



The University of Manchester

Academic Appeals Procedure Regulation XIX

Effective from 6 November 2023

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1.0 Purpose

- 1.1 This document explains the valid grounds for an academic appeal and the procedure the University will follow when considering an appeal.

2.0 Support available to you¹ as a student

- 2.1 We appreciate that whilst you are involved with the appeals process you may benefit from additional support. There is extensive support available to you before and during the appeals process, and we do recommend that you access this.

- 2.1.1 You can approach members of support staff within your School or Faculty (<https://www.studentsupport.manchester.ac.uk/uni-services-az/school-support/>), or consult the University's Student Support pages at <https://www.studentsupport.manchester.ac.uk/>

- 2.1.2 The Students' Union Advice Service provides free and independent advice to students accessing the University's various procedures, including academic appeals. You can find out more information on their website at <https://manchesterstudentsunion.com/>

- 2.1.3. The University's Disability Advisory and Support Service (DASS) provides practical support to the University's disabled students and staff members. DASS can provide support to you if your appeal is related to a disability, or if you think adjustments to the appeals process would be beneficial to you. You can find out more about DASS on their website at <https://www.dass.manchester.ac.uk/>

- 2.1.4. The University also provides wellbeing and counselling support for students through the Counselling and Mental Health Service. You can find more details on their website at <https://www.counsellingservice.manchester.ac.uk/>

- 2.1.5. If you are continuing with your studies but feel that you would benefit from additional academic support, you can find further details at <https://www.studentsupport.manchester.ac.uk/study-support/>

¹ Any reference to 'you' throughout this document refers to 'you as a student'

3.0 Introduction and scope

3.1 An academic appeal is when a student formally asks the University to reconsider a decision made by a relevant body (see the glossary attached) relating to their results, progression, or final award. An appeal can't be used to challenge academic judgement.

Examples of decisions that might be challenged through an appeal are:

- Withdrawal from a programme because of academic failure.
- The decision on a final degree classification .

3.2 You can only make an academic appeal once your results have been approved by the relevant body. An appeal cannot be made against provisional results (i.e. before the relevant body approves them). You can contact your School to find out when your results will be approved before submitting an appeal.

3.3 You can only submit an appeal for yourself. If you would like someone else to submit an appeal on your behalf, you must provide written permission for them to submit the appeal for you.

3.4 The procedure applies to all students registered at the University of Manchester. If you are studying a University of Manchester course at another provider then this may not apply to you. You should use the appeals procedure in place at your provider. You may be able to ask the University for a review of the partner organisation's final decision within **10 working days** of the decision being sent to you, if you believe your case has not been dealt with appropriately.

3.5 During the appeals process, you and the staff members involved should act reasonably and fairly and respect the procedure and one another. Please ensure you adhere to the principles in the University's student charter (<http://www.yoursay.manchester.ac.uk/student-charter/>), as consideration of your appeal might be ended if you don't. If this happens, we will write to you explaining the reasons for this and issue a Completion of Procedures letter.

3.6 The original decision of the Examination Board or Postgraduate Research Committee or relevant body will remain in place while the appeals process is ongoing.

3.7 An academic appeal differs from a complaint and they are looked at under different procedures. An academic appeal is about academic results. A complaint is an expression of dissatisfaction by one or more students about the University's action or lack of action, or about the standard of services provided by, or on behalf of, the University. Complaints about teaching or supervision should be made using the

[Student Complaints Procedure](#). We recommend that you read the Complaints Procedure carefully if you plan to make a complaint, and pay particular attention to the deadlines for raising any issues.

- 3.8 The academic appeals procedure includes time limits for each of its stages which we aim to meet, however there may be times where for a number of reasons this isn't possible (for example, a sudden increase in cases, or staff illness or absence). We'll make sure that you are kept up to date with progress throughout the appeal process, and we aim to complete the whole process within 90 calendar days from the start of Stage Two. You can see the stages that make up the appeals process in the flowchart included with this procedure.

4.0 Academic Appeals Procedure

4.1 Grounds for an academic appeal

4.1.1 The reasons you can appeal are:

- a. Circumstances exist (or existed) affecting your performance of which, for a good reason, the relevant decision-making body may not have been made aware when its decision was taken, and which might have had a material effect on its decision.
- b. A material administrative error or procedural irregularity has taken place in the assessment process (or in putting into effect the regulations for your programme of study) of such a nature as to cause significant doubt whether the decision you are appealing might have been different if the error or irregularity had not occurred.
- c. You have evidence of prejudice or bias by one or more of your examiners.
- d. Your supervision or training in respect of research for a dissertation or thesis (or equivalent work) was unsatisfactory to the point that your performance was seriously affected.

