

**Academic Appeals
Process for
Chickenshed Higher
Education
Undergraduate
Students on
Foundation Degree
'Inclusive Performance
and 'BA Inclusive
Performance' Courses**

Academic Appeals Process for Chickenshed Higher Education Students Foundation Degree Inclusive Performance' and 'BA Inclusive Performance'

1. Introduction

- 1.1 This Academic Appeals Process and Procedure provides students with the opportunity to appeal against a formal decision made by a Chickenshed Assessment Board about a student's progress or the awarding of a qualification, including where extenuating circumstances are cited as a reason for appeal.
- 1.2 This procedure applies to all students studying on a Foundation Degree or BA Programme of Study that is validated by Middlesex University and delivered by Chickenshed.
- 1.3 On behalf of the Chickenshed the Higher Education Mgt Board is responsible for ensuring that there are effective procedures for considering student appeals against the decisions made by Assessment Board.
- 1.4 The Higher Education Management Board reports to the Executive Director of Education regarding any appeals made. The Executive Director reports to the Managing Director and Trustee Board – through the Trustee Board Education Committee.

Timescales

- 1.5 Chickenshed will endeavour to complete any appeals process within 40 working days from receipt of an appeal and supporting evidence and any internal review processes within 20 working days from receipt of the request.
- 1.6 Occasionally there will be circumstances where, for good reason, Chickenshed will need to extend the timeframe. Where this is the case, the student will be notified and kept regularly informed of progress.
- 1.7 While every effort will be made to comply with the time limits set out above, if a time limit is exceeded, it shall not invalidate the outcome of the appeal proceedings.

Support & Guidance

- 1.8 Support and guidance is available to students studying at Chickenshed via the information Advice and Guidance (IAG Systems) and the personal tutor/mentor support team. Students can also seek guidance from Chickenshed's Awarding Body – Middlesex University if they are not satisfied with the advice they are receiving.
- 1.9 Students may request reasonable adjustments to these procedures in line with the rights that students retain under Equality Legislation. Requests will be considered individually, and students will be notified of the adjustments that will have been agreed in writing at the earliest opportunity.

2. Submitting an Appeal

- 2.1 A student may appeal by completing an Appeal Form, setting out their grounds for appeal and sending it with all supporting evidence to the IAG Team and Personal Tutor Team. Students must do so within 10 working days of the publication of their results following the Assessment Board.
- 2.2 Appeals received after the deadline will only be accepted at the discretion of the HE Management Board. For this to apply, the student must be able to show, to that circumstances beyond the student's control prevented them from meeting the stated time limit and that unfair treatment would result from not extending the deadline.
- 2.3 When submitting an appeal, students are expected to provide all evidence that may be relevant to the appeal. Chickenshed will not normally request more evidence when evaluating the appeal. If students due to reasonable adjustments need support you put together their appeal – then Chickenshed will provide this.
- 2.4 The IAG Team and Executive Director will acknowledge receipt of the appeal within 5 working days.

3. Grounds for Appeal

- 3.1 Students may submit an appeal on the following grounds:
 - a. there is new evidence, which for good reason was not previously available to the Assessment Board, which might have materially affected the outcome;
 - b. the Assessment Board did not follow Chickenshed's Awarding Body Middlesex University procedures which disadvantaged the student's case;
 - c. there is evidence of prejudice and/or bias during the consideration of the student's progress by the Assessment Board
- 3.2 The following are not considered legitimate grounds for appeal, and any appeals based exclusively on one or more of these grounds will not be accepted.
 - a. Disagreement with a mark or grade and/or appeals against the academic judgement of internal or external examiners. Coursework and examinations cannot be remarked, except in cases of procedural irregularities;
 - b. any provisional mark or informal assessment of the student's work by a member of staff that is not the final mark approved by the Assessment Board.
 - c. the retrospective reporting of extenuating circumstances which a student might reasonably have been expected to disclose to the Assessment Board before their meeting;
 - d. appeals against the judgement of the Assessment Board in assessing the significance of extenuating circumstances, and whether and to what extent they affected academic performance;
 - e. marginal failure to attain a higher class of degree;

- f. concerns relating to the inadequacy of teaching or other arrangements during the period of study. Students should raise such complaints in writing, before the Assessment Board meeting, under Chickenshed's student Complaints Procedure
- g. Appeals where the student has not understood or complied with the Rules of Assessment properly, including:
 - i. Not attending scheduled projects and lessons, workshops or schedules
 - ii. not notifying Chickenshed of any planned absences as scheduled examinations (or equivalent)
 - iii. not undertaking any reassessment that was previously instructed

Other Requests

3.3 The following are not considered legitimate grounds for appeal, but may be submitted to the HE Management Board, and will be considered by the Executive Director

- a. Requests to repeat a year of study in full or to repeat failed modules part-time,
- b. Requests to undertake reassessment, repeat the year or to repeat failed modules part-time, after the student has been withdrawn by Chickenshed solely due to the student's non-engagement with their required reassessment.

Such requests will be considered exceptionally by the Executive Director, whose decision will be final.

4. Academic Appeals Procedure

4.1 The HE Management Board will conduct an initial check to determine whether the student has demonstrated valid grounds for appeal.

4.2 If it is deemed that the appeal does not have valid grounds (as indicated under [Section 3](#)), the student will be notified that the appeal has not been upheld and the reasons for this. The student will not be entitled to request an Internal Review and will be issued with a Completion of Procedures Letter.

