STUDENT ACADEMIC QUERIES & APPEALS PROCEDURE

Preliminary Notes

1. This procedure applies to all academic query and appeal cases. Implementation of Procedure: 1 September 2019.

2. The principles of this procedure apply to all registered students in all locations on and off campus both in the UK and overseas. On a case-by-case basis some staff roles may vary from those detailed below.

3. Impartial advice about this procedure may be sought from the Student Progress Service (casework@ncl.ac.uk) or the Student Advice Centre of the Students’ Union (www.nusu.co.uk/sac).

INTRODUCTION

The University provides a clear three-stage procedure for students making Academic Queries and Appeals requesting reconsideration of Board of Examiners/ Personal Extenuating Circumstances (PEC) and/or Degree Programme Director (DPD) / Dean of Postgraduate Study Progress Decisions.

Level 1 - Is the informal stage for querying academic decisions. Appellants are expected to make every effort to raise their assessment/progress query, in writing, with the School/Faculty directly concerned in the first instance.

Level 2 - Only when the steps taken under Level 1 of the procedure have failed, or when the Appellant considers that their query has not been resolved, may Level 2 of the Academic Queries & Appeals Procedure be invoked by submissions of the Academic Appeal Form together with full details of the formal appeal and any supporting evidence.

Level 3 - Is the formal review of the Level 2 outcome, where the Appellant requests a review of the outcome of their academic appeal at the Level 2 stage.

DEFINITIONS

Appellant: The student or recent former student who is submitting an informal or formal academic appeal.

Academic Appeal: Submission of an academic appeal or query in the appropriate form set out for Levels 1-3 to the University to request a review of an academic decision made by the Board of Examiners or Personal Extenuating Circumstances (PEC) Committee of a taught programme, a recommendation of the examiners of research degrees, or a Degree Programme Director or Progress decision.

Academic Query: A query regarding a decision following a Board of Examiners/ PEC Committee or DPD/Progress Decision made in writing to a nominated contact in the relevant academic unit.

Academic Unit: The unit that manages the student’s programme. Normally this is a School, but occasionally a Faculty, Institute or other organisational unit applies.

Appeal Adjudicator: Accepted academic appeals shall be considered by an Appeal Adjudicator, appointed by the Head of the Student Progress Service, who will be a Dean or other approved member of the Appeal Panel, with no previous involvement in, or close connection to, the case.
The term Appeal Adjudicator in this procedure extends, unless the context otherwise requires, to any Appeal Committee constituted by Appeal Adjudicators.

**Appeal Panel**
A Panel comprised of academic/administrative staff (Grade F and above) or other approved members, appointed by University Education Committee (UEC) who have experience of student academic progress and/or welfare matters.

**Appeal Committee:**
The Appeal Adjudicator may appoint further independent members of academic or administrative staff as deemed appropriate to consider the case.

**Appeal Officer:**
A Student Progress Officer appointed to process a submitted academic appeal and where appropriate, to advise the Appeal Adjudicator. Advice on the Academic Queries & Appeals procedure can be obtained from the Appeal Officer or another member of the Student Progress Service.

**Appellant(s) Representative:**
An individual who is formally authorised in writing by an Appellant or group of Appellants to act on their behalf in pursuit of an appeal made under this procedure.

**Examiners:**
The Board of Examiners (or other authority within the Academic Unit) for an undergraduate or postgraduate taught programme, or for research degrees either the annual review progress panel/Dean of Postgraduate Study or individually appointed internal and external examiners. Other authorised roles within the Academic Unit, against which academic appeals may be considered, are Personal Extenuating Circumstances (PEC) Committees and Degree Programme Directors for Unsatisfactory Progress cases.

**Friend / Supporter:**
An Appellant may be accompanied by one friend or supporter who may not act as a representative unless permitted by the person conducting the proceedings with the express consent of the Appellant. More details are available at: www.ncl.ac.uk/students/progress/assets/documents/RPSPSFriendSupporterRole.pdf

**Nominated Contact:**
A nominated person within the Academic Unit/School/Faculty available to offer assistance or clarification in an attempt to try and resolve issues related to decisions made by the Board of Examiners or Personal Extenuating Circumstances (PEC) Committee of a taught programme, a recommendation of the examiners of research degrees, or a Degree Programme Director or Progress.

