ACADEMIC APPEALS PROCEDURE
FOR STUDENTS

Please note: Before completing this form, please read the ‘Academic Appeals Procedure for Students’ available from Student Progress Service, King’s Gate, or on the University’s website at http://www.ncl.ac.uk/students/progress/. You are strongly advised to discuss your results with your tutor/supervisor before submitting an appeal. This form must be submitted within 14 days of the original publication by the Examinations Office or Graduate School of your examination results. Late applications may only be admitted in exceptional circumstances.

SECTION 1 - PERSONAL DETAILS

Name ____________________________________  Student Number ____________________

Address for Correspondence (or addresses with dates) __________________________________

Telephone: ________________________  Email: ________________________________________

School  ___________________________________________________________________

Programme and stage/year of Study: ______________________________________________

Academic decision against which appeal is made (e.g. classification (2:2), module result) which has been confirmed by the Board of Examiners / Research Progress Panel.

Date of pass list / decision of the Examiners: ______________________________________

Please state with which member(s) of staff you have already discussed your appeal (e.g. Personal Tutor, Degree Programme Director, Supervisor etc.)

SECTION 2 - GROUNDS FOR APPEAL

Please indicate by ticking the appropriate box(es) the grounds on which you wish to appeal.

(i) You were adversely affected by illness or other relevant factors, of which you were previously unaware, or which for a good cause you were unable to disclose to the Examiners in advance. 2  

☐

(ii) Procedural irregularity on the part of the examiners  

☐

(iii) Inadequate assessment by an examiner or examiners  

☐

(iv) Bias or prejudice on the part of an examiner or examiners  

☐

1 & 2: see Supplementary Guidance Notes 1 and 2
SECTION 3 – GOOD CAUSE WHY PERSONAL CIRCUMSTANCES WERE NOT PREVIOUSLY REPORTED

If you are claiming that ‘(i) you were adversely affected by illness or other relevant factors, of which you were previously unaware, or which for a good cause you were unable to disclose to the Examiners in advance’ provide a brief reason and good cause why the circumstances were not made known in time for the original examiners’ meeting (full details should be supplied in your letter of appeal).

_________________________________________________________________________________
_________________________________________________________________________________
_________________________________________________________________________________
_________________________________________________________________________________

SECTION 4 – SUPPORTING DOCUMENTATION

(i) Supporting documentation is required for your appeal.

(ii) Under the Data Protection Act 1998, we are required to obtain your consent for an Appeal Adjudicator or members of the Appeal Panel to view any personal data you may provide in connection with your appeal. Please list below any documents which you have attached or intend to submit in support of your appeal. These might include a medical note, a statement from your tutor or other member of staff, a letter from a welfare officer etc. For each document, please indicate by ticking the appropriate box whether the document is attached or to follow,* and indicate by signing against each document your consent for the Appeal Adjudicator or members of the Appeal Panel and/or examiners to view this data. (You should sign 3 times for each item, unless the nature of the documentation is such that you require access to be restricted.)

NB: You must submit document 1, your detailed reasons for appealing, with this form.

* Please note that all supporting documentation must be available to the Student Progress Service within 28 days of the publication of your examination results. Each document should be labelled clearly with your name and student number and the date that you submitted this Application form.

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* Please note that all supporting documentation must be available to the Student Progress Service within 28 days of the publication of your examination results. Each document should be labelled clearly with your name and student number and the date that you submitted this Application form.

Signature __________________________________    Date ____________________________

Please send this form, together with any supporting documentation already available, to:
The Head of the Student Progress Service, King’s Gate, Newcastle University, Newcastle upon Tyne, NE1 7RU.
Alternatively, you may email your appeal – provided you indicate your section 4 consent – to student-progress@ncl.ac.uk

Academic Appeals Procedure – Revised 1 September 2009
This procedure applies to all academic appeals submitted after 1 September 2009.

Definitions

**Appeal:** A written application to the University to review a formal academic decision made by the Board of Examiners of an undergraduate or postgraduate taught programme or a recommendation of the examiners of research degrees.

**Appeal Officer:** A Student Progress Officer or Graduate School Administrator appointed to process a submitted appeal and to advise the Appeal Adjudicator where appropriate. Advice on the Academic Appeals procedure can be obtained from the Appeal Officer.

