



Senate Handbook

Academic Appeals

This Handbook supplements Regulations governed by Senate.

It includes policies, procedures, advice and/or guidance that staff and students are expected to follow in the proper conduct of University business.

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Major changes to this document since version 4.0 (August 2021):

- Change of name from Student Advice Centre to Student Wellbeing and Disability Support
- Change of name from Learning Support Agreement to Student Support Plan

1 Introduction

Universities, like other public bodies, have a duty to conduct their affairs in a responsible and transparent way and to take into account both the requirements of funding bodies and the standards expected in public life. As part of its overall commitment to equality of opportunity, Cranfield University is fully committed to promoting a good and harmonious environment where everyone is treated with respect and dignity.

In addition, to protect the integrity of its academic awards, the University must use robust and rigorous mechanisms in its assessment processes, and ensure that all students awarded an academic distinction have met the appropriate standard relevant to a postgraduate-level award.

Senate recognises that students who fail their courses may feel dissatisfied with the outcome of their assessment, award, or the conduct of the examiners in coming to their decision about their award – and believe that this is through no fault of their own. The use of the term Examiners may refer to either a Board of Examiners (Taught Undergraduate and Postgraduate students) or thesis Examiners (Research students).

The informal and formal procedures outlined in this Handbook are approved by Senate for students to appeal against such decisions and to request a re-consideration of their academic performance. This Handbook has been written for staff and students, and incorporates the previously published Staff and Student Handbooks. It is applicable to all students of the University (including full- and part-time Postgraduate Taught and Research students, Undergraduate students and Associate students studying not for a formal academic award).

This Handbook, and the procedures herein, is relevant to any student who has been registered as a taught, research or associate student, and failed to be awarded their intended degree, other academic distinction or learning credits. It supplements Regulations 57, 66 and 99 of the University's Regulations and outlines the details of the procedures that will be followed in the event of a student wishing to raise an appeal against their final award outcome.

For undergraduate students, the roles attributed in this Handbook to a Course Director will be undertaken by the Course Lead.

This Handbook incorporates the previous Academic Appeals Handbooks (including separate Taught and Research versions and separate Staff and Student versions).

Please note that failure to achieve their intended award does not automatically grant a student the right to appeal; students must have grounds for appeal, as outlined in this Handbook.

2 General principles

2.1 What's the difference between an academic appeal and a complaint?

Students are advised that, before submitting an appeal, they should consider carefully the circumstances or reasons that may have led to their result, and what caused it.

They are advised that if they believe their failure is not a result of their own actions or inactions, there are generally two avenues open to them:

- a) they may wish to make an **academic appeal** – because they believe that something has gone wrong with the assessment process. (There are specific and limited grounds for appeal as set out in Section 5);
- b) they may wish to make a **complaint** – because they believe their failure is a result of actions (or lack of actions) on the part of the University. This may include, for example, poor quality teaching or supervision by academic staff, or lack of learning support facilities or resources. Such matters cannot be addressed through the appeal process, but should be raised as a student complaint (see the Handbook on Student Complaints for more details).

Students are advised that they can seek advice and support (including on whether they should submit an appeal or a complaint) from:

- staff in Education Services (including the Academic Registrar, the Assistant Registrars and Student and Academic Support Leads);
- staff in Student Wellbeing and Disability Support;
- staff and students in the Cranfield Students' Association (CSA);
- for undergraduate students, their Coach.

2.2 Who can make an academic appeal?

The procedures outlined within this Handbook are open to all students who are or have been registered with the University, including those registered as visiting students or associate students (i.e., for short periods of time for learning credits) and students who have been registered with Cranfield University but are studying at a partner institution. There are deadlines for submitting an academic appeal; students are expected to submit an appeal within twenty working days of the date of notification of their results (unless they can provide a reasonable case to submit an appeal later than this, and the Academic Registrar accepts this).

Academic appeals are submitted on an individual basis and should be submitted directly by the student. The University will, in exceptional circumstances, consider an academic appeal made by a third party on a student's behalf, providing that a compelling case is made to demonstrate why the student is unwilling/unable to act on their own behalf, and provided that the University has received a statement in writing that they are prepared for the third party to act on their behalf in full.

2.3 Who is responsible for managing academic appeals?

This Handbook refers throughout to key people in the University who manage academic appeals. For the avoidance of doubt:

- The Academic Registrar may delegate the management of individual academic appeals to a member of their staff, including communications with the student and with any staff considering the academic appeal.
- The thesis Examiners, Board of Examiners and Course Director/Lead refers to the people who were appointed at the time at which the work was assessed. If changes of personnel have been made between the time of assessment and the time of appeal, then the original persons will consider the appeal (and not any new appointees).

Informal academic appeals are initially considered by those who made the original decision: this is to ensure that academic standards are maintained. Where academic appeals are taken to the formal stages (Stage 2 and Stage 3), the appointed investigators would normally have no former knowledge or involvement in the assessment. Investigators are asked to raise any potential conflicts of interest with the Academic Registrar as they become apparent. If the individual concerned continues to be involved, any records of conflict of interest raised will be retained along with the findings of the academic appeal in line with the University's Data Retention Schedule.

All staff involved in the management of academic appeals are committed to ensuring that the matters are resolved fully and finally at the end of the process, and to ensuring that the people involved in the academic appeal will continue fully and appropriately in their future interactions in the University without prejudice.

3 Broad outline of the stages of an investigation

All investigations are managed in the following way:

STAGE 1 <i>informal investigation-</i>	<p>students submit an academic appeal to the Academic Registrar, who engages with the relevant staff to review the case</p> <ul style="list-style-type: none">- students are required to demonstrate how their appeal meets the published grounds for appeal- this Stage is intended to highlight and resolve quickly any genuine oversight or corrections that may have occurred- taught students can appeal informally at any time about an individual mark (appeals are considered in these cases by the relevant Course Director/Lead) but appeals cannot proceed to Stage 2 until a formal decision about an award has been made
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Students have the right to appeal any decision made at Stage 1 under certain circumstances – see Stage 2.