**PEC:**
Personal Extenuating Circumstances. Students should inform their School of any circumstances that may affect their studies or assessment by completing a PEC application, throughout the year and prior to Board of Examiners meetings in accordance with any School published deadline. PEC forms are considered by a PEC Committee appointed by the relevant Board of Examiners. www.ncl.ac.uk/students/progress/Regulations/Procedures/change/PEC.htm

**Progress Panel:**
For research degree programmes, the Annual Review Progress Panel is deemed to be equivalent to that of the Board of Examiners for taught programmes.
Student Progress Service: The University service with responsibility for academic appeals. www.ncl.ac.uk/students/progress/

Unsatisfactory Progress: The University may seek to terminate a student’s degree programme if s/he does not fulfil the requirements. Reasons for failure to make satisfactory progress include failure to (i) attend interviews or the programme of study without good cause, (ii) perform adequately, (iii) submit written work, (iv) attend examinations, (v) attend English Language assessments (vi) attend or provide evidence to dissertation supervisors. Full details are available in the University regulations.

Vexatious / frivolous appeals: Any academic appeal determined to be without substance or demanding redress lacking serious purpose or value. This includes but is not limited to obsessive, harassing and repetitive appeals having the effect of causing disruption or offence. This also includes appeals that request unrealistic / unreasonable outcomes or are pursued in an unreasonable manner.

1. POLICY & SCOPE OF THE PROCEDURE

1.1 This procedure is to be used only to question formal academic decisions made by the examiners or other authority within the Academic Unit or Faculty. In all instances, students considering submitting an academic appeal must first contact the Academic Unit in writing with their academic query. The award of a provisional mark, or any other provisional decision, gives no grounds for appeal under this procedure.

1.2. Academic 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. Academic queries from Research Degree Programmes should be raised with the relevant Faculty Graduate School Administrator in the first instance.

1.3 Given the existence of a procedure for Students Complaints & Resolution during the study period, alleged inadequacy of teaching and supervision shall not constitute grounds for an academic appeal. Separate policies and relevant information are contained in the following documents:
   - Student Complaints & Resolutions Procedure www.ncl.ac.uk/students/progress/Regulations/Procedures/complaints.htm
   - Dignity and Respect Policy www.ncl.ac.uk/students/progress/Regulations/SPS/dignity.htm
   - Guidelines for Research Students www.ncl.ac.uk/students/progress/student-resources/PGR/
   - Student Guide www.ncl.ac.uk/students/progress/assets/documents/StudentGuide.pdf
   - Public Interest Disclosure ‘Whistleblowing’ Policy https://my.ncl.ac.uk/staff/assets/documents/PolicyonPublicInterestDisclosure.pdf

1.4 The University will only consider parallel procedures about the same substantive matter in exceptional circumstances. Advice on which procedure should take precedence can be sought from casework@ncl.ac.uk.

1.5 Where the issues raised affect a number of students, those students can submit a group academic query or appeal. In such circumstances, one student must be nominated to act as group representative. The University will communicate with the representative only, who will be responsible for liaising with the other students.
1.6 The Academic Queries & Appeals Procedure consists of three levels. Appellants should follow the level 1 informal Academic Query procedure in the first instance for response by the appropriate contact in the School unless there is very good reason for submitting a level 2 formal Academic Appeal directly to the Student Progress Service. Advice on whether this would be appropriate can be sought from casework@ncl.ac.uk. Level 3 requests for review cannot be made until the level 2 investigation of the formal academic appeal has been completed.

1.7 Students who consider they have a disability or condition which affects their ability to engage with the appeal process, need to disclose this with appropriate evidence, for a reasonable adjustment to be made during the handling of the case.

