

16. Appeals Procedure for Participants on HE Award-Bearing Programmes at Roffey Park Institute

Appeals can be lodged against an individual assessment result, failure of the programme, or the decision that a participant withdraw from the Institute because s/he has failed to satisfy the requirements for academic progress. There is no right of appeal against the academic judgement of the examiner.

Participants have the right to appeal on the following grounds:

- a) that there existed circumstances affecting the participant's performance of which the examiner was not aware when their decision was taken, and which could not reasonably have been presented to the examiner;
- b) that there was a procedural irregularity (including administrative error) or other inadequacy in the conduct of the assessment, or processing of marks or grades;
- c) that there exists evidence of prejudice or of bias on the part of an examiner.

Participants should make sure that they are aware of their course requirements and modes of assessment, as appeals cannot be based on ignorance of assessment requirements or submission deadlines. Participants should also make sure that any evidence of medical or other problems which might affect an assessment is submitted via the approved mechanism well in advance of the assessment.

Participants considering an appeal must contact the Programme Director and arrange to discuss their concern with them before lodging an official appeal. If the participant still wishes to appeal, s/he must write to the Chief Executive of the Institute within 21 days of the publication of the results against which the appeal is being made, stating clearly their grounds for appeal.

Appeals will be considered by an Appeals Panel comprising the Chief Executive (Chair) and two members of academic full-time staff, at least one of whom is not associated with delivery of the Programme. All meetings of the Appeals Panel will be formally recorded. Decisions of the Appeals Panel shall be reached by a simple majority vote.

The Appeals Panel shall determine whether appeals are admissible, in terms of being:

- (a) Received in time (or, if received out of time, whether mitigating circumstances exist which justify waiving the normal time-limit); and
- (b) That the grounds of the appeal meet the criteria given above.

Where an appeal is determined to be admissible, it shall be considered by the Appeals Panel, in one of these ways:

- (a) Where the appeal appears to be readily decidable in favour of the appellant on the basis of the evidence available, the Appeals Panel may reach a decision without the need for a hearing;
- (b) Otherwise, the appeal will be examined at a hearing, at which the appellant shall have the right (though not the obligation) to attend, and the Appeals Panel shall be entitled to ask (but not require) them to attend, to provide further information.

An appellant who attends an Appeals Panel hearing shall be entitled to be accompanied by a person of his or her choice, who may represent him or her. If the appellant wishes to be so accompanied or represented, he or she shall inform the Chief Executive accordingly at least one working day in advance of the time of the hearing and shall at that time also supply the name of that person.

After the Appeals Panel hearing has been presented with the evidence in the case, the appellant (and the person accompanying him or her) shall withdraw while the Panel considers its decision in private. The Appeals Panel will normally invite the appellant (and the person accompanying him or

her) to return to hear its decision. However, the Appeals Panel reserves the right to defer immediate decision and instead to provide a later written decision. In such cases, the normal time-limit (for reaching a decision, formulating it in writing and dispatching it to the appellant) shall be seven working days unless otherwise specified by the Appeals Panel at the time of the hearing, in which case a specific reason for needing the additional time will be given to the appellant.

The Appeals Panel, whose decision shall be final, shall either:

- (a) Arrange for the appellant and the relevant Examination Board to be informed that the appeal is not upheld and that the decision of the Board should not be altered; or
- (b) Uphold the appeal and determine a remedy appropriate in the circumstances, and inform the appellant and the Examination Board accordingly.

The Qualifications Registrar is available to advise participants and staff on any procedural points arising from the appeals procedure.

Participants can appeal to the University of Sussex once they have exhausted Roffey Park's internal procedures, in the event that they feel the matter has not been satisfactorily resolved. Participants should complete the [appeals form for decisions of a partner institution](#), available on the University of Sussex website, and submit this to the Appeals Officer of the University, within 21 days of the formal notification of the outcome of the appeal at Roffey Park, giving full details of the appeal and the action taken. The University will review whether the procedures in the partner institution have been correctly and fairly applied.