



The Institute of Ismaili Studies

# ACADEMIC APPEALS POLICY



## 1 Purpose and scope

- 1.1 This policy applies to all taught postgraduate provision directly administered by the Department of Graduate Studies (DGS), and with effect for newly enrolled students from **September 2019**. Students who enrolled before September 2019 are subject to the previous version of this policy (available on Moodle).
- 1.2 This document provides a framework to assist students and staff with administering academic appeals. The Department of Graduate Studies (DGS) is committed to ensuring that any appeal is dealt with fairly and in accordance with this policy.

Appeals which would be more appropriately dealt with under a different policy or procedure (e.g. the Student Complaints Policy or the Mitigating Circumstances Policy) will be transferred to that policy or procedure. In such cases, the IIS will inform the student.

- 1.3 This policy has been designed with reference to the Office of the Independent Adjudicator's (OIA) guidance document [The good practice framework for handling complaints and academic appeals](#) (rev. December 2016). It is based on the OIA's core principles of accessibility, clarity, proportionality, timeliness, fairness, independence, confidentiality and improving the student experience, and aims to provide a framework to support students and staff in administering academic appeals. It also draws on good practice from the [SOAS University of London's Appeals Procedure](#) (May 2016).
- 1.4 Agreements with external providers who administer part or all of a postgraduate programme belonging to but not directly administered by DGS may specify alternative arrangements for academic appeals; in some cases, the policy of the external provider shall supersede this policy. The Senior Education Programmes Officer (SEPO) can provide guidance on how to access all aforementioned documents.
- 1.5 This policy applies to all current students at the Institute of Ismaili Studies (IIS) who want to appeal against an assessment, progression or withdrawal decision made by an academic body at the IIS, known as the 'academic decision-making body'.

A current student is anyone who:

- (a) Is enrolled on an IIS programme
- (b) Is on a temporary suspension or exclusion
- (c) Has recently left the IIS and is within the time limit for making an appeal (usually within 20 calendar days after notification of the decision; see Section 4).

For the purposes of this policy, an academic decision-making body is limited to the following:



- (a) The DGS Academic Management Committee (AMC)
- (b) The Academic Malpractice Committee (AMPC)
- (c) A Programme Board (including the Exam Board).

The comprehensive appeals procedure consists of three phases, although some cases may only follow one or two of these:



- 1.6 The IIS aims to administer all appeals in a timely manner: the whole procedure (including the review) should be completed within 90 calendar days following submission of an appeal. There may be occasions where, with good reason, the timeframe needs to be extended; in such cases, the IIS will inform the student.
- 1.7 Academic appeals are an internal process which aims to establish facts in light of evidence and on the balance of probabilities. It is not adversarial; therefore, legal representation is not required by any of the parties involved and will not be allowed at any hearings.
- 1.8 **Accessibility:** If you need this document in a different format, please contact the Senior Education Programmes Officer or Departmental Administrator.

## 2 Supporting the student

- 2.1 The IIS will direct students to the support services available. This applies to students who are going through appeals procedures.
- 2.2 In line with our duties under the Equality Act 2010 to make reasonable adjustments for disabled students, if a student says the academic concern is related to a disability, we will consider carefully whether to proceed with the appeal, or to refer the student to other support processes.
- 2.3 We aim for our procedures to be available to all students in accessible formats. If there are adjustments we could make to improve communication, the student should inform the Department. Where needed, in appeals procedures we will make adjustments to the process followed in individual cases. For example, we may make adjustments for Appeal Hearings, or allow a student longer to respond.
- 2.4 Students who have mental health difficulties will be informed about the specific support services available to them, for example counselling services, as soon as the Department is made aware of the need to do so. If a student appears unable to engage effectively with the appeals



process, we may suggest that the student appoints a representative (who may not be a legal representative). It may be appropriate to suspend the appeals process until the student has accessed appropriate support.

### 3 Grounds for appeal

3.1 Students may appeal against the following decisions:

- (a) Assessment results (including decisions and recommendations of the Academic Malpractice Committee)
- (b) Progressing from one year to the next
- (c) Withdrawal of the scholarship due to not meeting progression requirements.

