too late and missing deadlines because of computer or transport difficulties.

ii. Losing work not backed up on computer disk

iii. Failure to make alternative travel plans in the face of known disruptions

iv. Normal employment commitments

v. Failing to read an examination timetable correctly

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 assessment or to perform to the full extent of the student’s ability.

Students following HNC and HND programmes at Partner Colleges may not submit concessionary applications or appeal on the grounds of mitigating circumstances or the failure of examiners to consider concessionary evidence, except where the appeal is made on documented concessionary grounds against the decision of examiners to reject or fail work for reason of lateness (see paragraph 6 in Annex 12 of the Credit Framework for
3.3 Submission procedures

Partner Colleges should ensure that they have both robust procedures for the submission of concessions and that these procedures are communicated clearly for the students concerned.

3.4 Extensions to Coursework Deadlines

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

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

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

3.8 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 the powers set out in section 3.4 above), (ii) failure to sit an examination and (iii) impaired performance in either coursework or examination should only be considered if submitted:

- By means of the Concessions Application Form
- 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.

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.

3.9 Medical Certificates and Other Supporting Documentation

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.

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 third part 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, 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. 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.

3.10 Consideration of Concessions Applications
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 Panel make recommendations to the relevant Board of Examiners. Partner College staff members can obtain more information about Concessions Panel in the Boards of Examiners Guidance.

4. Academic Appeals Process
Students may appeal to the relevant Faculty at the University of Kent against:

- **The recommendation of the Boards of Examiners** (within 21 days from the date of the publication of assessment results**).
- **A penalty imposed by an Academic Disciplinary Committee** (within 21 days of the date on which the notification of the decision was sent).

** The date of the publication of assessment results means the date upon which the full transcript of the results under appeal are first made available to students even if the results are subject to confirmation.

**Partner Colleges must nominate a staff member(s) in their institutions who can be contacted by the Faculties Support Officer to aid him/her with the investigation of an academic appeal. Partner Colleges should ensure that a staff member(s) is available as a named contact person for academic appeals during the vacation period.**

4.1 Grounds for Appeal against the Recommendation of the Boards of Examiners
Students may not appeal against the academic judgement of the examiners. Appeals against recommendations of Boards of Examiners will be considered in the following circumstances only:

- 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 Boards of Examiners or;
- 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 or;
- 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.

Students following HNC and HND programmes at Partner Colleges **may not** submit concessionary applications or appeal on the grounds of mitigating circumstances or the failure of examiners to consider concessionary evidence, except where the appeal is made on documented concessionary grounds against the decision of examiners to reject or fail work for reason of lateness (see paragraph 6 in Annex 12 of the Credit Framework for
4.2 Grounds for Appeal against a penalty imposed by a School Disciplinary Committee

A student may appeal against a penalty imposed by a School Disciplinary Committee on one or more of the following grounds by writing to the appropriate Faculty Officer (see appendix 1 for contact details):

- That there is evidence of failure to follow the procedures set out in the Regulations (see section 2 in this guidance and Annex 10 of the Credit Framework for Taught Programmes), which casts doubt on the reliability of the decision; and/or
- That fresh evidence can be presented, which could not reasonably have been made available before the decision was made, and which casts reasonable doubt on the reliability of the decision; and/or
- That the decision was unreasonable or irrational given the evidence which was available at the time.

In considering cases referred under these regulations the remit of the Faculty Review Panel will be to determine one of the following outcomes:

- Confirm the original decision;
  - Confirm that an offence has occurred, but adjust the penalty. It should be noted that, if in the view of the Faculty Review Panel, the evidence suggests that the offence was more serious than had been determined by the School Disciplinary Committee or its Chair, a more severe penalty may be applied than had originally been proposed;
  - Decide that an offence has not occurred, and remove the original penalty.

4.3 Points for Note

Students should be advised that submission of an appeal to the Faculty is not a guarantee that the outcome of the appeal will be successful. This means that in cases where students have been advised to undertake further assessment in failed modules by Boards of Examiners and they appeal against this, they must proceed to take the further assessment until the outcome of the appeal is known.

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

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 of the relevant Faculty is permitted to rule on individual cases in exceptional circumstances.

4.4 Procedures for submitting an appeal

Appeals should be submitted in writing to the Faculties Support Officer.

Please find the contact details in Appendix 1 of this guidance.

Appeals will only be considered if submitted:

• 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.

The Faculties Support Officer will determine if the appeal meets the technical conditions. If it does not, he/she will inform the student. If it does, the appeal will be passed to the Dean for consideration.

4.5 Consideration of the appeal by the Dean

4.5.1 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.

4.5.2 Illness or Other Misfortune

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 a case exists.

Where the Dean determines that there are grounds for a case: 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 such other members of the Board of Examiners as deemed necessary in the circumstances.

Where the Dean does not consider that there are grounds for a case, the student shall be so informed.

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 Faculty Officer shall so inform the student.

Where, with regard to 4.5.1 and 4.5.2 above, 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.