STAGE 2 <i>formal investigation</i>	<ul style="list-style-type: none">- detailed enquiries and a full and documented investigation is undertaken by staff not involved in the initial assessment- students will normally be expected to comment on the investigatory report from Stage 1- outcomes may be dismissal of the appeal, or to fully or partially uphold the appeal, with recommendations to the Examiners on how to take corrective action
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Students have the right to request a review of any decision made at Stage 2 under certain circumstances – see Stage 3.

STAGE 3 <i>review</i>	<ul style="list-style-type: none">- students may request a review of the outcome of Stage 2 under certain circumstances- the Academic Registrar can either dismiss the request (if it is not appropriate) or will appoint one or more independent investigators to review how the original investigation(s) was conducted- the review will either be dismissed by them, or the matter referred back to the Examiners with a requirement to come to a new decision
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If at this stage the student believes they have been treated unfairly, they can complain to a body outside of the University

4. Conduct of investigations

Both students and investigators are entitled to specific rights; these apply to all internal stages of an investigation (i.e. Stages 1, 2 and 3). Students should pay close attention to these, as failure to adhere to them may result in their appeal being dismissed. Staff should ensure that students' rights are upheld, otherwise students may have grounds for a review.

4.1 Transparency

During the course of any investigation, the student must be kept informed at all times of:

- the names of the people who have been appointed to investigate the allegation;
- the projected timescales for the completion of any investigation and, if there are unexpected delays or deferrals, any revised timescales;
- all evidence received or collected by the investigators;
- the final decision(s) of the investigators, in the form of a written report for a Stage 2 or Stage 3 investigation, written by the investigators, but formally communicated to the student by the Academic Registrar.

Students will also be entitled to receive on request copies of any evidence or key documents that influence the final decision of the investigators.

For Stage 2 and Stage 3 appeals, investigators should ensure that they remain in regular contact with the student, keeping them up to date on how the investigation is progressing.

Students should also be kept informed of evidence obtained, especially evidence considered to be key to any final decision. Investigators should outline the nature of the evidence to the student and provide a copy to them on request. If there are concerns about the privacy or confidentiality of the information, please consult the Academic Registrar or a Data Protection Co-ordinator for further advice.

When gathering evidence, investigators should make it clear to any persons that the information will be shared with the student under investigation, unless there are clear and pressing reasons for this not to be the case. Even if there are reasons, it cannot be guaranteed the information will not be disclosed due to the University's data protection policy.

If investigators provide evidence to the student, the student should be reminded of their right to rebut or dispute the honesty or accuracy of that evidence, giving them clear timescales of when and how they should do this.

4.2 Right to a fair hearing

The University takes any investigation very seriously, and is committed to ensuring that it appoints investigators who are not prejudiced or biased against any person involved in the investigation. (This obviously cannot apply to Stage 1, which requires those who originally made the assessment decision to be involved in reviewing its appropriateness¹).

At Stage 2 and Stage 3, if, as an appointed investigator you believe that you are already too familiar with the circumstances of the case or the individual student(s) to be objective about the investigation, or as a student, that that an appointed investigator may be aware of your personal or

¹ The exception here is that, if the student appeals on the ground of prejudice or bias on behalf of the Examiners, the appeal will be considered at Stage 1 by the Director of Education or Research in the School.

educational circumstances, to the extent where they may have made pre-informed decisions about your academic appeal, then you should discuss this as soon as possible with the Academic Registrar. Exceptionally, you may become aware of such conflicts of interest as an investigation progresses, and you should disclose any concerns as soon as they may arise. The Academic Registrar will then consider whether those circumstances represent a conflict of interest, and will either appoint a different investigator(s) or explain to you why this is not appropriate or necessary. In all cases where a conflict of interest is discussed a written record of the outcome will be made and retained with the notes of the appeal investigation.

Investigators at all stages must ensure that all persons involved in an investigation have an equal opportunity to present their case and any evidence they feel relevant to any investigation.

4.3 Gathering evidence and holding meetings

All appeals will normally require some form of evidence to support a student's claim, which will vary from case to case. Please note, however, that recordings taken without the permission of all involved will not be considered admissible evidence.

Investigators have the right to interview any persons they believe are necessary to complete their investigation (i.e. the student, other students – if groupwork was involved, Examiners and Markers). There is, however, no requirement for an investigator to conduct any interviews.

Students who have made an appeal are required to meet reasonable requests of the investigators, including attending informal meetings with them and/or with others.

Students have the right to refuse to meet with investigators or provide evidence. Should they choose to exercise this right they should be aware that failure to do so may result in any request for a review (Stage 3) of the final decision on the grounds of incomplete evidence being deemed invalid by the Academic Registrar. When students do refuse to meet with or provide evidence to investigators, the investigators will proceed with their investigation to the best of their ability.

Students and staff who are interviewed have the right to be accompanied by a person of their choice. This person will be referred to as their "friend" (irrespective of their status or professional role) at all times.

Students (and staff) may only bring a friend to a meeting if they have notified the investigator(s) of their intention to do so in advance. If not, Investigators may cancel and re-arrange the meeting at a future point if they feel uncomfortable about proceeding. The friend is entitled to discuss any matter with the student or member of staff during the course of the meeting (including requesting a private discussion out of the investigator(s) hearing), but is not entitled to represent them or their views on their behalf.

Students and members of staff also have the right to ask for a reasonable deferral of any meeting with the investigator(s), or any deadline of request for information, but only on the grounds that they need further time to prepare for the requested meeting or information. Investigators may continue with their investigations in the meantime, but should inform the student if that is their intention. Investigators may also decide to conclude the investigation without that input if they deem the deferrals to be unreasonable.