3.2 Students can submit an appeal on the following grounds:

Ground	Description	Evidence
<b>Administrative or procedural irregularity or error</b>	Evidence exists which shows there was an administrative or procedural irregularity or error in the conduct of assessment.	The student must clearly demonstrate what they consider the irregularity or error to be, how and when it occurred, and how it may have affected or did affect the assessment.
<b>Mitigating circumstances</b>	Presenting new evidence of mitigating circumstances which, for good reason, the decision-making body was not made aware of at the time of making their decision.	The student must explain what the circumstances were and what their impact was, and provide a valid and overriding reason why this evidence was not made available to the decision-making body when the circumstances occurred. For guidance on acceptable evidence, see the Mitigating Circumstances Policy.
<b>Prejudice or bias (actual or perceived) which can be proved</b>	Evidence exists which shows there was prejudice or bias, or the perception of prejudice or bias, on behalf of a marker and/or the decision-making body such that the result of the assessment, progression or	The student must clearly and fully explain the reasons for the claim of prejudice or bias, or perception thereof. This may include comments from a third party concerning comments or remarks made by others



	withdrawal decision should not stand.	
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3.3 The following are **not** grounds for appeal and will be rejected:

<b>Academic judgment</b>	<b>Programme management</b>	<b>Vexatious appeal</b>
<p>Students cannot appeal against a mark because they are dissatisfied with it. It has to be demonstrated that there are grounds for the appeal (see ‘Grounds for appeal’ above).</p> <p>If a student believes that there has been an error in calculating or recording marks, they can request a clerical check of marks via the Academic Administrator by emailing <a href="mailto:AcadAdmin@iis.ac.uk">AcadAdmin@iis.ac.uk</a></p>	<p>Problems that arise during the course of a student’s studies, including problems with conveying information or teaching, should be dealt with at the time they occur. Students may use the Complaints Policy if the problem is not rectified.</p>	<p>These include:</p> <ul style="list-style-type: none"> <li>• Appeals which are obsessive, harassing, or repetitive</li> <li>• Insistence on pursuing non-meritorious appeals and/or unrealistic, unreasonable outcomes</li> <li>• Insistence on pursuing what may be meritorious appeals in an unreasonable manner</li> <li>• Appeals which are designed to cause disruption or annoyance</li> <li>• Demands for redress which lack any serious purpose or value.</li> </ul>

## 4 Procedure for making an appeal

- 4.1 Students wishing to appeal must make their case on the Appeals Form, outlining their grounds for appeal and providing sufficient documentary evidence to support that. The appeal must be submitted to the Senior Education Programmes Officer (SEPO: [SEPO@iis.ac.uk](mailto:SEPO@iis.ac.uk)).
- 4.2 The student must submit their appeal within twenty (20) calendar days of the formal notification of the assessment, progression or withdrawal decision. Appeals received after this must include a statement explaining why. Late appeals will only be considered if the reason is found acceptable by SOAS and IIS Joint Programme Committee. If not, the student will receive a written explanation of why their appeal has been rejected, and they can request a review of that decision.
- 4.3 Appeals must be made by the student and not by a third party unless there are mitigating circumstances which prevent the student from making the appeal themselves. The IIS will not



correspond with third parties unless the student has given written permission for this. In such cases, the IIS will communicate with either the student or the third party, but not both.

- 4.4 Appeals submitted incorrectly will be rejected. Appeals must be submitted on the Appeals Form and clearly state the grounds for the appeal and summarise the issues and preferred outcome. Sufficient documentary evidence must be provided if appropriate. The appeal must also be accompanied by a copy of the official correspondence confirming the decision that the student is appealing against.