**Appeal Adjudicator:** Normally, appeals are considered by the Appeal Adjudicator, who will be a Faculty, Dean or other approved member of the Appeal Panel approved by Senate, appointed by the Head of the Student Progress Service. The appointed Appeal Adjudicator will have no previous involvement or close connection to the case. For taught programmes, the Appeal Adjudicator shall be from a school other than that in which the appellant is studying. For research programmes, the Appeal Adjudicator shall be from a faculty other than that in which the appellant is studying.

**Appeal Committee:** The Appeal Adjudicator may co-opt further independent members of academic or administrative staff as deemed appropriate to consider the case. The members of an Appeal Committee will have no previous involvement in or close connection to the case. For taught programmes, the members of an Appeal Committee shall be from a school other than that in which the appellant is studying. For research programmes, the members shall be from a faculty other than that in which the appellant is studying.

**Examiners:** The Board of Examiners for an undergraduate or postgraduate taught programme, or appointed internal and external examiners for research degrees.

Scope of Procedure

1. This procedure is to be used only in relation to formal academic decisions made by the examiners. Where possible, students considering submitting an appeal should first consult their tutor or supervisor for feedback on decisions made by the examiners. The award of a provisional mark gives no grounds for appeal under this procedure.

2. Queries about provisional marks for taught programmes should be raised with appropriate School staff, e.g. a Module Leader, Degree Programme Director or Personal Tutor.
3. Given the existence of procedures for complaint and redress during the study period, alleged inadequacy of teaching or supervision shall not constitute grounds for an appeal. Separate policies and relevant information are contained in the following documents:

- **Student Complaints Procedure** (see [http://www.ncl.ac.uk/students/progress/student-resources/regulations/complaints.htm](http://www.ncl.ac.uk/students/progress/student-resources/regulations/complaints.htm))
- **Dignity at Work and Study Code of Practice** (see [http://www.ncl.ac.uk/students/progress/student-resources/regulations/dignity.htm](http://www.ncl.ac.uk/students/progress/student-resources/regulations/dignity.htm))
- **Guidelines for Research Students** (see [http://www.ncl.ac.uk/students/progress/staff-resources/pg-research/handbook.htm](http://www.ncl.ac.uk/students/progress/staff-resources/pg-research/handbook.htm))
- **Student Guide** (see [http://www.ncl.ac.uk/students/progress/assets/documents/studentguide.pdf](http://www.ncl.ac.uk/students/progress/assets/documents/studentguide.pdf))
- **Public Interest Disclosure ‘Whistleblowing’ Policy** (see [http://www.ncl.ac.uk/hr/policy/conduct/documents/policy-conduct-public-interest-disclosure-whistleblowing_rjcb.pdf](http://www.ncl.ac.uk/hr/policy/conduct/documents/policy-conduct-public-interest-disclosure-whistleblowing_rjcb.pdf))

4. In order to avoid duplication of procedures, the Head of the Student Progress Service shall determine whether an appeal shall proceed if a complaint has also been made in connection with the same/similar matter as the appeal. Appeals from groups of students are not permissible, but individual appellants may make reference to related appeals from other students if appropriate.

**Confidentiality**

5. Other than the initial letter of appeal, the information provided by an appellant, or anyone else, to the Appeal Officer shall be treated in confidence and disclosed only to the Appeal Adjudicator, Appeal Panel and the examiners, as appropriate, unless disclosure to other parties is necessary to progress the appeal or is otherwise required by law. In such a case, the appellant will be notified in advance of the disclosure.

**Grounds**

6. Appeals can only be made on the following grounds:

   (i) The examiners were not aware of circumstances affecting the appellant's performance. That is: the appellant was adversely affected by illness or other factors of which s/he was previously unaware, or which for a good cause, s/he was unable to disclose to the examiners. (Please note: if this ground is relied upon, the appellant must establish good cause for not making the circumstances known in time for the original examiners’ meeting).

   (ii) Procedural irregularity on the part of the examiners.

   (iii) Inadequate assessment by an examiner or examiners.

   (iv) Bias or prejudice on the part of an examiner or examiners.