During any meeting or interview, students, staff and their friends are entitled to ask for copies of any evidence discussed with them, for a short break either to discuss any points being raised, or to allow themselves time to collect or discuss their thoughts in private.

4.4 Record keeping

Investigators should ensure that they take accurate notes at all times,² including dates and times of meetings, who was present, and any important facts or conclusions made during the meeting. Depending on the nature of the investigation, investigators may want to provide others with a written summary of the meeting for them to agree as an accurate record. (Students and staff who have been interviewed may also wish to reconcile their own notes with those of the investigators, and investigators should respond to reasonable requests to allow this).

Investigators should also take notes of any attempts made to obtain information, and record where people have not been co-operative.

At the end of the investigation these records should be sent through to the Academic Registrar (through appeals@cranfield.ac.uk), who will retain them in line with the University's Data Retention Schedule.

Students are advised to keep their own records of actions they have taken as part of their appeal should this be required for any future stage of the appeals process.

² Investigators may ask someone else to accompany them in meetings (to take notes or otherwise provide support) but should explain clearly to the people they are interviewing the role of that person.

5 Stage 1 – Informal investigation

The grounds for appeal and process for making an informal appeal differs for Taught (Postgraduate and Undergraduate) and Research students. The correct process for each is set out below.

5.1 Taught Postgraduate and Undergraduate Students

5.1.1 Grounds for appeal – Taught students

Academic appeals for Taught students relate either to the decisions of the Board of Examiners about awards, or the decisions of Markers about individual modules, and the processes by which they have come to those decisions. Appeals that are based on claims of inadequate or insufficient teaching or learning support will not be considered, and should be addressed through the student complaints procedure.

Failure to achieve an intended academic award does not grant a student an automatic right of appeal. Students must provide a written statement (emailed to appeals@cranfield.ac.uk) outlining the reasons why they believe the assessment process has not been appropriate, and clearly stating which of the following grounds (or categories) their appeal relates to:

- A. that there were administrative errors in one or more parts of the assessment process, to the extent where the assessment outcome would have been different;³
- B. that the assessment of the taught programme of study was not carried out in accordance with the relevant regulations or published programme material;⁴
- C. that the assessment was incomplete, resulting in an absence of marks;
- D. that there was prejudice or bias against the student by one or more Examiners.

Please note that no other grounds will be accepted, including:

- the academic judgement of the Examiners or Markers; a student cannot appeal because they believe that the Examiners' answers were "wrong" or not as good as their own, or that the Examiners did not understand their work or their answers;
- requests for late consideration of "exceptional circumstances" as defined in the Assessment Rules, including taking into consideration personal, medical or other circumstances that the student believes affected their academic performance at the time;⁵
- a failure on the student's part to submit work on time or to attend a formal examination, without good cause (exceptional circumstances);
- a failure on the student's part to submit work that was appropriate or within the published guidelines or rubric;

³ This may include errors on the examination paper, inaccurate or unexpected marks (with no explanation or feedback), missing pieces of assessment.

⁴ Examples may include where the assessment requirements did not match those in the course handbook, or the published pass criteria (unless clear notification had been provided during the course).

⁵ Presentation of "exceptional circumstances" is not considered as an academic appeal, as it does not relate to the integrity of the examination process; the University outlines in course handbooks and the Assessment Rules that students are expected to (a) only submit assessments (including attending examinations) if they feel they are fit and prepared to do so and (b) to submit any exceptional circumstances within 20 working days of the examination date or assessment deadline. Retrospective claims of exceptional circumstances are not accepted by the University except in cases of serious medical incapacity.

- the standards of the academic provision or the quality of teaching (this is more appropriately addressed through the student complaints procedure);
- students must clarify which grounds they are appealing on in order for their academic appeal to be accepted by the Academic Registrar. Students should ensure that their academic appeal is supported by any relevant evidence.

5.1.2 Stage 1 appeal procedure – Taught students

5.1.2.1 Information for Students

You should submit any appeal (or intention to appeal) within twenty working days of the University issuing notification of the result. The appeal should be made in writing, emailing it to appeals@cranfield.ac.uk (or posting it to the Academic Registrar, Building 45, Cranfield campus).

Please note that the Academic Registrar may summarily dismiss any appeal if:

- it is not based on one of the permitted grounds of appeal; or
- they do not believe that you have provided sufficient evidence to merit an investigation; or
- it was submitted out of time.

You are expected to provide the “statement of reasons for failure” (or similar document) as part of your appeal, along with a commentary on the information contained within it.

The Academic Registrar will confirm to you in writing whether your appeal is accepted or dismissed. If the appeal is accepted, the Academic Registrar will then, within ten working days of this receipt, transmit the appeal to the relevant person to investigate.

The investigator(s) will normally consider the appeal within twenty working days of being appointed and provide a statement to the Academic Registrar. This statement will include a decision to either dismiss the appeal (thereby confirming that they still believe the marks and results to be appropriate) or uphold the appeal (either in full or in part) and outline the proposed course of action. This will be provided to you by the Academic Registrar (and will be considered to be the end of the Stage 1 procedure).

The statement will address all elements of the appeal, outline any revised outcome, which may involve a different result and/or changes to your academic record, and/or the requirement of further study or a re-assessment of your existing work.

5.1.2.2 Information for Investigators

An appeal may be made against either an award decision (considered by the Chair of the Board of Examiners) or an individual mark in-year (considered by the Course Director/Lead). The procedures for each are outlined below.

Appeals against an award decision [Chair of Board of Examiners]

When the Academic Registrar accepts an appeal, they will have taken into account the stated grounds of appeal, the evidence provided and the timeliness of the appeal. Students are normally expected to provide a copy of the “statement of reasons for failure” (or similar document) as part of the appeal, along with a commentary on the information contained within it.