## 5 Phase 1: Investigation

- 5.1 After receiving the appeal, the SEPO will undertake a formal clerical check to verify that it:
- (a) Has been submitted on time using the Appeals Form
  - (b) Contains all the documentary evidence mentioned in the appeal (e.g. attachments, evidence etc)
  - (c) If appropriate, includes evidence for later submission of the appeal.
- 5.2 **If the appeal does not pass the initial check**, the student will be informed within five (5) working days, outlining the reasons for this. The student will be permitted to resubmit the appeal within five (5) working days, including any missing documentary evidence, or a valid and overriding reason why the appeal was not submitted on time (if applicable). The SEPO will then undertake a further clerical check based on the criteria above. If this is satisfactory, the appeal procedure will formally begin from when the whole appeal (including evidence) has been received. If the appeal still does not meet these criteria, the appeal will be rejected and the student will be informed, with reasons, within five (5) working days. The student has the right to request a review of this decision.
- 5.3 If the appeal passes the initial clerical check, it will be passed to an Investigating Officer within five (5) working days. The Investigating Officer will normally be a senior member of academic staff who is outside the AMC and does not have any previous involvement in the matter.
- 5.4 The Investigating Officer will review the paperwork and may need to contact the relevant decision-making body or other key staff involved in the matter for written feedback if necessary, via the SEPO ([SEPO@iis.ac.uk](mailto:SEPO@iis.ac.uk)).
- 5.5 The SEPO will ask the Investigating Officer to respond within an appropriate timeframe so that the SEPO can inform the student of the outcome within twenty (20) calendar days (or sooner if the appeal requires swift action, i.e. where the student has severe health issues or there are external deadlines).
- 5.6 The Investigating Officer will make one of the following decisions and report this to the SEPO:



- (a) **Reject the appeal due to insufficient grounds.** The reasons will be communicated to the student by the SEPO and they will be advised of their right to request a review of the decision.
- (b) **Make a recommendation on the appeal for the decision-making body to consider.** The decision-making body can:

<b>Recommendation</b>	Uphold the appeal	Partially uphold the appeal (possibly offering a revised outcome)	Reject the appeal
<b>Outcome</b>	The IIS will consider the matter closed	The student may request an Appeal Hearing if they are unhappy with the outcome	

- (c) **Refer the appeal to an Appeal Panel.** This will happen where the case is complex and/or contains contradictory evidence.

5.7 The SEPO will communicate the decision to the student along with information about what next steps they can take.

## 6 Phase 2: Appeals Hearing

6.1 The purpose of the Appeals Hearing is to allow the student to explain the reasons and circumstances of their appeal in more details when there is doubt or ambiguity, or when an appeal has been rejected entirely or in part. It will be conducted by an Appeals Panel, who will however not re-examine any part of the student's work relevant to the appeal as part of this phase of the procedure.

6.2 The Appeals Panel will consist of three members of IIS academic and senior staff:

- (a) Chair: The Academic Co-Director (if unconnected with the case) or nominee, who must be a member of academic staff unconnected with the case
- (b) A member of academic staff not from DGS who is unconnected with the case
- (c) A member of staff from the senior management team who is not from DGS and is unconnected with the case.



An administrator from outside DGS will act as Secretary to the Panel, making all necessary arrangements for the Panel and taking notes at the Appeals Hearing.

- 6.3 The student may be accompanied to the Appeals Hearing by a companion who can be a friend, fellow student or family member. The companion is there to provide support but may not address the Panel: the student is expected to present their case and answer the Panel's questions by themselves. The name and details of the companion must be sent to the Secretary at least five (5) working days before the Hearing.
- 6.4 If there are dates on which it is impossible for a student to attend a Hearing, they should inform the Secretary as soon as possible. Every attempt will be made to find a date which is convenient to all those involved; if the student is unable to attend the Hearing in person, it may be possible to conduct it via Skype during the IIS' normal working hours. If neither option is possible, then the Hearing will be conducted in the student's absence. The student may be able to nominate a representative, depending on the circumstances.
- 6.5 The Appeals Panel will request the attendance of a maximum of two representatives from the decision-making body to respond to the appeal.
- 6.6 Once the date and time of the Hearing have been agreed, formal notification will be sent to the student by the Secretary at least ten (10) working days beforehand and will include the names and roles of the Panel members and the decision-making body's representative(s). The student will be asked to confirm their attendance at the Hearing and they should inform the Secretary at the earliest opportunity if they believe there is a conflict of interest with any of the Panel members. If such a conflict of interest exists, an alternative Panel member will be found. This may require the Hearing to be postponed.
- 6.7 The student and the decision-making body's representative(s) have the right to call other people to attend the Hearing to present evidence only if they have obtained advance approval from the Chair of the Panel five (5) working days prior to the appeal hearing.
- 6.8 All of those involved in the Hearing (i.e. the Panel, the student and the decision-making body's representative(s)) will receive the same documentation, at least 10 working days prior to the Hearing namely:
  - (a) The written submission from the student
  - (b) The written submission of the decision-making body's representative(s)
  - (c) Any other documentation the Panel considers relevant to the appeal.
- 6.9 After receiving the documentation, the student and the decision-making body's representative(s) may provide further written evidence in response to the documentation but this must be received by the Panel secretary no later than five (5) working days before the



Hearing. The additional paperwork will be sent electronically to all those attending the Hearing as soon as it is received.