7. Challenges to the academic judgement of the examiners on an assessment outcome or the level of award recommended cannot form the basis of an appeal.

8. Claims made by the appellant should be supported by documentary evidence where appropriate.
How to apply

9. Impartial advice on submitting an appeal may be sought from a Student Progress Officer or Graduate School Administrator, the appropriate Officers of the Students’ Union, or from the Student Advice Centre (Students’ Union).

10. All submitted appeals must be accompanied by a completed “Academic Appeals Application Form”, available from Student Progress Service or from http://www.ncl.ac.uk/students/progress/.

11. An academic appeal should be lodged with the Head of the Student Progress Service within 14 days of the original publication by the Examinations Office or Graduate School of the examination results of the appellant. Any supporting documentation not available at the time of submission must be made available to the Head of the Student Progress Service within 28 days of the publication of the examination results. The Head of the Student Progress Service will appoint an Appeal Officer.

12. A late appeal shall only be accepted if, the Appeal Officer or the Appeal Adjudicator on referral, is satisfied that circumstances exist which make it reasonable for the appellant not to have applied within the period specified above. Evidence of grounds of a late appeal must be supplied by the appellant.

Procedure

13. If, on receipt of a completed appeal submission, the Head of the Student Progress Service determines, and where appropriate in consultation with the Appeal Adjudicator that:

   (a) an application made in excess of 14 days after the publication of results is not of good cause, or
   (b) a completed appeal submission based on grounds 6(i), does not establish good cause for the delay, or
   (c) the appellant has not provided good cause / evidence for failing to follow correct protocols for advising the Examiners / Progress Panel of personal circumstances affecting performance, or
   (d) there is no prima facie case for appeal,

the application will be rejected and the student informed in writing. An appellant may seek a review of this decision by writing, with evidence, directly to the Academic Registrar, as detailed at the end of this procedure.

14. In all other cases the Appeal Officer shall seek comments on the appeal from all appropriate members of staff. The External Examiner(s) may be consulted where the appeal is from a research student. Those from whom responses are sought will be provided with the letter of appeal and accompanying documents where appropriate. If the Appeal Officer deems it appropriate that any of those members of staff should receive any or all of the supporting documentation provided by the appellant, but for which disclosure permission has been withheld, the permission of the appellant for disclosure will be sought.

15. On receipt of all responses sought, the Appeal Officer will decide whether there is clear evidence to refer the case immediately back to the examiners for reconsideration or request that the examiners process a concession application, should support be offered and the appellant is in agreement. The Appeal Officer may seek advice at this stage from the Appeal Adjudicator if necessary.

16. If it is not clear to the Appeal Officer that the case should be referred back to the examiners for reconsideration, he/she will refer the case to an Appeal Adjudicator for consideration. The Appeal Adjudicator will investigate the appeal and may seek any such information as appears to be necessary to reach a decision. Exceptionally, where deemed appropriate by the Appeal Adjudicator, the appellant and any other relevant parties, may be invited to a hearing. See paragraph 31 Conduct of Appeal Hearings. It shall be for the Appeal
Adjudicator to determine whether to form an Appeal Committee or to consider the matter alone.

17. The appellant shall be kept informed of the progress of the appeal in writing by the Appeal Officer. A progress report (or outcome if decided) shall normally be provided to the appellant within 28 days of receipt of the complete appeal application. Further progress reports shall normally be provided at intervals of approximately one month. In accordance with the principles of openness and best practice the University will disclose to appellants any relevant case documentation at an early and appropriate stage and in particular, in advance of any determination of the outcome.

18. Appellants shall not normally be allowed to progress to the next stage of their study where the outcome of their appeal is pending. In order to prevent possible difficulties for the appellant at a later stage, the Appeal Officer will advise the appellant while an appeal is pending to enter for and prepare for appropriate resit examinations and shall ensure that spaces on capped modules or programmes are reserved where appropriate. Exceptionally, the Head of Student Progress Service may grant permission for an appellant to proceed to the next stage of a programme subject to a requirement to discontinue studies if the appeal is unsuccessful.