As Chair of the Board of Examiners, you will receive the appeal and supporting documentation from the Academic Registrar or a member of their staff on their behalf. On receipt, and as soon as possible, you should appoint at least two Examiners from the Board of Examiners at the time of the decision to review the appeal. You can appoint yourself, paying due heed to any potential conflicts of interest (e.g. if an appeal is made on ground D above against a specific Examiner they should not be included in the investigation).

The following documentation should form the minimum base of evidence in considering the appeal:

- the student submission, including the “statement of reasons for failure” (or similar document);
- the full set of student marks, as formally recorded in SITS; and
- the minutes of the relevant meeting of the Board of Examiners.

Additionally, you may wish to consider or review the External Examiners’ reports, any individual marking sheets and the original work or examination scripts of the students.

(Please note that, with the exception of the examination scripts, students are entitled to receive copies of all of the above documentation under the University’s data protection policy. If you have any concerns or questions about the release of this information (in the context of personal information about other students or staff) please contact the Academic Registrar or a Data Protection Co-ordinator for advice).

The appointed investigators should consider and conclude their review **within twenty working days** and provide a statement for you as the Chair of the Board of Examiners to approve. If they cannot conclude the investigation within this time, you should contact the Student Casework Manager in Education Services (through appeals@cranfield.ac.uk) who will contact the student directly and alert them to the delay, the reasons for it, and a likely time when they will next hear from you.

In terms of the investigation itself, it is important to bear in mind that the focus of the Stage 1 appeal is an informal one and is intended to resolve quickly any genuine mistakes, omissions or oversights.

The form of the resultant written statement is most likely either to be:

- a) if the appeal is to be dismissed, an enhanced or expanded “statement of reasons of failure” (which may or may not include additional documentation – e.g., relevant minutes of the examination board or copies of documents to support the statements in the original statement); or
- b) if the appeal is to be upheld, a clear rationale for doing so (which may or may not warrant a written apology), and a clear indication of either a revised award outcome, or the action required of the Examiners and/or the student in order for a new decision to be reached or considered.

Please note that if the appeal has been under ground A above, the most likely outcome of an upheld appeal will be for the student to re-take or re-submit the relevant pieces of work for a new assessment. You should familiarise yourself with the relevant policies of re-takes and re-submissions, and clearly outline any required actions and timetables.

When the investigators have provided their statement, you should review it to ensure that:

- a) all elements of the appeal have been addressed, with clear reasons for decisions reached in each element;

- b) there is a clear statement about whether the appeal is upheld or dismissed;
- c) the outcome is considered by you to be both fair and reasonable; and
- d) you are happy to ensure the proposed recommendations are acted upon.

If you are happy to confirm the statement and its recommendations, you should forward the statement to the Academic Registrar (through appeals@cranfield.ac.uk). The Academic Registrar will communicate formally with the student about the outcome and the next steps.

You should ask the investigators to provide you with all notes of the investigation, and forward these to appeals@cranfield.ac.uk, where they will be retained in line with the University's Data Retention Schedule.

Your role in investigating the appeal is then concluded. Please note that you may need to discuss the case further if the student decides to appeal against the statement you have produced (Stage 2).

Appeals against a modular mark decision [Course Director/Lead]

Students most commonly appeal against their final award outcome, but this option is not available for associate students, where they usually take only a single module and are awarded the corresponding learning credits. Equally, for taught course students, there are circumstances where they would seek an early resolution to a specific assessment without waiting for a meeting of the Board of Examiners to review their potential appeal.⁶

In both of these cases, the Board of Examiners delegates the review of the appeal to the Course Director/Lead. When the Academic Registrar accepts an appeal, they will have taken into account the stated grounds of appeal, the evidence provided and the timeliness of the appeal.

As Course Director/Lead, you will receive the appeal and supporting documentation from the Academic Registrar or a member of their staff on his behalf. On receipt, and as soon as possible, you should appoint at least two people involved in the assessment and/or review of the marks to review the appeal. You can appoint yourself, paying due heed to any potential conflicts of interest (e.g. if an appeal is made on ground D above against a specific Examiner or Marker, they should not be included in the investigation).

The following documentation should form the minimum base of evidence in considering the appeal:

- the student submission;
- the relevant student marks, as formally recorded in SITS; and
- any internal reports from the Examiners or Markers.

Additionally, you may wish to consider or review the original work or examination scripts of the students.

(Please note that, with the exception of the examination scripts, students are entitled to receive copies of all of the above documentation under the University's data protection policy. If you have any concerns or questions about the release of this information (in the context of personal information about other students or staff) please contact the Academic Registrar or a Data Protection Co-ordinator for advice).

⁶ For this second group of students, they can only appeal against an individual mark at Stage 1 of the appeal process. If their appeal is dismissed, they will be advised to wait until a formal award outcome before being able to progress their appeal further.

The appointed investigators should consider and conclude their review **within twenty working days** and provide a statement for you as the Course Director/Lead to approve. If they cannot conclude the investigation within this time, you should contact the Student Casework Manager in Education Services (through appeals@cranfield.ac.uk) who will contact the student directly and alert them to the delay, the reasons for it, and a likely time when they will next hear from you.

In terms of the investigation itself, it is important to bear in mind that the focus of the Stage 1 appeal is an informal one and is intended to resolve quickly any genuine mistakes, omissions or oversights. The form of the resultant written statement is most likely either to be:

- a) if the appeal is to be dismissed, an explanation of the marks and the decisions of the Markers/Examiners (which may or may not include additional documentation); or
- b) if the appeal is to be upheld, a clear rationale for doing so (which may or may not warrant a written apology), and a clear indication of either a revised outcome, or the action required of the Markers/Examiners and/or the student in order for a new decision to be reached or considered.

