



Title:	Student Appeals Policy (non-academic)
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Approved by:	Senior Management Team
Policy owner:	Director of Education

This policy should be read in conjunction with the **Appeals Procedure (WBAPP-01a)**

This policy applies to any student and any qualification of Falmouth University, whether offered solely by the University or in conjunction with any academic, professional or other institution in the United Kingdom or elsewhere, irrespective of the mode of study.

WaterBear is a College of Falmouth University and as such its students are students of Falmouth University, studying at WaterBear. All WaterBear policies and procedures have been tailored to best suit the specific requirements of the College, its students and staff. In some instances, Falmouth policies and procedures may be deferred to for additional guidance, or where Falmouth policy has been deemed to cover both the requirements of the University's operations and those of its academic partners.

The policy applies equally to undergraduate and postgraduate students.

Definitions:

- **You/Your** means a student, prospective student or applicant of WaterBear, a college of Falmouth University
- **We/Us/Our/The College (or University)** means WaterBear

The Appeals Policy is managed by the Senior Management Team (SMT), which is responsible for the effective development, implementation and management of the College's policies, procedures and processes.



1 Introduction

1.1 An appeal is a request for a review of a decision about you reached through the application of a College policy, procedure or regulation. Examples of decisions you may wish to appeal against are:

- The results agreed at an Assessment Board, which includes the results of an Extenuating Circumstances application
- A decision reached by an Academic Misconduct Panel
- A decision reached through the Attendance Monitoring Policy
- A decision reached through a disciplinary process

(Note that Academic Appeals will be dealt with in consultation with Falmouth University's QAE Department)

If you are unhappy with another aspect of your experience at WaterBear, please contact your Programme Team for advice about the correct process to follow.

2 Grounds for appeal

2.1 There are two grounds for appealing the decision of a College or University body:

- a) That there has been a material error or irregularity in the formal conduct of the process in reaching the decision; and/or
- b) That your performance was adversely affected by extenuating circumstances which you were unable, or for valid reasons, unwilling to divulge before the decision concerned was reached.

2.2 If you are adversely affected by extenuating circumstances, it is your responsibility to make use of the College's Extenuating Circumstances Policy (contact your Programme Officer if you need support with this). If you choose not to reveal any medical or other problem prior to the assessments or an assessment board, you will only be able to use this information as the grounds for a subsequent appeal in the most exceptional circumstances, and must provide evidence as to why you did not divulge such information at the time.

3 Matters which are not covered by the College's Appeals Policy and Procedure

Appeals in relation to the following matters will not normally be considered, unless you are able to evidence the grounds outlined in clause 2 in relation to the matter.



- 3.1 Some issues cannot be dealt with under the Appeals Policy. For example, this policy cannot be used to make a complaint about teaching or another service provided by the College. Students wishing to raise a complaint should read the **Complaints Policy and Procedure (WBSCP01-01, WBSCPro-01)**.
- 3.2 You may not appeal the decision of an Assessment Board (or other decision-making body on the grounds of alleged defective judgement or non-competence of a properly convened and constituted Assessment Board (or other decision making body). In the case of an Assessment Board this would constitute a challenge to academic judgement. Academic judgement is a judgment that is made about a matter where only the opinion of an academic expert is sufficient. Academic judgement may relate to, but is not limited to:
- Assessment marks
 - Assessment feedback
 - Degree classifications
 - Academic misconduct
 - Research methodology
 - Course content and/or learning outcomes
- 3.3 As per Falmouth University's Registration Policy, the approval of late enrolment is conditional on you accepting that it is your responsibility to catch up with the course content, and that the approval of a late enrolment cannot be used subsequently as grounds for appeal.
- 3.4 Formal (Step 2) appeals should be submitted within twenty (20) working days of the date the decision being challenged is communicated to you.
- Appeals received prior to the decision being communicated to you will not be considered; you will be required to resubmit the appeal at the appropriate time.
 - Appeals submitted after the deadline will not normally be considered, unless you can evidence a valid reason why you were unable to submit the appeal by the deadline.
- 3.5 All students are expected and required to be aware of and abide by the College's regulations, policies and procedures, and ignorance of any particular regulation, policy or procedure is not valid grounds for appeal.



3.6 If any aspect of your appeal is shown to be malicious, dishonest and/or vexatious, the appeal will not be considered. Examples include:

- appeals which are obsessive, harassing, or repetitive
- insistence on pursuing non-meritorious appeals and/or unrealistic, unreasonable outcomes
- insistence on pursuing what may be meritorious appeals in an unreasonable manner
- appeals which are designed to cause disruption or annoyance
- demands for redress which lack any serious purpose or value.

If your appeal is deemed to be malicious, dishonest and/or vexatious the University will issue a Completion of Procedures letter. Depending on the circumstances you may also be referred to the University's Student Disciplinary Policy and Procedure.

4 Third-party communication

4.1 The College's relationship is with you as a student, irrespective of who pays your fees. The College will not deal with a third-party appeal made on your behalf if unless there is a valid reason, for example, a reasonable adjustment for a diagnosed disability. In cases where a third-party appeal is appropriate, you will be required to complete a Third-Party Consent Form in order to formally authorise a third party (such as a parent or guardian, carer, spouse or significant other) to act on your behalf. Where a Third-Party Consent Form is received, the College will only correspond with the individual authorised to act on your behalf.

4.2 In line with the provisions of the General Data Protection Regulations, the University has a policy on the confidentiality of information held about individual students. Therefore, information relating to an appeal cannot be released to a third party other than when required by law or with the written consent of the student. If you would like to give your consent for the College to discuss your appeal with a third party, please complete a Third-Party Consent Form.

5 Communications

5.1 All communications regarding appeals, including receipt confirmation and outcome notifications, will be conducted by email. Completion of Procedures letters can be sent as a hard copy your preferred address by request.



6 Confidentiality

- 6.1 In submitting an appeal, you are conferring authorisation to those involved in the process to have access to relevant information required to make a decision. The College may require access to sensitive information.
- 6.2 Normally, an appeal and supporting evidence will only be viewed by the members of the Complaints and Appeals Review Committee, should the appeal progress to the Appeals Board, by the members of that Board. Where necessary, staff other than the members of the Quality Assurance and Enhancement Team and the Appeals Board will need sight of all or part of the appeal in order to respond to the points raised within the appeal. You can be reassured that, in such instances, any information disclosed will be treated sensitively and confidentially. If you have specific concerns regarding confidentiality please contact QAE and/or raise your concerns on within your appeal form.

8 Timescale for all appeals

- 8.1 An appeal must be lodged within twenty (20) working days of the notification of Assessment Board results or outcome from another University decision-making body. Any appeal must be accompanied by supporting evidence to be considered.
- 8.2 Appeals received after twenty (20) days of the notification of Assessment Board results or outcome from another University decision-making body will not normally be considered. Supporting material received after twenty (20) days of the notification will not normally be considered.
- 8.3 An appeal against an Assessment Board outcome may not always be resolved before the start of the next study block or level of study. If you are appealing against a decision that prevents you from continuing your studies into the next study block or level, you may be permitted to provisionally continue with your studies while your appeal is under consideration on the clear understanding that this is without prejudice to the outcome of the appeal.

9 Policy and Procedural Review

- 9.1 This policy and associated procedures will be reviewed annually by the SMT