1.8 At all levels there is an onus on those receiving and considering a student’s Academic Query or Appeal to handle the matter in confidence. There may be some circumstances when confidentiality cannot be maintained. All information will be held in confidence in adherence with the Data Protection Act. The student is also expected to respect the confidentiality of the process.

1.9 Impartial advice on the Academic Queries & Appeals procedure may be sought from the Student Progress Service. Assistance with submitting an academic appeal may be sought from the appropriate Officers of the Students’ Union, from the Student Advice Centre (Students’ Union – www.nusu.co.uk/sac) or from a Personal Tutor.

2. GROUNDS OF APPEAL

2.1 Academic Queries & Appeals applications may only be made on the following grounds:

a) **Grounds for academic appeal following Board of Examiners Decisions:**
   (i) Personal Extenuating Circumstances (PEC) that the Appellant was unable to disclose in advance of the Board of Examiners meeting via a Personal Extenuating Circumstances (PEC) application, or was unable to provide evidence for at that time, or of which the Appellant was previously unaware.
   (ii) Procedural irregularity on the part of the examiners.
   (iii) Bias or prejudice on the part of an examiner or examiners.
   (iv) That the decision reached was perverse in that it was one which no reasonable person or body could have reached on the available evidence

b) **Grounds for academic appeal following PEC Committee Decisions:**
   (i) Procedural irregularity
   (ii) Bias or prejudice
   (iii) That the decision reached was perverse in that it was one which no reasonable person or body could have reached on the available evidence.

c) **Grounds for academic appeal following an Unsatisfactory Progress Decision:**
   (i) Evidence which was not available or considered previously
   (ii) Procedural irregularity
   (iii) Bias or prejudice
   (iv) That the decision reached was perverse in that it was one which no reasonable person or body could have reached on the available evidence.

d) **Grounds for academic appeal following a DPD/Dean of Postgraduate Study Request Decision:**
   (i) Evidence which was not available or considered previously
   (ii) Procedural irregularity
   (iii) Bias or prejudice
   (iv) That the decision reached was perverse in that it was one which no reasonable person or body could have reached on the available evidence.
For definition of each Ground please see – Academic Queries and Appeals Supplementary Guidance
Notes and Information for Students at:
www.ncl.ac.uk/students/progress/Regulations/Procedures/appeals.htm

2.2 A challenge to the academic judgement of the examiners on an assessment outcome or the level of award recommended is not of itself a valid ground of academic appeal.

2.3 Level 2 Academic Appeals made by an Appellant must be supported by documentary evidence. It is the responsibility of the Appellant to provide all relevant evidence in support of their case within the permitted timescales.

2.4 A submission of an Academic Appeal and relevant documentary evidence is explicit consent for appropriately appointed members of staff to receive and consider this personal and sensitive information. It is the student’s responsibility to seek consent for any third party data they submit to the University in support of their appeal. https://www.ncl.ac.uk/data.protection/students/

2.5 Academic appeals that do not on the face of the submitted documentation provide sufficient evidence to support a finding in favour of the Appellant may be rejected in accordance with paragraph 4.4.

3. ACADEMIC QUERIES & APPEALS PROCEDURE

LEVEL 1 – INFORMAL ACADEMIC QUERY

3.1 Level 1 Academic Queries should be submitted directly to the appropriate nominated Contact or School Office, in writing. The Academic Query should be made within 14 calendar days of the original publication of the examination results or decision letter. Full details should be provided together with any appropriate documentation relevant to the query. For Research Degree Programmes the Academic Query should be submitted to the relevant Faculty Graduate School Administrator, who acts as the nominated Contact.

3.2 The nominated Contact shall ascertain the nature of the details of the academic query. For this purpose, the nominated Contact may invite the Appellant to a meeting to clarify the details of the academic query. The Appellant may be accompanied by a friend / supporter at this meeting and at any other meetings under this procedure. A late Academic Query shall only be considered if the nominated Contact is satisfied that the Appellant has reasonable grounds not to have applied within the period specified above.