When the investigators have provided their statement, you should review it to ensure that:

- a) all elements of the appeal have been addressed, with clear reasons for decisions reached in each element;
- b) there is a clear statement about whether the appeal is upheld or dismissed;
- c) the outcome is considered by you to be both fair and reasonable; and
- d) you are happy to ensure the proposed recommendations are acted upon.

If you are happy to confirm the statement and its recommendations, you should forward the statement to the Academic Registrar (through appeals@cranfield.ac.uk). The Academic Registrar will communicate formally with the student about the outcome and the next steps.

You should ask the investigators to provide you with all notes of the investigation and send them to the Academic Registrar (through appeals@cranfield.ac.uk), who will retain them in line with the University's Data Retention Schedule.

Your role in investigating the appeal is then concluded. Please note that you may need to discuss the case further if the student decides to appeal against the statement you have produced (Stage 2).

5.2 Research Students

5.2.1 Grounds for appeal – Research students

Academic appeals for research students relate to the decisions of the Examiners about the final (or interim) award outcomes. Appeals which are based on claims of inadequate or insufficient teaching or learning support will not be considered, and should be addressed through the student complaints procedure.

Failure to achieve an intended academic award does not grant students an automatic right to appeal. Students must provide a written statement (emailed to appeals@cranfield.ac.uk) outlining the reasons why they believe the assessment process has not been appropriate, and clearly stating which of the following grounds (or categories) the appeal relates to:

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|----|--|
| A. | that the quality of the submitted work and/or examination performance was adversely affected by illness or other factors which the student was unable or unwilling to provide to the examination board at the appropriate time; ⁷ |
| B. | that there were administrative errors in one or more parts of the assessment process, to the extent where the assessment outcome would have been different; |
| C. | that the assessment of the programme of supervised research was not carried out in accordance with the relevant regulations or published programme material; ⁸ |
| D. | that the assessment was incomplete; |
| E. | that there was prejudice or bias against the student by one or more Examiners. |

Please note that no other grounds will be accepted, including:

- the standards of the student's academic supervision or the facilities that they were provided with to conduct their studies/research (this is more appropriately addressed through the student complaints procedure);
- the academic judgement of the Examiners; a student cannot appeal because they believe that the Examiners' assessment of the work is "wrong", or that the Examiners did not understand the thesis or the underlying research;
- a failure on the student's part to submit a thesis that was appropriate or within the published guidelines or rubric;
- a failure on the student's part to submit their thesis on time or to attend the oral examination, without good cause (see grounds A above).

5.2.2 Stage 1 appeal procedure – Research students

5.2.2.1 Information for Students

You should submit any appeal (or intention to appeal) within twenty working days of the University issuing notification of the result. The appeal should be made in writing, emailing it to appeals@cranfield.ac.uk (or posting it to the Academic Registrar, Building 45, Cranfield campus).

Please note that the Academic Registrar may summarily dismiss your appeal if:

- it is not based on one of the permitted grounds of appeal; or
- they do not believe that you have provided sufficient evidence to merit an investigation; or
- it was submitted out of time.

You will normally be expected to provide the "statement of reasons for failure" (or similar document) as part of your appeal, along with a commentary on the information contained within it.

⁷ If a student is appealing on this ground, their appeal submission must include a statement to explain why they did not raise the illness or other circumstances at an earlier point (i.e., before the Examiners reviewed the thesis and conducted the oral examination). Failure to include such a statement may result in the academic appeal being dismissed. The student may also be requested to provide medical or other supporting evidence.

⁸ This may include circumstances where the student believes the Examiners have not followed the published guidelines on how they will be examined.

The Academic Registrar will confirm to you in writing whether your appeal is accepted or dismissed. If the appeal is accepted, the Academic Registrar will then, within ten working days of this receipt, transmit your appeal to the Examiners to investigate.⁹

The investigator(s) will normally consider your appeal within twenty working days of being appointed and provide a statement to the Academic Registrar. This statement will include a decision to either dismiss your appeal (thereby confirming that your result stands) or uphold your appeal (either in full or in part) and outline the proposed course of action. This will be provided to you by the Academic Registrar (and will be considered to be the end of the Stage 1 procedure).

If your appeal has been under ground A above, the most likely outcome of a successful appeal will be for you to undertake further work to revise or correct your thesis and may include a second oral examination (with the same or different Examiners). You should familiarise yourself with the relevant University policies, but you will be advised by the Examiners, or by your Supervisor, what will be required of you.

For all other grounds, the statement will address all elements of your appeal, outline any revised outcome, which may involve a different result and/or changes to your student academic record, and/or the requirement of further study or a re-assessment of your existing work.

5.2.2.2 information for Investigators

When the Academic Registrar accepts an appeal, they will have taken into account the stated grounds of appeal, the evidence provided and the timeliness of the appeal. Students are normally expected to provide a copy of the “statement of reasons for failure” (or similar document) as part of the appeal, along with a commentary on the information contained within it.

It is usual for the Internal Examiner to take the lead in the investigation: where more than one Internal Examiner was appointed, the Academic Registrar will clarify with all concerned which Internal Examiner will take on this role.¹⁰

The Internal Examiner will receive the appeal and supporting documentation from the Academic Registrar or a member of their staff. On receipt, you should notify all Examiners of the appeal.

The following documentation should form the minimum base of evidence in considering the appeal:

- the student submission, including the “statement of reasons for failure” (or similar document);
- the Supervisor’s report on the student; and
- the final report of the Examiners.

Additionally, you may wish to consider or review the individual Examiners’ reports, the Turnitin report (if it exists), the thesis and any notes made by the Examiners during the oral examination.

(Please note that students are entitled to receive copies of all of the above documentation under the University’s data protection policy. If you have any concerns or questions about the release of this information (in the context of personal information about other students or staff) please contact the Academic Registrar or a Data Protection Co-ordinator for advice.)