An appeal cannot challenge academic judgement. Academics use their knowledge and expertise to mark students' work and you cannot appeal because, in your opinion, this judgement is wrong. Safeguards are in place to make sure that marking is consistent and fair. Decisions on how to apply mitigation to results (rather than whether or not to accept a request for mitigation) also involve academic judgement that is not open to appeal, unless you can show that a procedural irregularity has occurred.

- 4.1.2 You must use the [Mitigating Circumstances Procedure](#) or [Change of Circumstances Policy](#) in all possible cases. We will not accept an appeal if you could reasonably have used this Procedure or Policy at the time you were impacted by your circumstances, and if relevant you must explain why you couldn't do so at that time and provide supporting evidence.

4.1.3 If you wish to appeal on ground (d) but your supervisory concerns arose significantly before the decision you are appealing, and you didn't submit a formal complaint, you must provide a good reason (along with supporting evidence) for only raising your concerns at appeal.

4.2 Submission of an academic appeal

4.2.1 Appeals will be considered in a maximum of three stages: firstly, within your School, or the Doctoral Academy. The second stage of appeal, where available, is to the Faculty Teaching Learning & Student Experience team. A final review stage may also be open to you, and this takes place within the central Division of Student and Academic Services.

If you wish to submit an academic appeal then you must complete an online appeals form which will be sent to your School or the Doctoral Academy. You must explain why you wish to appeal and include evidence to support your case.

4.2.2 You can appeal up to **20 working days** following the notification of your confirmed results or other decision you are appealing against. If an appeal is submitted late, you should explain why the appeal could not have been submitted sooner, and include evidence to support this. Appeals submitted late without a good reason for the delay may not be considered.

4.2.3. Independent advice on completing an appeal form can be sought from the [Students' Union Advice Service](#).

4.3 Provision of evidence

4.3.1 You must provide evidence to support your appeal. For further guidance on evidence, refer to the University's [Mitigating Circumstances Policy and Procedure](#).

4.3.2 If your appeal relates to a mental health condition for which you are already registered with DASS then you do not need to provide further medical evidence with your appeal. If you are registered with DASS, you will be asked to confirm this when you complete the appeal form. The person handling your appeal may then contact DASS, sharing your appeal, and asking for comments from DASS.

4.3.3 Evidence should support your claim and, where possible, be dated from (or refer to circumstances that occurred) at the same time as your assessment(s). It would be helpful if the evidence could confirm the impact of your circumstances on you at that time.

4.3.4. Evidence should be in the English language or, if this isn't possible, a certified translation should be provided. This means a translation carried out by a person or company that confirms it is an accurate translation, and includes their contact details.

4.3.5. If you submit supporting evidence that is found to be fraudulent then it's possible that disciplinary action may be taken under [Regulation XVII \(Conduct and Discipline of Students\)](#). (This could be an invitation to a meeting to discuss the matter, or a referral to a disciplinary panel.) If this happens, your appeal may be rejected or paused while the disciplinary process is ongoing.

4.4 Initial assessment of an academic appeal

4.4.1 Your School or the Doctoral Academy will check that the appeal:

- is on time, within 20 working days of the publication of confirmed results or the decision being appealed.
- meets one or more of the grounds to appeal.
- is not a challenge to academic judgement.

and

- is supported by relevant evidence where necessary.

4.4.2 If your appeal does not meet all of the above, your School or the Doctoral Academy will normally write to you within 10 working days to explain why.

4.5 Stage One – Early Resolution

4.5.1 If your appeal is considered eligible by your School or Doctoral Academy, it will be reviewed by the Head of School, or an academic member(s) of staff appointed by them to act on behalf of the Examination Board. If you are a research student, your appeal will be reviewed by the Associate Dean for Postgraduate Research, or an academic member(s) of staff appointed by them to act on behalf of the PGR Committee. Your School or the Doctoral Academy will normally reach a decision on your appeal within 20 working days.

4.5.2 The School or Doctoral Academy can decide to:

- a. Alter the original decision.

If the Examination Board or PGR Committee alters its decision, the School or Doctoral Academy will advise you in writing of the new decision and the reasons for this. If you aren't satisfied with the new decision, and you think you have valid grounds, you can ask for your appeal to be progressed to the Faculty within **10 working days** of being informed of the new decision by the School/Doctoral Academy.

Or

b. Confirm its original decision and advise you in writing of its decision and the reasons for this. If you aren't satisfied with the decision, and you think you have valid grounds, you can ask for your appeal to be progressed to the Faculty within **10 working days** of being informed of the decision by the School/Doctoral Academy.

4.5.3 If you ask for your appeal to be progressed to the Faculty for consideration at Stage Two, you must complete the online form and explain why you are not satisfied with the School or Doctoral Academy's decision on your appeal.

4.6 Stage Two – Formal Consideration

4.6.1 A Faculty Officer will review your appeal and the response from the School or Doctoral Academy and decide whether the appeal is eligible for further consideration. (This will be based on the criteria outlined in 4.4.1 above.)