4.6 Faculty Review Panels

The procedures for the consideration of a case by a Faculty Review Panel can be read in full in Section 3.4 of Annex 9 (Concessions Applications and Appeals against Recommendations of Boards of Examiners) of the University of Kent Credit Framework for Taught Programmes at: http://www.kent.ac.uk/ult/quality/credit/index.html
4.7 Further Rights of Appeal

Where an appeal against a recommendation of a Board of Examiners/School Disciplinary Committee is considered by the Faculties Support Officer not to meet the technical conditions outlined above, or where it is rejected by a Dean, a Chair of a Board of Examiners or a Review Panel, the student has a further right of appeal to the Senate Academic Review Committee (SARC), which will consider only whether the original appeal was considered properly and fairly. The student will be advised of this right following the conclusion of the appeal at Faculty level. The SARC procedures can be viewed at: http://www.kent.ac.uk/teaching/qa/regulations/taught/sarc.html

Appeals to SARC are submitted to Karen Browne (Secretary to SARC, Quality Assurance Office) and should be accompanied by a SARC appeal form available at: http://www.kent.ac.uk/teaching/qa/regulations/index.html

If, following conclusion of the appeal by SARC, the student still remains dissatisfied, he/she may take the matter forward by submitting a grievance to the University's Council. It should be noted that "the Council would not normally intervene to change decisions by University Officers or formal bodies which have been properly exercised or determined unless procedural fault, bias, irregularity or other inadequacy was found." Grievances are submitted to Dr Keith Lampard (Secretary of the Council).

5. Academic Complaints Procedure

Students should be advised that academic complaints (i.e. any specific concern about the provision of a programme of study or related academic service) should be submitted to the College’s complaints procedures. The College must ensure that the complaints procedure is available to students. The College will wish to ensure that its complaints procedure has taken account of Section 5 of the QAA Code of Practice which focuses on academic complaints and appeals.

If the student still remains dissatisfied having exhausted the complaints' procedure at the College, he/she may further his/her complaint by submitting a grievance to the University Council by writing to Dr Keith Lampard (Secretary of the Council).

6. Office for the Independent Adjudicator

When an academic appeal or complaint matter has been considered and concluded by the University Council, the student will be issued with a completion of internal procedures letter, allowing the student to take the matter to the Office for the Independent Adjudicator (OIA) should (s)he so wish. Information on the OIA can be found at: http://www.oiahe.org.uk/

7. Good Practice Pointers

Staff members dealing with appeals/complaints are reminded that in managing these they should ensure:

(i) that the appellant/complainant is given the opportunity to see information gathered from other sources included in the consideration of his/her appeal/complaint.

(ii) that an appellant/complainant is kept informed of the progress of his/her appeal/complaint and the reasons for any delay.

(iii) that an appellant/complainant is informed of the reasons for the rejection of his/her appeal/complaint.
### UNIVERSITY CONTACTS

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<tr>
<th>Name</th>
<th>Post</th>
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<tbody>
<tr>
<td><strong>Faculties Support Office</strong></td>
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<tr>
<td>Dr. Andrew MacGregor</td>
<td>Faculties Support Officer</td>
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<td>(01227) 827776</td>
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<td><strong>Quality Assurance Office</strong></td>
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<td>Malcolm Dixon</td>
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<tr>
<td>Karen Browne</td>
<td>Secretary to SARC</td>
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<td><strong>Central Secretariat</strong></td>
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<td>Dr Keith Lampard</td>
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<td>Student Union Advice Centre</td>
<td>Kent Union</td>
<td><a href="mailto:advice@kent.ac.uk">advice@kent.ac.uk</a></td>
<td>(01227) 824216</td>
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<td>Tim Vivian</td>
<td>Outreach Officer</td>
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<td>01227 824915</td>
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A full list of FSO contacts may be viewed at [http://www.kent.ac.uk/fso/contacts/fso-contacts.pdf](http://www.kent.ac.uk/fso/contacts/fso-contacts.pdf)
USEFUL WEB LINKS

❖ FACULTIES:

- Faculties Support Office:  http://www.kent.ac.uk/fso/index.html
  http://www.kent.ac.uk/fso/appeals/index.html (for appeals information)
- Faculty of Humanities:  http://www.kent.ac.uk/humanities/
- Faculty of Social Sciences:  http://www.kent.ac.uk/socsci/
- Faculty of Sciences:  http://www.kent.ac.uk/stms/

❖ QUALITY ASSURANCE OFFICE

 http://www.kent.ac.uk/teaching/qa/index.html

❖ PROCEDURES

❖ Annex 9 of the Credit Framework for Taught Programmes
  http://www.kent.ac.uk/teaching/qa/credit-framework/creditinfoannex9.html

❖ Annex 12 of the Credit Framework for Taught Programmes
  http://www.kent.ac.uk/teaching/qa/credit-framework/creditinfoannex12.html

❖ Senate Academic Review Committee Procedures
  http://www.kent.ac.uk/teaching/qa/regulations/taught/sarc.html

❖ Section 8 (Academic Discipline) of the General Regulations
  http://www.kent.ac.uk/regulations/Regulations%20Booklet%202005/8-Academic-Discipline.pdf

❖ QAA UK QUALITY CODE FOR HIGHER EDUCATION
  http://www.qaa.ac.uk/AssuringStandardsAndQuality/quality-code/Pages/default.aspx

❖ OFFICE FOR THE INDEPENDENT ADJUDICATOR (OIA)
  http://www.oihea.org.uk/