⁹ If you are appealing under ground E, the named Examiners will be excluded from any persons appointed to investigate the academic appeal. If all Examiners are to be excluded, your appeal will be considered by the Director of Research in your School.

¹⁰ The exception here is that, if the student appeals on the ground of prejudice or bias on behalf of the eExaminers, the appeal will be considered at Stage 1 by the Director of Research in the School.

The Examiners should consider and conclude their review **within twenty working days** and provide a statement for the Internal Examiner to approve on behalf of all Examiners. If they cannot conclude the investigation within this time, the Internal Examiner should contact the Student Casework Manager in Education Services (through appeals@cranfield.ac.uk) who will contact the student directly and alert them to the delay, the reasons for it, and a likely time when they will next hear from you.

In terms of the investigation itself, it is important to bear in mind that the focus of the Stage 1 appeal is an informal one and is intended to resolve quickly any genuine mistakes, omissions or oversights.

The form of the resultant written statement is most likely either to be:

- a) if the appeal is to be dismissed, an enhanced or expanded “statement of reasons of failure” (which may or may not include additional documentation); or
- b) if the appeal is to be upheld, a clear rationale for doing so (which may or may not warrant a written apology), and a clear indication of either a revised award outcome, or the action required of the Examiners and/or the student in order for a new decision to be reached or considered.

Please note that if the appeal has been under ground A above, the most likely outcome of an upheld appeal will be for the student to undertake further work to revise or correct the thesis and may include the requirement for a second viva examination. You should familiarise yourself with the relevant policies of re-submissions, and clearly outline any required actions and timetables.

When the Examiners have provided their statement, the Internal Examiner should review it to ensure that:

- a) all elements of the appeal have been addressed, with clear reasons for decisions reached in each element;
- b) there is a clear statement about whether the appeal is upheld or dismissed;
- c) the outcome is considered by you to be both fair and reasonable; and
- d) they are happy to ensure the proposed recommendations are acted upon.

If the Internal Examiner is happy to confirm the statement and its recommendations, they should forward the statement to the Academic Registrar (through appeals@cranfield.ac.uk). The Academic Registrar will communicate formally with the student about the outcome and the next steps.

The Internal Examiner should collate all notes of the investigation, and send them to the Academic Registrar (through appeals@cranfield.ac.uk), who will retain them in line with the University’s Data Retention Schedule.

The role of the Examiners in investigating the appeal is then concluded. Please note that the Examiners may need to discuss the case further if the student decides to appeal against the statement you have produced (Stage 2).

6 Stage 2 – Formal investigation

If a student believes that the result of the informal investigation (Stage 1) has been unfair or inappropriate, then they may make a formal appeal, with the investigation now carried out by people who were not involved in the assessment decision. The grounds for appeal are the same as those outlined in Sections 5.1 (for Taught students) and 5.2 (for Research students). Any Stage 2 appeal must be submitted by the student within twenty working days of the notification of their result.

Taught students appealing against the mark on a single piece of assessment, and making their appeal during their course, are advised that an unsuccessful Stage 1 appeal cannot be taken forward until after the Board of Examiners has made a decision on their performance across their whole course, and either pass or fail the student for a particular award (or Level, for undergraduate students). This is because a low mark may not necessarily preclude them from receiving their intended award or progressing, as award decisions are made on the performance across all of their assessments.

6.1 Information for Students

In order to submit a Stage 2 appeal, you need to include:

- a) a re-statement of the grounds under which you are appealing;
- b) a commentary or statement on the Stage 1 report/statement provided to you by the Academic Registrar, including any inaccuracies you believe are in it.

You may also want to include additional evidence (over and above what you provided at Stage 1). You are entitled to do this, but any additional evidence must be accompanied by a statement to explain why this was not presented at Stage 1. (The most common reason for this is that you were not aware it was relevant or important to the Examiners).

Please note that the Academic Registrar may summarily dismiss your Stage 2 appeal if:

- (a) it is not based on one of the permitted grounds of appeal; or
- (b) they do not believe that you have provided sufficient evidence to merit an investigation; or
- (c) it was submitted out of time.

They can only do this after consulting the relevant Pro-Vice-Chancellor (Taught or Research) on the circumstances, and only with their agreement. The Academic Registrar will confirm to you in writing if your appeal is dismissed.

If the appeal is accepted, the Academic Registrar will then, within ten working days of this receipt, transmit your appeal to the relevant person(s) to investigate. This will normally include the Director of Education or Research in your School (providing they were not one of your Examiners or the investigator at Stage 1). Appeals are usually considered by one or two people.

If you have any concerns that the appointed investigators are too familiar with your case, please raise this as soon as possible with the Academic Registrar, who will consider whether an alternative investigator should be appointed.

The assigned investigators will review the Stage 1 investigation and your additional information/evidence. They will usually arrange to discuss your academic appeal with you, either

in a face-to-face interview, or over the telephone. The purpose of the interview is to clarify your concerns and ensure that all elements have been understood by them as part of the investigation.

The investigator(s) will normally consider your appeal within twenty working days of being appointed and provide a full report to the Academic Registrar. The report will include a decision to either dismiss your appeal (thereby confirming that they consider the original decision to be correct and that the Stage 1 outcome will be upheld), or otherwise uphold your appeal (either in full or in part) and refer the matter back to the Examiners for a further review. In referring the matter back, the investigator(s) may choose to recommend an alternative outcome for the Examiners to consider. (The Examiners may still choose to reject this recommendation – on the grounds of maintaining academic standards - but will be required to provide a written statement to justify this decision: in these circumstances, you will be entitled to proceed to Stage 3 of the appeals process).

The full report of the Stage 2 investigation will be provided to you by the Academic Registrar (and will be considered to be the end of the Stage 2 procedure). It will address all elements of your appeal, and will outline any revised outcome, which may involve a different result and/or changes to your student academic record, and/or the requirement of further study or a re-assessment of your existing work.