3.3 The nominated Contact shall gather any material evidence relating to the academic query to enable them to respond to the query. The nominated Contact may consult relevant members of staff and also seek information as necessary from anyone else likely to be helpful in resolving the matter, including the Appellant. Information may be sought in writing, via oral interview or both.

3.4 If appropriate, the nominated Contact may send a copy of any responses regarding the academic query to the Appellant and invite additional comments.

3.5 Once all necessary information has been gathered, the nominated Contact shall decide whether it is possible to conclude the academic query. This outcome may be communicated verbally in the first instance if appropriate, and will be confirmed / communicated in writing to the Appellant with a summary of reasons for the decision. All Level 1 outcomes should be forwarded to the Student Progress Service, to be recorded for statistical analysis and reporting to Executive Committees.

3.6 If appropriate, action shall be taken in light of the outcome of the Level 1 procedure. The action will be intended to resolve the matter and may include the reconsideration by the appropriate Board of Examiners or committee.

3.7 Although any reconsidered outcome decision by a PEC Committee, Board of Examiners, or Degree Programme Director/ Dean of Postgraduate Study is final, where there is a claim of procedural irregularity of the handling of the reconsideration or that decision reached was unreasonable or perverse, review of the Final Outcome shall be overseen by the Academic Registrar at Level 3 of this procedure.
3.8 An Academic Query will normally be determined within 14 calendar days from receipt of the academic query but circumstances may result in a longer period. The Appellant should be informed of the reasons should a longer period of investigation be required.

LEVEL 2 – FORMAL ACADEMIC APPEAL

Submission of an Academic Appeal

4.1 For a Level 2 formal Academic Appeal, the Appellant shall complete the Level 2 Academic Appeal Form, available at https://www.ncl.ac.uk/students/progress/Regulations/Procedures/appeals.htm or available from the Student Progress Service, indicating the action taken and the outcome received during Level 1 of the Academic Queries & Appeals procedure. The Level 2 Academic Appeal form should be submitted to the Student Progress Service via casework@ncl.ac.uk or to Level 2 Reception, King’s Gate.

4.2 A formal Academic Appeal shall be submitted within 21 calendar days of the outcome of the Academic Query received from the nominated Contact or within 21 calendar days of the original publication of the examination results of the Appellant if there is good reason for the Level 1 of the procedure not being followed.

4.3 A late formal Academic Appeal shall only be considered if the Head of the Student Progress Service is satisfied that the Appellant has reasonable grounds not to have applied within the period specified above. Evidence of grounds of a late academic appeal must be supplied by the Appellant.

Acceptance of the Formal Academic Appeal

4.4 If, on receipt of a completed academic appeal submission, the Head of the Student Progress Service determines that:
   (a) an application is late without good cause, or
   (b) a completed academic appeal submission based on grounds 2.1, 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 / Personal Extenuating Circumstances Committee / Progress Panel of personal extenuating circumstances affecting performance, or
   (d) That the information provided by the Academic Unit during Level 1 of the Academic Queries and Appeals Procedure has adequately answered the issue raised by the student, or
   (e) the submitted documentation does not provide sufficient evidence to support a finding in favour of the Appellant (no prima facie case for appeal), or
   (f) an alternative procedure has been invoked for the same matter, or
   (g) the academic appeal is no more than a challenge to academic judgement as set out in paragraph 2.2, or
   (h) the academic appeal is considered to be vexatious or frivolous

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 in Level 3 Review of the Academic Appeal Outcome.

4.5 If the Head of the Student Progress Service considers an academic appeal to contain inappropriate language, the Appellant shall be informed that, notwithstanding any grievance, there is an expectation of civil language. The Appellant shall be given the opportunity to rephrase their academic appeal. The Head of the Student Progress Service may decline to investigate an academic appeal where the Appellant persists with an inappropriate communication style.
4.6 All other formal Academic Appeals will be accepted and investigated in accordance with the following procedure. The Head of the Student Progress Service will appoint an Appeal Officer to progress the appeal.

