



Academic Appeals



Advice Centre

Manchester Metropolitan Students' Union

99 Oxford Road Manchester

Contact us: 0161 247 6533

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Your Right to Appeal

As a student at MMU, you have a right to appeal if you believe the Board of Examiners has made a wrong decision.

You must establish clear grounds for appeal - **you cannot appeal simply because you disagree with the examiners or think the decision unfair.**

WHAT ARE GROUNDS FOR APPEAL?

Grounds for appeal fall into 2 categories. You can appeal if you fulfil one or both grounds:-

Ground 1

Regulation 1 2.1.i) Mitigating Circumstances

You must show that your performance was adversely affected by mitigating circumstances.

Examples: illness

personal problems

crisis at a crucial time

You also need to give a satisfactory explanation for failing to disclose this information prior to the Meeting of the Faculty Exceptional Factors Panel.

Ground 2

Regulation 1 2.1.ii) Administrative Error / Procedural Irregularity / Breach of Regulations

That cast doubt on the validity of the assessment result.

Examples: Invigilator stopped exam too early

Board of Examiners applied course regulations incorrectly

In addition to grounds for appeal, the Board of Examiners needs to have clear evidence of your true standard of work.

Example 1. A student failed the Statistics exam after being mugged earlier that week. The Board of Examiners was unable to artificially adjust the award as she was generally quite weak in Statistics, but she was allowed to sit the exam again as a first attempt.

Example 2. A student suffered a problem before his finals and was awarded a 2.2 despite being very close to the 2.1 threshold. The Board of Examiners could not award a 2.1 because most of his previous work had been 2.2 standard.

DO THESE COUNT AS GROUNDS FOR APPEAL?

- * You disagree with the examiners' marking:

The appeal procedure does not permit you to challenge the academic judgement of the examiners, nor do the University regulations allow you the right to demand a remark. Ask your tutor to explain why your work did not get a higher mark.

- * You have already written to explain your circumstances to the Faculty Exceptional Factors Panel but they don't seem to have taken any notice:

If your appeal is to succeed, you will need to submit fresh evidence. You can ask the Chair of the Board of Examiners why they appear to have disregarded your letter, and can also write to the Academic Registrar at All Saints to confirm that your circumstances were considered at the Faculty Exceptional Factors Panel.

- * You did badly because of poor tuition:

MMU will not normally accept this as grounds for appeal and suggest you raise this matter through the University's Complaints Procedure. However each case should be considered on its own merits.

We strongly recommend you consult the Advice Centre before taking any action as only a successful appeal can lead to a change of the Board of Examiners decision.

- * You had financial difficulties and had to take a job, so your studies suffered:

Whilst it sympathises with the financial predicament of many students, MMU will not normally consider financial hardship as a ground for appeal unless it relates directly to the assessment. Example: House repossession at exam time or other unexpected events.

- * You were ill during assessments:

The regulations state an exceptional factors form and a sick note needs to be submitted at the time. You may need back dated evidence to appeal but this may carry less weight.

- * Borderline Grades

Being borderline is not itself grounds for appeal. It's worth checking that the marks have been added up correctly and that any marks ending in 0.5% and above have been rounded up to the next whole number. Then check whether any grounds for appeal apply to each individual assessment. Also consult your course handbook to see whether you should have had a viva voce examination.

The Advice Centre will be happy to discuss grounds for appeal with you.

GETTING MORE INFORMATION

Follow some or all of these steps to help you decide whether to appeal and to prepare your case.

- * Discuss your results with your tutor and/or course leader.

- * Ask for a transcript of your marks. You may need to submit a written request to your Head of Department. It is MMU's policy to allow students to have their assessment marks. If your department refuses to disclose your marks, write to the Academic Registrar, MMU, All Saints Building, Oxford Road, M15 6BH after speaking to the Advice Centre.

- * Check the course regulations to make sure that procedures have been followed correctly and that you understand how the marking scheme works. The course regulations are contained in the course handbook, which should have been given to you at enrolment.

- * Consider asking for a copy of your University file, as permitted by the Data Protection Act. This may help to identify if there has been a procedural irregularity. To request a copy of your file, complete an Access to Information form, available from your Student Information Point / Student Life Office. You will need to pay a £10 fee.

- * Gather together documentary evidence to support your appeal. This can play a vital role in confirming the circumstances which affected your performance.

Examples: - letter from Counsellor or GP

- police report on burglary
- copy of death certificate

The University recognises that in some limited cases it will not be possible to provide any supporting documents. However, you should always try to provide some evidence.

- * Clarify in your own mind what outcome you would like from your appeal.

For example;

- a resit opportunity
- opportunity to sit as a first attempt
- to trail a failed first year unit into 2nd year

The Advice Centre may be able to assist you with any of the above as well as providing guidance throughout the whole process.

SUBMITTING YOUR APPEAL

Informal Appeal

It is always worth talking to your Head of Department if you are unhappy with your results. In certain circumstances, the Board of Examiners may review its decision without the need for a written appeal.