For research students, if your appeal has made been under ground A above, the most likely outcome of a successful appeal will be for you to undertake further work to revise or correct your thesis and may include a second oral examination (with the same or different Examiners). You should familiarise yourself with the relevant policies, but you will be advised by the Examiners, or by your Supervisor, what will be required of you.

If you believe that the result of the formal investigation (Stage 2) has been unfair or inappropriate, then you may request a review of the decision (Stage 3) in writing to the Academic Registrar (through appeals@cranfield.ac.uk). A request for a review will only be accepted if it is made within 20 working days of the conclusion of the Stage 2 investigation.

6.2 Information for Investigators

As a Stage 2 investigator, you will have been approached by the Academic Registrar to act. They will have confirmed with you, if more than one investigator is appointed, which of the Stage 2 investigators will act as the Lead Investigator (who shall act as the point of contact with the student and with the Academic Registrar).

When you receive the formal Stage 2 appeal, you should manage it according to this process. Any appeal is reviewed initially by the Academic Registrar, who judges whether there is a *prima facie* case to answer.

A formal investigation (Stage 2) requires all aspects of the allegation and investigation to be documented fully, and a report to be written. It is highly likely in a formal investigation that you may wish to have a formal and structured meeting with the student(s) who have appealed (so that they feel their appeal is being considered fully), at which notes must be taken.

On being appointed formally please:

- a) ensure you have read and are familiar with Section 4 of this Handbook, which outlines general principles for the conduct of any investigation;
- b) consider whether there are any potential conflicts of interest you need to discuss with the other investigator(s) or the Academic Registrar;

- c) read the formal appeal submitted by the student;
- d) if you are the Lead Investigator, contact the student, and explain who you and the other investigator(s) are, and what your role is **within ten working days** of being appointed;
- e) outline to them what timescales you think will be needed for the investigation (the investigation should be completed within twenty working days of your appointment);
- f) check that the student is aware of the Student Handbook: Academic Appeals (Taught and Research Students) and understands its content;
- g) outline that you are undertaking a **full and formal investigation** into the allegation and you will either:
 - i. **dismiss** the appeal; or
 - ii. **uphold or partially uphold** the appeal and recommend appropriate redress as a result of your findings.

When sending forward the case for investigation, the Student Casework team will inform the investigator whether the student has a Student Support Plan in place. Investigators should then make reasonable adjustments where appropriate (in consultation with Learning Support Officer if required), to accommodate these needs (e.g. meet in a ground floor room if student has mobility issues, emails sent during working hours to allow the student the opportunity to access support where required etc.).

At all times, keep the student apprised of the progression of the investigation.

All investigations will result in a formal report which will be provided to the student via the Academic Registrar.

At the conclusion of the investigation:

- a) please inform the student that the investigation has been concluded and that they will be contacted by the Academic Registrar;
- b) complete a full and accurate report of your investigation, which should include:
 - i. a clear decision (with reasons given) on each element of the appeal;
 - ii. a clear recommendation to either dismiss the appeal, or otherwise uphold the appeal in part or in full;
 - iii. a clear recommendation on any appropriate redress for the Examiners to consider (if relevant);
 - iv. a list of evidence you have obtained to support your findings, highlighting the key elements leading to your conclusions.

All investigators should be content with the report before sign-off. Once complete you should send the report to the Academic Registrar (through appeals@cranfield.ac.uk).

The Lead Investigator should collate a copy of the detailed notes, will forward these to the Academic Registrar (through appeals@cranfield.ac.uk) for retention, pending any potential appeal, in line with the University's Data Retention Schedule. Should the student request a review of the decision of the Stage 2 investigation the Academic Registrar will keep you apprised of the resulting Stage 3 and external appeals.

Your role as investigator is then concluded. Please note that you may need to discuss the case further if the student decides to request a review of your decision (Stage 3).

7 Stage 3 – Review

7.1 Stage 3 Process

The University takes allegations and their investigations extremely seriously, and acts in an appropriate manner to ensure that fairness for all parties is maintained throughout. It will likely assert that decisions arising from an investigation have been the result of a fair and thorough investigation, and are based on evidence provided by the parties concerned.

If a student believes, however, that the result of the formal investigation (Stage 2) has been unfair or inappropriate, then they may request a review of the decision in writing to the Academic Registrar (through appeals@cranfield.ac.uk). A request for a review will only be accepted if it is made within twenty working days of the student's receipt of the Stage 2 report. Either the Academic Registrar, or a member of their staff, will contact the student to discuss their circumstances and advise them on possible next steps.

Students have the right to request a review of the Stage 2 outcome under the following circumstances only:

- A. that the evidence provided to the Stage 2 investigators was incomplete or inaccurate, to the extent where it is reasonable to conclude that the outcome may have been substantially different;
- B. that the Stage 2 investigators had summarily dismissed significant pieces of evidence in coming to their decision;
- C. that the Stage 2 investigators had not made clear recommendations on each element of the academic appeal;
- D. that the Stage 2 investigators were prejudiced or biased against the student, including any undisclosed conflicts of interest;
- E. that the recommendations from the Stage 2 investigation were not considered appropriately by the eExaminers.

Students may not request a review because they do not like the outcome of their appeal, or because they believe that the recommended redress is unfair or inadequate. Students do, however, retain the right to complain about the University to the Office of the Independent Adjudicator for Higher Education – see section 8 - External Complaint.

Any review request must:

- (a) be submitted in writing to the Academic Registrar (to appeals@cranfield.ac.uk) within twenty working days of the conclusion of the Stage 2 investigation;
- (b) state clearly which of the grounds A, B, C, D and/or E above are relevant to the request;
- (c) provide a clear statement of the foundation for the request, including a commentary on the Stage 2 report, and evidence to support this statement (b) above; and
- (d) outline a preferred outcome or solution for any investigator to consider.