Having reviewed your appeal and the School or Doctoral Academy's response, the Faculty Officer may decide that your appeal is not eligible for consideration at Stage Two because the School or Doctoral Academy has already made a new decision at Stage One that the Faculty Officer thinks is reasonable.

If your appeal is not eligible the Faculty will write to you, normally within 10 working days of it having received the appeal, explaining the reason why. You'll be issued with a Completion of Procedures letter to confirm this.

4.6.2 If the Faculty accepts your request to progress your appeal at stage two, the Faculty Officer and Dean of Faculty (or someone the Dean has nominated) will consider your appeal. If more information is required from you, you will be given **10 working days** to provide this, but please note that you are usually expected to provide all the evidence that you wish to be considered in an appeal at the point you first submit the appeal. The School or Doctoral Academy (or other area of the University) might also be asked to provide further information.

4.6.3 Having reviewed your appeal, there are a number of decisions that the Faculty can make:

a. It may dismiss your appeal. You will be informed of this in writing, normally within 30 working days of your request to progress the appeal at Stage Two, and reasons will be given for this decision. If you believe that your appeal hasn't been dealt with properly and fairly, you have the right to request a review at Stage Three (see 4.7).

Or

b. The Faculty can decide that your appeal raises valid issues that should be considered by your School or the Doctoral Academy. In this case it will refer your case back to the original Examination Board or PGR Committee so it can reconsider

its original decision, taking into account any new information and any recommendations made by the Faculty. You will normally be advised of this in an Interim Findings letter within 30 working days of your request to progress the appeal at Stage Two.

When a Faculty refers your case back to an Examination Board or PGR Committee, the Board or Committee will be able to confirm or alter its original decision; this might happen by Chair's action. If the original decision is not changed you will be given reasons for this. You aren't able to appeal further following the reconsideration and the appeal procedure will be complete. The Faculty will send you a Completion of Procedures letter to confirm this, normally within 20 working days of the date of the Interim Findings letter.

If the Examination Board or PGR Committee changes its decision, the new academic decision replaces the one that has been appealed and this will be the end of the appeals procedure. You will be advised in writing of the new decision and the reasons for this in a Completion of Procedures letter sent by your Faculty, usually within 20 working days of the date of the Interim Findings letter.

Or

- c. The Faculty may decide that your appeal has raised complex issues which should be investigated further, and the case will be referred to an Appeal Panel (see 4.8 below).

4.6.4 The Faculty Officer and Dean (or nominee) may also make recommendations to address any other issues that have been raised while considering your appeal, except in matters relating to academic judgement.

4.7 Stage Three – Review Request

4.7.1 If you don't agree with the decision to dismiss your appeal after it has been considered by your Faculty, you can request that the decision is reviewed.

4.7.2 A Stage Three review is not a reconsideration of the appeal. A review is to check that the appeals procedure has been properly followed, and that the decision the Faculty made was reasonable based on all the evidence that was available.

4.7.3 The only reasons you can request a Stage Three review are:

- a. That the appeal procedure was not followed properly and this has affected the outcome.
- b. That the decision made by the Faculty was unreasonable in view of all of the circumstances and the evidence that was available at the time.
- c. That you have new evidence which you couldn't have provided earlier, for a good reason.

- 4.7.4 Details of how to request a Stage Three review will be given in the appeal outcome sent to you by the Faculty.
- 4.7.5 You can request a review up to **10 working days** after being sent the appeal outcome from the Faculty. Any review request received after this time will only be considered if there is a good reason for the delay (supported by evidence); if not, a Completion of Procedures letter will be sent to you.
- 4.7.6 The Director of Student and Academic Services (or someone they have nominated) will first check that your request for a review has been made on an eligible ground, and if not, will send you a Completion of Procedures letter explaining the reason why. If it is eligible, the review request will be considered by a member of the University Teaching and Learning Delivery team.
- 4.7.7 During the review you may be asked for further information. If you are asked for more information you will have up to **10 working days** to respond. Additional information may also be requested from the School or Doctoral Academy, or Faculty, or from other areas of the University.
- 4.7.8 The review will either confirm the decision of the Faculty to dismiss your appeal, or apply one of the other outcomes which could have been reached by the Faculty (see 4.6.3. above). The review will normally be completed within 20 working days. If the Faculty's decision is confirmed, you will be sent a Completion of Procedures letter at the conclusion of the review.

4.8 Consideration by an Appeal Panel

- 4.8.1 If your appeal raises complex issues requiring further investigation it may be referred to an Appeal Panel, which will normally meet within 30 working days of the referral to the panel. The members of the Panel will be from other areas of the University (not your own School or Doctoral Academy) and must usually include
- A Dean of a Faculty, Associate Dean, Vice President or Associate Vice President who will act as the Chair;
 - A Chair of an Examination Board (or equivalent body, for example a Postgraduate Research Committee);
 - An academic member of Senate.
 - A student member nominated by the Students' Union.