Investigating the Academic Appeal

4.7 The Academic Appeal will be processed on the basis of the documentation provided by the Appellant. Exceptionally, for the purposes of ascertaining the nature and details of the appeal, the Appeal Officer may invite the Appellant to a meeting to clarify the details of the case. In accordance with point 4.4, the Head of the Student Progress Service may reject the application at any stage if additional information received indicates that there is, on the face of it no case for appeal.

4.8 In accordance with the principles of natural justice the University will disclose to Appellants any relevant case documentation at an early and appropriate stage and in particular, in advance of determination of the outcome. Non-disclosure would occur in exceptional circumstances only and for compelling reasons.

4.9 If the Academic Appeal is accepted, the Appeal Officer shall seek comments on the appeal from appropriate members of staff. The External Examiner(s) comments may be sought where the appeal is from a research student. Those from whom comment is sought shall be provided with all of the appeal documents subject, where the Appellant has withheld permission to disclose any supporting documentation to the written consent of the Appellant.

4.10 Once all comments have been received, the Appellant will be sent a copy and invited to make a response. The Appeal Officer may determine that there is sufficient evidence to refer the case immediately back to the examiners for reconsideration, with further referral to the appropriate Personal Extenuating Circumstances Committee if necessary. The Appeal Officer may seek advice at this stage from an Appeal Adjudicator.

4.11 The Appeal Officer may refer the case to the Head of the Student Progress Service to consider rejection of the academic appeal at this stage if there is good cause to do so as outlined in paragraph 13 above. In all other cases the Appeal Officer shall refer the case to an Appeal Adjudicator for consideration. The Appeal Adjudicator shall consider 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. The Appeal Adjudicator shall decide whether to constitute an Appeal Committee or to determine the matter alone.

4.12 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. Any persons invited to attend a hearing by the Appeal Adjudicator may be accompanied by a friend or supporter, 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 current Data Protection legislation, together with written advice about the general nature of hearings. The conduct of the hearing shall, unless otherwise stated in this procedure, be for the Appeal Adjudicator to decide.

4.13 The Appellant shall be kept informed of the progress of the Academic Appeal in writing by the Appeal Officer. Progress reports shall normally be provided at intervals of approximately one month, unless the Appellant has been advised of a specific update period in his/her case.
4.14 Appellants shall not normally be allowed to progress to the next stage of their study where the outcome of their Academic Appeal is pending. In order to prevent possible difficulties for the Appellant at a later stage, whilst an appeal outcome is pending the Appellant should prepare for appropriate resit examinations, or other progress requirements, to be completed if the appeal is unsuccessful. It is the Appellant’s responsibility to request to register or continue with studies pending the outcome of an appeal. This may be exceptionally granted if, on further investigation, the Appeal Officer and the School consider this academically feasible. Such permission shall be expressly subject to a requirement to discontinue studies if the appeal is unsuccessful. Appellants may also request that the Appeal Officer ensure that spaces on capped modules or programmes are reserved where appropriate.

4.15 Appellants who are eligible to receive a University award but who are appealing against a decision of the Board of Examiners may attend a congregation (degree award ceremony). In such a case, the award shall 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 on a second occasion. Appellants may alternatively defer attendance at a congregation until the outcome of their Academic Appeal is known. Where an Appellant receives a certificate of award (parchment) before an appeal is determined and the Board of Examiners then change their decision, the parchment should be returned to the University and a replacement will be issued upon receipt of the original.

**Academic Appeal Outcome**

4.16 Where the Appeal Officer/Appeal Adjudicator decides that there are no reasonable grounds for referring a case back to the examiners, the Appeal Officer will write within 14 calendar days of the decision informing the Appellant that the original decision is to stand. The reasons for the decision will be provided.

4.17 Where the Appeal Officer / Appeal Adjudicator decides that a case should be referred back to examiners for reconsideration, the Appeal Officer shall proceed in accordance with paragraph 4.18 or 4.19, depending on whether the Appellant’s degree is a taught or research programme.