19. Appellants who are eligible to receive a University degree may attend a congregation (degree award ceremony). In such case, the award will be that previously determined by the examiners and, if the award is subsequently amended, there will be no further opportunity to attend a congregation ceremony. Appellants may defer attendance at congregation until the outcome of their appeal is known, if preferred. Should the appellant receive a certificate of award (parchment) whilst an appeal is ongoing and the Board of Examiners change their decision, it should be returned to the University and a replacement will be issued upon receipt.

Outcome

20. Where the Appeal Adjudicator, with or without an Appeal Committee, decides that there is no justification for referring a case back to the examiners, the Appeal Officer will write to the appellant within 7 days of the decision informing him/her that the original decision of the examiners is to stand. An outline of the reasons for the decision will be provided.

21. Where the Appeal Officer or Appeal Adjudicator decides that a case should be referred back to examiners for reconsideration, the Appeal Officer shall proceed in accordance with paragraph 22 or 23, depending on whether the appellant's degree is a taught or research programme.

22. Taught Programmes

In the case of undergraduate or postgraduate taught programmes, the Appeal Officer shall:

(i) write to the original examiners (through the Chair of the Board of Examiners) requiring a reconsideration, clearly identifying the grounds for reconsideration, providing the examiners with all the relevant evidence on which the Appeal Adjudicator based their decision, and advising them that external examiners must be consulted in writing and should be present at any meetings wherever possible

or

(ii) on the specific instructions of the Appeal Adjudicator, either write to the original examiners (through the Chair of the Board of Examiners) with such directions as seem appropriate or take such other action as is deemed appropriate after consultation with the Academic Registrar.

and

(iii) write to the appellant to inform him/her of the Appeal Adjudicator's decision.

Use of the term Appeal Adjudicator in this procedure should be understood to mean an Appeal Adjudicator or Appeal Committee.

Academic Appeals Procedure – Revised 1 September 2009
23. **Research Programmes**

In the case of postgraduate research programmes, the Appeal Officer shall:

(i) write to the Dean of Postgraduate Studies and the original examiners, requiring reconsideration, clearly identifying the grounds for reconsideration and providing the examiners with all the relevant evidence on which the Appeal Adjudicator based their decision

or

(ii) on the instructions of the Appeal Adjudicator, direct the relevant Graduate School Office to write to the appellant giving permission to revise the thesis in line with the examiner’s report and re-submit it for examination (by the original examiners, or very exceptionally newly appointed examiners), with a specified time limit in accordance with the normal procedure for re-submission

or

(iii) on the instructions of the Appeal Adjudicator, declare the original examination null and void and require the Head of School to nominate for the approval of the Faculty Dean of Postgraduate Studies two new external examiners to re-examine the appellant's thesis. Where an appeal on the grounds of bias or prejudice on the part of an examiner or examiners has been upheld, this is the only outcome that the Appeal Adjudicator may choose.

and

(iv) write to the appellant setting out the Appeal Adjudicator's decision.

24. Where asked to reconsider their original decision, the examiners shall review their decision in the light of the grounds for appeal and any relevant evidence. Any new examiners appointed under 23 in the case of research candidates shall be told that they are conducting a re-examination on appeal but shall not be informed of any other circumstances of the case.

25. Unless given specific directions by the Appeal Adjudicator in accordance with paragraph 22 (ii) above, examiners shall have the power to confirm or alter their original decision, applying whatever powers of discretion are normally available to them under the current University and programme regulations. Where necessary, the examiners should make a recommendation to the University Concessions Committee for a concession to waive existing regulations. The examiners shall be required to provide a formal report or Minutes of its judgement to the Appeal Officer.

26. The Appeal Officer shall inform the appellant in writing, normally within 7 days of receiving the examiners' report, of the outcome of the examiners' reconsideration, providing appropriate feedback on / or extract of the examiners' decision.

27. The decision of the examiners on any re-examination or reconsideration of a candidate's performance shall be final.

28. All appellants shall normally be informed of the final outcome of their appeal within 4 months of the submission of their complete appeal.

29. The submission of an appeal in good faith, whether or not it is upheld, shall not prejudice any future treatment of the appellant by the University.