The Panel must include the Chair and three other Panel members at a minimum. If a decision is split amongst the Panel members, the Chair will be able to make the final decision.

- 4.8.2 A secretary and note-taker should also be present at the Appeal Panel.

- 4.8.3 You will be given **10 working days'** notice of the date and time of an Appeal Panel meeting, and will be invited to attend to make comments on your case. If you decide not to attend, the meeting might go ahead without you. You will be sent all documents the Panel will consider before the meeting takes place, as well as details of who will be on the Panel and how you can access support.
- 4.8.4 You can be accompanied at the meeting for support by another student, a member of University staff or an Officer or member of staff from the Students' Union.
- 4.8.5 The Appeal Panel can call on members of staff with knowledge of your case to attend the meeting to give evidence. The Panel can also correspond with External Examiners or others if it thinks this is necessary. You (and anyone accompanying you for support) will be able to speak and to propose questions of anyone giving evidence to the Panel on the day. Your supporter will normally be limited to making opening and/or closing statements; the Panel will want to hear from you in your own words.
- 4.8.6 Having considered the evidence there are a number of decisions available to the Appeal Panel.
- a) The Panel may dismiss your appeal and will give reasons for the decision. You aren't able to appeal this decision and the appeal procedure will be complete. You will be issued with a Completion of Procedures letter that confirms this.
- Or
- b) The Panel may refer your appeal back to the original Examination Board or PGR Committee so it can reconsider its original decision, taking into account any new information and any recommendations made by the Appeal Panel. The Examination Board or PGR Committee is able to confirm or alter its original decision. (See 4.6.3b).
- Or
- c) The Panel can revoke the original decision of the Examination Board or PGR Committee and make a new decision.
- 4.8.7 You will normally be advised of the Appeal Panel's decision within 10 working days of the decision being made. Except where your appeal has been referred back to the relevant body for reconsideration, the Appeal Panel's decision will be in the form of a Completion of Procedures letter.

4.9 Referral to the Office of the Independent Adjudicator

- 4.9.1 If you disagree with the final decision on your appeal, you have the right to make a complaint to the Office of the Independent Adjudicator (OIA). All students normally

need to complete the University's procedures and be issued with a Completion of Procedures letter before they can take a complaint to the OIA. You can find out more by visiting the OIA's website at <https://www.oiahe.org.uk/>

5.0 Annual Report

- 5.1 Each year the Director of Student and Academic Services prepares a report for Senate on the number and nature of appeals. Copies can be found online at <https://www.staffnet.manchester.ac.uk/tlso/academic-appeals-complaints-and-misconduct/reportstosenate/>

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Appendix One: Glossary of terms

Academic judgement

Academic judgement cannot be challenged through an academic appeal. Academic judgement is not any judgement made by an academic; it is a judgement that is made about a matter where the opinion of an academic expert is essential. So for example whether feedback is correct or adequate, and the content or outcomes of a course will normally involve academic judgement.

Chair's action

Chair's action is when the Chair of a Board of Examiners (or a similar type of committee) makes a decision on behalf of the whole Board outside of a formal meeting. This usually happens when a decision couldn't be made at the meeting of the Board for a good reason.

Completion of Procedures letter

A Completion of Procedures letter is a letter which we send to you when you have reached the end of our internal processes, and there is no further avenue for you internally. A Completion of Procedures letter will include information on how to make a complaint to the Office of the Independent Adjudicator for Higher Education (the OIA - see below).

'A good reason'

To be fair to all students, the University applies its Regulations, policies, and procedures as consistently and fairly as possible. If you have a reason for having not engaged with a procedure (for example the mitigating circumstances procedure) at the usual time, we will ask you to explain why and provide evidence to support your reason(s). A case handler will then look at the evidence and make a judgement on whether you have a good reason for this when considering your case.

OIA

The Office of the Independent Adjudicator for Higher Education is the independent student complaints scheme for England and Wales. You normally need to have completed the University's internal procedures, and have a Completion of Procedures letter, before you can take a case to the OIA.

<https://www.oiahe.org.uk/>

Provisional results

Provisional results are summative assessment results that have been communicated to you, but that have not yet been confirmed or ratified by the Board of Examiners or an equivalent relevant body (see below).

'Relevant body'

When we say the Board of Examiners or an equivalent relevant body, that means any committee or group that makes decisions on your progress or your final marks or classification, for example a Postgraduate Research Committee.

Working days

For the University of Manchester, working days are usually Monday to Friday. Working days do not include Bank Holidays or the University's Christmas closure period.