Ensure that you speak to your Head of Department as soon as possible because of the strict time limits for submitting a formal appeal.

Formal Appeal

Time Limits

Formal appeals should be submitted within 14 days of the publication of your results, including weekends and bank holidays. The University may extend this deadline if there is a good reason for the delay i.e. a postal strike or ill health; evidence will need to be provided.

AAI Form

You must complete the AAI form, a copy of which is enclosed, for your appeal to be considered. You will need to complete the supporting statement section and provide documentary evidence to support your case.

You should include the following in your **supporting statement**;

I wish to seek a review under regulation 12.1 of the recent Board of Examiners decision that*(insert details of the result which your dissatisfied)*

Then choose one of the following;

I am appealing under ground (i) *(mitigating circumstances)*

I am appealing under ground (ii) *(material irregularity)*

I am appealing under grounds (i) and (ii) *(both mitigation and material irregularity)*

Give full details of the mitigating circumstances and/or material irregularity. Explain exactly how they affected the assessments in question i.e. **what** the problems were, **when** they occurred, **how** they affected you and **what** assignments/exams were affected.

I enclose the following documentary evidence to support my case –

(itemise e.g. doctors letter)

I hope that this additional information will enable the Board of Examiners to review its decision in order to.....*(insert your desired outcome)*

THE APPEAL PROCESS

There are two internal stages to the appeal process.

Stage 1

To start your appeal, you will need to complete an AAI form (Request for a review of a Board of Examiners decision) and send it to the Chair of the Board of Examiners (this is usually your Head of Department, but your Student Information Point/Life Office can confirm this) within 14 days of the publication of your results. You should attach a detailed statement explaining your grounds for appeal and if appropriate, include documentary evidence to support your case. MMU are reluctant to reconsider any decision without evidence as this stage of the appeals process is purely paper based.

Remember to keep a copy of everything you send.

A copy of the form and a draft statement is included in this appeal booklet.

The Chair of the Board of Examiners should respond to your letter within 21 days. If a decision cannot be made within 21 days, you will be notified of the reason for the delay and given a revised date.

If you have established ground for appeal, the Board of Examiners must reconsider their decision. This does not necessarily mean that the decision will be changed but it must be looked at again.

If your appeal is not successful, the Chair of the Board should give full reasons for this in his/her letter.

Stage 2

If you are not satisfied with the Chair's decision, you can ask for your appeal to be considered further by writing to the Director of Student Services and stating your reasons for disagreeing with this decision. You should include a copy of all the original documents that you sent to the Chair plus a copy of his/her response.

You must write to the Director of Student Services within 14 days of the date written on the Chair's letter to you.

You should write to; Mr Alex Thorley, Director of Student Services, MMU, All Saints, Oxford Road, Manchester M15 6BH

Your Stage 2 appeal will be considered by the Director of Student Services (or his nominee) who will chair a panel consisting of two appeal assessors and the President or Education Officer (or nominee) of the Students' Union. You should receive a response within 21 days.

You may be able to attend the Stage 2 hearing if the Panel Chair considers it appropriate. It may be possible to argue that you are entitled to a hearing in accordance with Article 6 of the European Convention on Human Rights (right to a fair hearing).

Once Stage 2 is completed, you will be issued with a Completion of Procedures letter and if you remain dissatisfied you can forward your case to the Office of Independent Adjudicator and/or seek a Judicial Review of the decision in the High Court. This must be done within 3 months of the final decision.

The contact details of the OIAHE are as follows, however we strongly recommend that you contact the Advice Centre before this and all stages of the appeals process;

OIA

Fifth Floor

Thames Tower

Station Road

Reading

RG1 1LX

Telephone: 0118 959 9813

Email: enquiries@oiahe.org.uk

Website: <http://www.oiahe.org.uk/>

WHILE YOU ARE WAITING FOR THE DECISION

You can take any resit exams or assessments while you are waiting for the appeal decision.

You usually have the right to continue on the course, take assessments and progress to the next level until the decision is made on your appeal. Consult the Advice Centre if you are not being allowed to do so.

You can attend your graduation ceremony without prejudicing your request to have your degree classification upgraded.

IF YOU NEED MORE HELP

The Advice Centre can discuss your case with you and give you guidance and support. Contact us on 0161 247 6533.

Step by Step Checklist

- Step 1** Check:
- that you have grounds for appeal
 - that you are not disputing the examiners' judgement
- Step 2** Talk informally to your Head of Department.
- Step 3** Discuss your case with the Advice Centre.
- Step 4** Obtain any documentary evidence (eg GP's letter).
- Step 5** Submit AAI form to the Chair of the Board of Examiners within 14 days of the publication of your results.
- Step 6** (If Step 5 fails) Submit appeal papers to Director of Student Services, within 14 days of Chairs decision.
- Step 7** If the Director of Student Services rejects your appeal, contact the Advice Centre to discuss further possible courses of Action.

The following tear out page is the form for a
Request for a Review of a Board of Examiners' Decision
If you have any queries please contact the Advice Centre
(Contact details on back cover)