30. The Appeal Officer shall arrange (subject to the provision of receipts where appropriate) for any reasonable and proportionate incidental expenses incurred by a successful appellant as a direct result of submitting the appeal to be met as soon as possible after the outcome is known. This includes travel for the appellant, but excludes legal costs or other representative costs. In the event of any dispute, the Head of Student Progress Service will determine the legitimacy of any expense claimed and the validity of supporting evidence: the decision of the Head of Student Progress Service will be final.
31. **Conduct of Appeal Hearings**

The Appeal Adjudicator shall determine whether an appeal hearing is to be convened. If an appeal hearing is convened, the Appeal Adjudicator may invite the appellant, and any other relevant parties, to a hearing. Any persons invited to attend a hearing by the Appeal Adjudicator may be accompanied by a friend or representative, who may make representations with the permission of the Appeal Adjudicator. The Appeal Adjudicator will ensure that the appellant is given reasonable notice of the date of the hearing and the Appeal Officer will provide the appellant, as soon as is reasonably practicable, with any further relevant case papers in accordance with the requirements of the Data Protection Act 1998, together with written advice about the general nature of hearings. The conduct of the hearing shall, unless otherwise provided in this procedure, be for the Appeal Adjudicator to decide.

**Review of decision of Appeal Officer / Appeal Adjudicator**

32. Under these procedures, an appellant may seek a review of the outcome of their appeal only on the ground of procedural irregularity on the part of the Appeal Adjudicator.

33. A review application shall be made in writing directly to the Academic Registrar and within 28 days of the notification of the Appeal Adjudicator's decision not to refer a case back to the examiners.

34. A review application will be considered by the Academic Registrar, Pro-Vice-Chancellor (Teaching & Learning) or other Pro-Vice-Chancellor nominated by the Academic Registrar to act on his / her behalf, who may dismiss an application which does not provide a *prima facie* case on the specified ground. The Academic Registrar or nominee may seek such evidence as appears to be necessary in order to reach a decision and following consideration may accept or reject the request for review. Where a review request is accepted, the Academic Registrar or nominee shall either require the original Appeal Adjudicator to reconsider the decision after remedying the deficiency in procedure or will determine the constitution of an alternative Appeal Adjudicator to consider the case afresh.

35. The outcome of a review of the decision of an Appeal Adjudicator may not be appealed against under this procedure.

36. There is no further appeal within the University. Provision for independent external review is made through the existence of the Office of the Independent Adjudicator (OIA). The Independent Adjudicator's role is to review the application by the University of its own internal procedures. Further information about the OIA's role is available from www.oiahe.org.uk/. A leaflet can also be obtained from the Student Progress Service, King's Gate.
Note 1 – Does this procedure apply to you?

If you are considering making an Academic Appeal, perhaps because you are unhappy with your degree classification / other decision confirmed by the Board of Examiners or Progression Panel for Research Programmes, you MUST read the procedure carefully.

You are also strongly advised to note the following points – which are provided only for information. This guidance has been prepared by the University team which administers Academic Appeals. The guidance is not definitive, but is based on several years experience of handling Academic Appeals.

Please remember that every Academic Appeal is considered individually and general statements noted in this guidance may not apply in all circumstances. Before you commence an Academic Appeal you are strongly advised to discuss your marks – and your reasons for appeal – with an academic colleague in your School. If this is not possible, you can also approach the Student Progress Service for advice. You may also contact the Student Advice Centre (Student Union).

An Academic Appeal can take several weeks/months to process. Academic appeals only tend to be successful if there is strong evidence available.

In an Academic Appeal, any claims that you make must, generally, be supported by compelling evidence. The type of evidence that is acceptable varies significantly, but generally includes medical certificates, statements by academic staff about particular events, copies of specific regulations, detailed personal statements, confirmation from authorities that you were involved in a particular incident. Contemporaneous, independent and medical evidence is very important and is often given greater weight by an Appeal Panel. It is also important that the evidence indicates the significance of the impact on you – and relates to specific time periods. It is your responsibility to provide the evidence for the Appeal Panel to consider – the University will not approach doctors or others on your behalf.