Please note that the Academic Registrar may summarily dismiss the request for a review if:

- (a) it is not based on one of the permitted grounds for a review; or
- (b) they do not believe that the student has provided sufficient evidence to merit an investigation; or
- (c) it was submitted out of time.

The Academic Registrar can only do this after consulting with the relevant Pro-Vice-Chancellor (Education or Research) on the circumstances, and only with their agreement. The Academic Registrar will confirm to the student in writing if a request for a review is dismissed.

If the request is accepted, the Academic Registrar will then, within ten working days of this receipt, appoint two or more senior members of the University to investigate the review. The investigators will contact the student to confirm they have been appointed and outline the timescales they believe will be needed to conduct the review and come to a decision.

Should a student have any concerns that these appointments are too familiar with the case to undertake the investigation, they should raise this as soon as possible with the Academic Registrar, who will consider whether an alternative investigator should be appointed.

The investigators shall not review the matter themselves, but instead focus on the process of the previous investigations, in line with the stated grounds for requesting a review. On completion of their investigation into the review, students will be provided with a report, including a decision and the reasons for it. The investigators may decide:

- (a) to dismiss the reasons for the review; or
- (b) to fully or partially uphold the review and direct the Examiners to come to a new decision.

The full report of the Stage 3 investigation will be provided to the student by the Academic Registrar (and will be considered to be the end of the Stage 3 procedure). The decision of the University at that point would be considered final.

7.2 Information for Investigators

Each request is reviewed initially by the Academic Registrar, who judges whether there is a *prima facie* case to answer. The Academic Registrar will have appointed you as an appeal investigator at this point, outlining who else has been appointed to investigate the appeal and which of you is to act as the Lead Investigator.

Any accepted Stage 3 review will then focus on the specific grounds cited and are, in essence, limited to an investigation of how the Stage 1 and/or Stage 2 complaint investigations were conducted. Your role as Stage 3 investigator is to determine whether the University has acted fairly, and your joint decision will be the University's final view on the matter.

On being appointed formally by the Academic Registrar to commence an investigation:

- a) ensure you have read and are familiar with Section 4 of this Handbook, which outlines general principles for the conduct of any investigation;
- b) consider whether there are any potential conflicts of interest you need to discuss with the Academic Registrar;
- c) review all of the evidence provided to you at the outset;

- d) if you are the Lead Investigator, contact the student, and explain who you and the other investigator(s) are, and what your role is **within ten working days** of being appointed;
- e) outline to the students what timescales you think will be needed for the investigation;
- f) check that the students are aware of the Student Handbook: Academic Appeals (Taught and Research Students) and understand its content;
- g) outline that you are undertaking a review of the previous investigation and you will either:
 - i. dismiss the appeal; or
 - ii. uphold the appeal, with or without directing the Examiners to come to a new decision.

When sending forward the case for investigation, the Student Casework team will inform the investigator whether the student has a Student Support Plan in place. Investigators should then make reasonable adjustments where appropriate (in consultation with Learning Support Officer if required), to accommodate these needs (e.g. meet in a ground floor room if student has mobility issues, emails sent during working hours to allow the student the opportunity to access support where required etc.).

It is not usual during a Stage 3 investigation for you to need to interview either the student or the previous investigators, although you may choose to do so in order to come to a reasonable conclusion.

At all times, keep the student apprised of the progression of the investigation.

All investigations will result in a formal report which will be provided to the student via the Academic Registrar.

At the conclusion of the investigation:

- a) please inform the student that the investigation has been concluded and that they will be contacted by the Academic Registrar;
- b) complete a full and accurate report of your investigation, which should include:
 - i. a clear decision (with reasons given) on each element of the review;
 - ii. a clear recommendation to either dismiss the review, or otherwise uphold the review in part or in full;
 - iii. a clear recommendation on any appropriate redress for the Examiners to consider (if relevant);
 - iv. a list of evidence you have obtained to support your findings, highlighting the key elements leading to your conclusions.

All investigators should be content with the report before sign-off. You should send the report to the Academic Registrar (through appeals@cranfield.ac.uk).

The Lead Investigator should collate a copy of the detailed notes, and forward these to the Academic Registrar (through appeals@cranfield.ac.uk), who will retain the notes pending any potential external appeal in line with the University's Data Retention Schedule.

Your role as investigator is then concluded.

Please also note that the student may contest your decision to an external body (the Office of the Independent Adjudicator, OIA): any investigation by the OIA is unlikely to involve you, but you may be asked by the Academic Registrar to provide notes or other information. This can take place up to twelve months after the conclusion of your investigation.

8 External complaint

At the completion of Stage 3, the University will consider any decision it has made to be final and complete, with no further right of appeal. This is equally true if any appeal or request for a review is dismissed summarily by the Academic Registrar, or if a student has no grounds for appeal.

If, however, students remain dissatisfied with the outcome or with how the University has managed the allegation and its subsequent investigations, they have the right to submit a complaint against the University to the external regulator for the UK higher education sector, the Office of the Independent Adjudicator for Higher Education (OIA).

In order for students to submit a complaint to the OIA, the University must agree that they have exhausted the internal procedures. This is managed by the Academic Registrar issuing a “completion of procedures letter”. A “completion of procedures letter” will be provided on request at the conclusion of any Stage 3 review (whether it is not accepted, summarily dismissed or fully investigated).

Students may also request from the Academic Registrar a “completion of procedures letter” at any point in the process if they do not believe the University is capable of following its own procedures fairly, and they do not wish to engage further with the University on this matter.

The OIA will not consider any complaint unless a “completion of procedures letter” has been provided. Any complaint to the OIA must be registered within twelve months of the University issuing a “completion of procedures letter”.

More information about the OIA can be found at www.oiahe.org.uk.

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