4.18 **Taught Programmes (including non-standard programmes and stand-alone modules)**

In the case of all taught programmes and modules, the Appeal Officer shall:

(i) write to the original examiners (through the Chair of the Board of Examiners), or other relevant authority, requiring a reconsideration with an Independent Chair. The Appeal Officer / Appeal Adjudicator’s decision may include specific instructions for action as deemed appropriate. The notice shall clearly identify the grounds for reconsideration and provide all the relevant evidence on which the Appeal Officer / Appeal Adjudicator based their decision. The notice shall, where the matter relates to results, advise that external examiners must be practicable, be present at any reconvened meetings wherever possible. The notice shall, where the matter relates to a Personal Extenuating Circumstances (PEC) Committee decision, advise whether the external member of that Committee does not need to be consulted.

and

(ii) write to the Appellant to inform him/her of the Appeal Officer / Appeal Adjudicator's decision.
4.19 **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 of the thesis without further revision, 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 Officer / Appeal Adjudicator, direct the relevant research student support team to write to the Appellant giving permission to revise the thesis in line with the examiner’s report and re-submit it for examination within a specified time limit in accordance with the normal procedure for the re-submission. The Appeal Officer / Appeal Adjudicator should decide whether the re-examination will be undertaken by the original examiners or, under exceptional circumstances, by newly appointed examiners,

(iii) on the instructions of the Appeal Officer / 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 without further revision. 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 Officer / Appeal Adjudicator may choose.

and

(iv) write to the Appellant setting out the Appeal Officer / Appeal Adjudicator’s decision.

**Final Reconsideration of Decision**

4.20 When asked to reconsider their original decision, the examiners or other authority within the academic unit, shall review their decision in light of the grounds for appeal, relevant evidence and any recommendations made by the Appeal Adjudicator.

4.21 On the referral of a decision back to the BoE or PEC Committee, the Appeal Adjudicator may direct that the Board or Committee shall appoint an alternative Chair who has no prior involvement in the decision so referred back

4.22 Any new examiners appointed under paragraph 4.19 in the case of research students shall be told that they are conducting a re-examination on appeal but will not be informed of any other circumstances of the case.

4.23 Unless given specific directions by the Appeal Officer / Appeal Adjudicator in accordance with paragraphs 4.18 and 4.19 above, Examiners, Personal Extenuating Circumstances Committees or Degree Programme Directors 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. The Examiners, Personal Extenuating Circumstances Committees or Degree Programme Directors shall be required to provide a formal report or Minutes of their judgement to the Appeal Officer.

4.24 The Appeal Officer shall inform the Appellant in writing, normally within 14 calendar days of receiving the report of the final outcome of the Examiners', Personal Extenuating Circumstances Committees' or Degree Programme Directors' reconsideration, providing appropriate feedback on / minutes of / extract of the decision.

4.25 The decision of the Examiners, the Personal Extenuating Circumstances Committee or Degree Programme Director on any reconsideration following an academic appeal shall be final.

4.26 The submission of an academic appeal in good faith, whether or not it is upheld, shall not prejudice any future treatment of the Appellant by the University.
LEVEL 3 – REVIEW OF THE APPEAL OUTCOME

5.1 An Appellant may only seek a review of the outcome of the upheld academic query or appeal on the ground of procedural irregularity by the Appeal Adjudicator, Head of the Student Progress Service or following review by the PEC/BoE committee, or that the decision reached was unreasonable or perverse.

5.2 A review application must be made in writing directly to the Academic Registrar, King's Gate (casework@nd.ac.uk) within 14 calendar days of the notification of the outcome of the academic appeal.

5.3 A review application will be considered by the Academic Registrar or nominee. The Officer acting in relation to the review may dismiss an application which does not provide sufficient evidence to support a finding in favour of the applicant for review.

5.4 Where a review request is accepted, the Academic Registrar or nominee shall either require the Head of the Student Progress Service, Appeal Officer or an alternative Appeal Adjudicator to consider the case as if under Level 2 of the proceedings.