Consider whether an Academic Appeal is the appropriate course of action for you. Two options that may be more appropriate are:
- A formal complaint – see http://www.ncl.ac.uk/students/progress/student-resources/regulations/complaints.htm
- A concession request - see http://www.ncl.ac.uk/students/progress/student-resources/regulations/concessions.htm

Note 2 – Delay

You must clearly explain any reason for delay. You should also note that your appeal may not be considered if your explanation for delay is not strong.

Examples of unacceptable reasons for late Appeals include:
- Being unaware of the procedure.
- Being on holiday.
- Being unwell – without medical certificates or other evidence.

Note 3 – Personal Circumstances Affecting Performance

There are protocols for advising Examiners of personal circumstances affecting performance (PCAP) - http://www.ncl.ac.uk/students/progress/student-resources/help/pcap.htm. You must therefore be explicit as to why the normal communication channels were not used to inform the Examiners of these circumstances. Good cause in this context means a substantial and meritorious reason for not disclosing to the Examiners in advance under normal protocols. This
is very difficult to demonstrate and you should note that less weight may be given to claims made after the results are known.

**Note 4 – Grounds for Academic Appeal**

You are required to make your case on one of the specified grounds. You should consider the following when making your Academic Appeal – they will be considered by the Appeal Adjudicator.

(i) You were adversely affected by illness or other relevant factors, of which you were previously unaware, or which for a good cause you were unable to disclose to the examiners in advance.

See Note 3. Therefore, if you make this claim you **MUST** give strong reasons why you had not advised the examiners of the problem. Remember that there are generally several weeks between examinations and Boards of Examiners, so there is normally sufficient time to advise of problems.

Examples of strong reasons for late disclosure - that have been successful in the past - include:

- Traumatic and highly personal family circumstances which were exceptionally serious.
- Being in hospital for the weeks between the assessment and the Board of Examiners.

Examples of weak reasons for late disclosure - that have been unsuccessful in the past - include:

- Being unaware of the procedure.
- Being embarrassed.
- Being on holiday.

**NB:** University awards are issued on the basis of academic merit. Often personal circumstances only influence the examiners for borderline cases. There are occasions when - even if a student proves in an Academic Appeal that there were problems that the examiners were unaware of - the circumstances are not strong enough for the examiners to alter their overall decision. For example, where a student has an average mark of 62 (2:1) and the run of marks throughout the programme is also in the 2:1 band or lower, the examiners are unlikely to feel that the personal circumstances – however severe – is sufficient to alter the 2:1 classification.

(ii) Procedural irregularity on the part of the examiners

Claims under this ground normally refer to **Computational or Administrative Errors** – for which you must make clear:

- the reasons for the belief that an error has taken place,
- what you think the computation should have been and why,
- in what way this was material to the determination of your results.

Claims may also refer to **Material Procedural Error** – and tend to relate to the conduct of assessments or examinations and/or the proceedings of the Board of Examiners or Examination Committee. If you make this claim, you must:

- provide details of the procedural error which you believe has occurred,
- explain in what way this was material to the determination of your results,
- explain in what way you feel disadvantaged on account of this alleged error,
- provide evidence of the error, and, if available, evidence of adverse consequences.

(iii) Inadequate assessment by an examiner or examiners

This claim can be difficult to make as you are unable to challenge academic judgement. Generally it refers to instances where work has not been marked. Claims under this ground require full explanation – as (ii) above.
(iv) Bias or prejudice on the part of an examiner or examiners
This is a particularly serious allegation and claims under this ground require full explanation – as (ii) above.

**Note 5 – Examples of Successful and Unsuccessful Appeals**

Very few Academic Appeals are successful. This is normally because students make general claims without evidence.

Examples of weak claims – unsuccessful in the past include:
- Being stressed during examinations ….
- Having flu for X weeks during ….
- Being unwell – without medical certificates or other evidence.
- Being unaware of the procedure.
- Being on holiday.
- A number of module results are in the X classification – so the Board should have ignored Y results and given me X classification.
- Don’t understand why I did worse than my fellow students XX.
- X months ago there was a problem with the teaching on module ABC – or other perceived deficiency that should have been reported at the time.
- Having a disability – the impact of which has already been allowed for by extra time / extensions / equipment etc.

Successful Academic Appeals are:
- Well founded.
- Well documented.
- Include good evidence.
- Do not involve double counting.