Early Resolution

4.3 If the appeal demonstrates a clear administrative or procedural error that led to the Assessment Board reaching an incorrect decision, and the matter may be rectified by the standard application* of the Rules of Assessment, the matter will be referred to the Executive Director for consideration.

4.4 Students will be notified in writing if their appeal has been considered by the Executive Director

4.5 If an appeal is deemed not eligible for early resolution, it shall not invalidate the outcome of the Appeal proceedings.

Appeal Consideration

4.6 The HE Mgt Board will give full consideration to whether the student's progress should be reviewed by Assessment Board or Executive Director as a result of the appeal or whether the appeal should be dismissed. In order to reach their decision, the HE Mgt Board may need to consult with anyone able to assist them in reaching a decision, including the student who has submitted the appeal.

4.7 The HE Management will provide the Executive Director with a written report that outlines* the reasons for reaching their final decision.

4.8 If the HE Management Board decides there are sufficient grounds for the Assessment Board. to reconsider the student's progress, then the appeal will be referred to the Assessment Board who will be asked to reconvene (see [Section 6](#)).

4.9 If the HE Mgt Team decides there are not sufficient grounds for putting the case again to the Assessment Board* the HE Mgt Team will confirm the decision to the student in writing and provide the student with a copy of the HE Mgt Team Report.

5. Internal Review for Appeals which are not upheld

- 5.1 Students who are dissatisfied with the outcome of their appeal may request an Internal Review on the following grounds:
 - a. There is new evidence, which for good reason was not previously submitted as part of the appeal, which might have materially affected the outcome;
 - b. Chickenshed did not follow the Appeal Procedures properly which disadvantaged the student's case;
 - c. there is evidence of prejudice and/or bias during the consideration of the student's appeal.
- 5.2 A student who wishes to submit a request for Internal Review must do so within 10 working days of the date of the Executive Director's decision in writing.
- 5.3 Requests for Internal Review received after the deadline will only be accepted at the discretion of the Executive Director. For this to apply, the student must be able to show, to the satisfaction of the Executive Director, that circumstances beyond the student's control prevented them from meeting the standard time limit and that unfair treatment would result from not extending the deadline.
- 5.4 Students who are dissatisfied with the outcome of their appeal but do not have grounds for internal review, may request a Completion of Procedures Letter within 20 working days of the Executive Director decision being confirmed in writing ([see Section 7](#)).

Internal Review Procedure

- 5.5 An Internal Review will consider whether Chickenshed has considered the appeal properly and fairly and does not usually mean that the issues raised in the appeal are considered afresh or involve a further investigation. An academic appeal must have been considered and an outcome reached at the formal stage before it can be escalated to the review stage.
- 5.6 An Internal Review will be conducted by the Managing Director (M.D) who may consult with anybody that is able to assist in reaching a decision, including the student who has submitted the request.
- 5.7 The M.D may resolve that:
 - a. There are not sufficient grounds for the appeal to be referred to a further Assessment Board.
 - b. That the appeal should be referred to a Further Assessment Board for consideration in light of the information provided.
- 5.8 If the M.D decides that there are not sufficient grounds for putting the case to Assessment Board, the M.D will confirm their decision to the Executive Director in writing to explain the reason for their decision. The Executive Director will confirm the M.D's decision to the student in writing.
- 5.9 If the M.D decides there are sufficient grounds for the Board of Examiners to reconsider the student's progress, the appeal will be referred to the next Assessment Board who will be asked to reconvene ([see Section 6](#)).

6. Referred Appeals

- 6.1 The Assessment Board will be provided with the student's appeal and evidence and any other documentation deemed to be relevant, including any reports or comments provided by other parties who have previously considered the appeal.
- 6.2 The reconvened Assessment Board will operate in compliance with the Middlesex University Academic Appeals Process and the relevant Rules of Assessment, and may take the following action:
 - a. Amend the previous decision made about the student's progress and agree a new outcome, in light of the information provided.
 - b. Not amend the previous decision made about the student's progress, confirming the information provided following the appeal to have had no material effect.
- 6.3 If the grounds for the upheld appeal are based on prejudice or bias in the operation of the Assessment Board, then the reconvened Board should normally have a new membership, except for the External Examiner.
- 6.4 The Assessment Board decision shall be final. The Board will confirm their decision to the Executive Director in writing with an explanation as to how the decision was reached. The Executive Director will confirm the Board's decision to the student in writing.
- 6.5 Students who are dissatisfied with the outcome of the reconvened Assessment Board's decision may request a Completion of Procedures Letter within 20 working days of the decision being confirmed in

writing (see [Section 7](#)).

7. External Review

- 7.1 The Office of the Independent Adjudicator for Higher Education (OIA) provides an independent scheme for the review of student complaints or appeals. When Chickenshed's internal procedures for dealing with appeals have been completed, Chickenshed will issue a Completion of Procedures letter.
- 7.2 Students will be issued with a Completion of Procedures letter when:
 - a. the Executive Director has deemed the appeal to not have valid grounds;
 - b. the Managing Director has dismissed the request for internal review
- 7.3 Students may also request a Completion of Procedures within 20 working days of receiving:
 - a. The written decision of the reconvened Assessment Board following an appeal.
 - b. The written confirmation that the appeal has been dismissed by an the Higher Education Mgt Board, where the student does not intend to request an internal review.
- 7.4 Students wishing to avail themselves of the opportunity of an independent review by the OIA must submit their application to the OIA within twelve months of the issue of the Completion of Procedures letter. Full details of the scheme are available on request and will be enclosed with the Completion of Procedures letter.