5.5 Consideration of a Level 3 Review of the Appeal Outcome will normally be determined within 30 calendar days from receipt of the request for review but circumstances may require a longer period in which case the Appellant shall be informed of the reasons for the longer period of review.

5.6 The outcome reached from the Level 3 Review of the Appeal Outcome of the Academic Queries & Appeals procedure shall conclude deliberations of your case within the University. Provision for independent external review is made through the Office of the Independent Adjudicator (OIA). The Independent Adjudicator’s role is to review how the University has applied its own internal procedures and to consider whether any decision made by the University was reasonable in all the circumstances. For information about the OIA’s role see www.oiahe.org.uk/.

Where a student submits their case to the OIA, for external review, all relevant information shall be disclosed to the OIA to allow a review to take place.

OTHER GENERAL PROVISIONS

6.1 Confidentiality: The information provided by an Appellant, or anyone else, to the Appeal Officer shall be treated in confidence and disclosed only as deemed appropriate by the Appeal Officer and with the consent of the Appellant. Appellants are also expected to maintain confidence throughout the appeal process and should particularly not share any comments provided in good faith with a third party, unless the person(s) is assisting the Appellant with their appeal case.
6.2 **Length of Appeal investigation:** All Appellants shall normally be informed of the final outcome of their appeal within 90 calendar days of the submission of their complete formal Level 2 academic appeal. Please note that a conclusion cannot be guaranteed within the period, however, the Appellant should be informed of the reasons should a longer period be required.

6.3 **Expenses:** Successful Appellants will have any reasonable and proportionate incidental expenses incurred as a direct result of submitting the formal academic appeal reimbursed as soon as possible after the outcome is known. This includes travel for the Appellant, but excludes legal costs or other representation costs. In the event of any dispute, the Head of the Student Progress Service will determine the legitimacy of any expense claimed and the validity of supporting evidence; the decision of the Head of the Student Progress Service will be final.

**Monitoring**

7.1 The Head of the Student Progress Service shall make an annual report to University Education Committee (UEC) of all appeals investigated under this procedure, including:

- The number of formal Level 2 appeal applications made, and whether they were upheld or rejected;
- The nature of the matters raised and any remedial action recommended and taken.

**Confidentiality**

8.1 All information obtained within the process of consideration of the academic query or appeal will be held in accordance with Data Protection legislation and the University’s Student Privacy Notice. [www.ncl.ac.uk/data.protection/documents/StudentPrivacyNotice20180525.pdf](http://www.ncl.ac.uk/data.protection/documents/StudentPrivacyNotice20180525.pdf)

8.2 All information which a student, or anyone else, provides to the Academic School / Service, Student Progress Service, Academic Registrar, Pro-Vice-Chancellor, or to other officers dealing with the matter in the course of an investigation of an appeal, shall be treated as confidential, subject to the need to divulge information to investigate a case and any requirements of the Data Protection legislation. It is equally important that the Student also respects the need for confidentiality throughout the appeals process. Where confidentiality is breached the University's Disciplinary procedures may be invoked.

8.3 In submitting an appeal the student understands that their appeal will be shared with the staff member responsible for conducting the investigation into the matters raised, and that the content of their appeal may need to be disclosed to relevant staff in order for the appeal to be investigated and/or resolution sought. If there are elements of a student’s appeal which are particularly sensitive and they have concerns about their confidentiality, they are welcome to raise this with the Student Progress Service: Casework@ncl.ac.uk, who will discuss if / how disclosure can be minimised.

8.4 Students should avoid disclosing unnecessary personal information (e.g. medical conditions etc.) in their appeal unless they feel that it is relevant to the issues raised. Students must also avoid disclosing personal data of another person/s in their complaint unless they have been given permission by them to do so.

8.5 Relevant members of staff involved in the appeal will be informed of the outcome, in confidence. Senior members of staff may also receive a copy of the outcome, in confidence in order for the University to learn / act on issues identified from appeals.