- 6.10 If any member of the Panel is absent on the day of the Hearing due to unforeseen circumstances, the student will be asked if they wish to proceed with the Hearing or if they would like to postpone it. The absence of the student and/or the decision-making body representative(s) at the Hearing will not invalidate the proceedings, and the appeal will be heard in their absence.
- 6.11 If both the student and the decision-making body's representative(s) are present, the Hearing will be conducted in the presence of both parties (and if appropriate the student's companion) until the Panel retires to consider its findings.
- 6.12 The Hearing will follow the procedure detailed below. Before the Hearing, the Panel will meet to agree the questions they would like to put to the student and the decision-making body's representative(s).
- 6.13 The Chair may vary the procedure in any case where they consider it would be appropriate and fair. Any variation will be recorded in the notes of the Hearing and must be in accordance with this policy. In exceptional circumstances, the Chair may adjourn the Hearing until a future date or time.
- 6.14 The procedure below will be followed
- The Chair explains the process of the Hearing and all persons present introduce themselves
  - The student summarises the grounds for their appeal
  - The decision-making body representative(s) summarise their position on the appeal
  - The Panel puts questions to the student and the decision-making body's representative(s) as appropriate. The Chair may permit that either the student or the decision-making body's representative(s) put questions to each other at any stage of the Hearing; however, all questions must go through the Chair.
  - If the student or decision-making body's representative(s) have asked to call other people to present evidence, the Chair will decide when and if it is appropriate to call them into the Hearing. They will only be permitted to attend the Hearing when asked to give evidence and may not stay for the entire proceedings
  - The student may make any concluding remarks
  - The Chair concludes the procedure so the Panel can retire to make its decision.
- 6.15 The Appeals Panel can decide to (a) **uphold** the appeal, (b) **partially uphold** it, or (c) **reject** it.



- 6.16 The outcome of the Hearing must be communicated to the student and the decision making body representative(s) in writing by the Secretary within five (5) working days. Clear and concise reasons for each decision must be provided along with a copy of the notes from the Hearing. The student and/or the decision-making body's representative(s) may inform the Secretary of any errors/omissions in the notes and an amended copy of the notes will be provided if the amendments are approved by the Chair.

## **7 External Redress**

- 7.1 In the case of outcomes (b) and (c), the student shall have the right of appeal to Appeals Officer of SOAS. The procedure used by the Appeals Officer shall be those of SOAS: full information on how to access said procedure will be provided by the SEPO.
- 7.2 The decision of the Appeals Officer shall be final and binding on all parties.
- 7.3 Following any appeal made to the Appeals Officer of SOAS, the IIS will inform the student by a Completion of Procedures Letter that the internal procedure, including the SOAS procedure, has been completed.
- 7.4 The student may then ask for a review by the Office of the Independent Adjudicator (OIA), within the timelines specified by the OIA.

## **8 Office of the Independent Adjudicator (OIA)**

- 8.1 The OIA provides an independent scheme for the review of student grievances under the Higher Education Act 2004. Further information can be found on their website (<http://www.oiahe.org.uk/>).
- 8.2 At the end of the IIS' appeals procedure, the student has the right to submit a request for the IIS' decision to be reviewed by the OIA.
- 8.3 The OIA Complaint Form must be reviewed by the OIA within twelve (12) months of the date of the Completion of Procedures Letter.

## **9 Monitoring of the Academic Appeals Policy**

- 9.1 The Academic Appeals Policy, the procedure, and the outcomes of any appeals submitted will be monitored and an annual report on the preceding 12 months' activity will be produced by the Head of QA&E, in consultation with the AMC, for the SOAS and IIS Joint Programme Committee, the DGS Oversight Committee Group and the OIA to review.



## 10 Document Control

<b>Version</b>	<b>Role / Activity</b>	<b>Person(s) responsible</b>	<b>Date</b>
Version 1	Document Owner and Author	GPISH and STEP Programme Leaders	June 2018
	Reviewer	Student Services Manager	July 2018
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