

2023-24

Central Film School

Academic Appeals Policy & Procedure

Academic Appeals Policy

Scope

In line with the UK's Quality Code for Higher Education and allied guides, Central Film School (CFS) defines an 'academic appeal' as a student request for a review of a decision made within or procedure mandated by the Academic Board and exam boards structure, which is charged with decisions on student progression, assessment and awards. An academic appeal differs from a student complaint (see separate policy on student complaints). This policy specifically addresses academic appeals.

Where an awarding body mandates its own academic appeals policy this present appeals policy of the School will not apply. The appeals policy of the awarding body takes precedence, i.e. will be the policy and procedure followed.

Unlike student complaints, assessment appeals are always dealt with by a formal process.

This procedure applies to all HE students enrolled with CFS, and applies to summative assessment.

Principles

Matters relating to a mark or grade for any assessment or an overall result shall be subject to the authority of the School, and staff acting on its behalf, in reaching academic judgements. The School, exercising its authority and acting through the decisions of boards of examiners as confirmed by the Academic Board, has sole authority to determine whether or not a degree, certificate or diploma should be awarded to a particular candidate and, if so awarded, the specific class or other description of attainment, appropriate to the level of the award.

However, it is recognised by the School that there are non-academic elements to

assessment judgments which might have adversely affected the outcome and that there are occasions where students may wish to appeal against an assessment outcome on such grounds. The procedures set out in this document explain how this appeal process will be managed, the responsibilities of all parties, and the opportunity for external scrutiny should students remain dissatisfied with CFS' decisions.

Students who want to appeal and are eligible to do so in accordance with the clauses above must appeal within 15 calendar days of the formal publication of results. Exceptions to this timescale will be determined on a case-by-case basis by the Head of School, or designated alternate.

The School, through its academic staff and assessment mechanisms, ensures that proper academic judgement is used in all assessment and moderation as outlined in the School's Academic Regulations. **Academic judgement thus stands outside of these procedures and cannot be subject to appeal.**

The right of appeal is available to all students who:

- (a) have failed to qualify to proceed from one stage of a degree programme to the next;
- (b) have failed to qualify for the award of the degree for which they were registered;
- (c) wish to challenge, on procedural grounds, the class of degree to be awarded;
- (d) have been judged by an appropriate University body to have committed academic malpractice.

A prima facie case for appeal will be deemed to exist if there is evidence of one or more of the following, which, for good reason, could not be brought to the attention of boards of examiners at the relevant time and which could have influenced their recommendations had the information been available at that time:

- (e) material administrative error or irregularity in the conduct of assessment which adversely affected the student's performance and results;
- (f) significant exceptional circumstances which adversely affected the student's performance and results;
- (g) unfair treatment or discrimination, outwith the exercise of academic judgement.

The objective of the procedure is to establish the facts and come to a reasonable and just resolution, which is both relevant and proportionate.

No students will be disadvantaged for making appeals in good faith, and all reasonable appeals will be taken seriously and dealt with according to the agreed procedures. However, if it is established that appeals are frivolous or spurious, then they will not be considered reasonable, and the School may take disciplinary action.

All reasonable measures will be taken to ensure that no student is disadvantaged within these processes due to location, requirements associated with protected characteristics, etc.

Technology will be used, as appropriate, to facilitate these procedures.

Advice on how to use these procedures is available from the Head of School and Learning & Teaching Support Manager and the Student and Administration team.

The Academic Board is ultimately responsible for academic assessment appeals. A student wishing to make an academic appeal should complete the Stage 1 form. The written appeal should be sent to academics@centralfilmschool.com. An academic appeal may not be initiated orally, and may not be initiated with the original designers, marker(s), moderators or invigilators of assessments. The student should not discuss the appeal informally with the original designers, marker(s), moderators or invigilators of assessments. The appeal should be made within 15 days of the formal publication of the respective grade/award.

CFS recognises that appeals may be made by individuals or, in some circumstances, a group of students.

CFS will aim to resolve any appeals in a timely way and bring matters to a conclusion as speedily as possible. The following procedures therefore give timescales that are both fair and realistic, and have sufficient flexibility to take account of individual circumstances. Should key staff be unavailable (for example due to sickness or planned holiday), CFS will take all reasonable steps to forward matters, however, procedures may be delayed until the required staff are available.

Academic appeals procedures are approved and monitored by the Academic Board in collaboration with its subcommittees. The procedure will be reviewed periodically in line with developments in good practice.

Applications and Implementation of the Procedure

1. The Academic Appeals procedure only applies to appeals initiated by an individual student or group of students. A group of students wishing to appeal collectively will need to provide reasons as to why they should be considered collectively. These will be subject to consideration and judgement by the Head of School whose decision will be final (a decision to not consider an appeal collectively does not preclude students from pursuing individual appeals). Where a collective appeal has been agreed, the group will nominate a spokesperson for communication.
2. An appellant has the right to be accompanied and supported at any meeting by one person, and may be represented where the appellant expressly authorises, in writing, a third party to act on their behalf. Reasonable adjustment will be made to the processes as necessary to meet requirements related to protected characteristics.
3. The School will make every reasonable effort to complete academic appeal procedures in a timely manner and aims to complete all aspects of the appeals process within ninety calendar days. If the School is unable to comply, on reasonable grounds (for example, in factually complex matters involving a number of individuals, etc.), it will provide the appellant with an explanation and inform them of the timeframe in which the procedure will be completed.
4. In this procedure any reference to named members of School staff also includes reference to their nominee and named staff may delegate their responsibilities to

other appropriate members of staff, including those suitably qualified in partner organisations, without invalidating the procedure. The identity of nominees or members of staff to whom responsibilities are delegated will be notified to the appellant.

5. The Head of School will oversee this process and provide advice. Any evidence of breaches of the principles as set out above should be brought to the attention of the Head of School for investigation.
6. Should a student wish to register a concern about the actions of the Head of School, this should be sent to the CEO.

Procedure

The School uses a two-stage procedure.

STAGE 1

1. In order for an academic appeal to be considered formally, the appellant must complete the Stage 1 form and send it to academics@centralfilmschool.com
2. Should the issue be immediately resolvable (for example, a simple recording error), the Head of School will agree to amendments by Chair's action. If this is not the case, the Head of School, or designated alternate, will consider the appeal and decide whether there is a *prima facie* case for appeal against the criteria set out in above. Where there is no *prima facie* case the Head of School, or designated alternate, will either:
 - a) refer the appellant to an alternate more appropriate procedure;
 - b) enter into a discussion with the appellant, and other parties as appropriate, as to how best to take forward the concerns (e.g. in cases where the concerns involve a number of elements which cross School procedures); or
 - c) Issue a decision letter to the appellant as to why no action can be taken along with information on the appellant's right to challenge the decision. Normally, Completion of Procedures letters will be issued to students only following completion of the final review stage. However, a student may request a Completion of Procedures letter following the *prima facie* stage.

STAGE 2

1. Students have the right to challenge the Stage 1 decision, based on the below criteria .
 - a. there exists evidence that could not reasonably have been made available at Stage 1 of your appeal;
 - b. there exists evidence of a material procedural irregularity in Stage 1 of your appeal;
 - c. there exists evidence that the judgement at Stage 1 was perverse or biased.
2. The appellant should submit the Stage 2 form within 14 calendar days of receiving the Stage 1 decision letter

3. The case will be referred to a reviewer nominated by the Head of School, who will institute an Academic Appeals Panel, which will consist of a minimum of three persons. Membership will vary according to the award level and location of provision. The Reviewer will appoint panel members from a pool of appropriately trained academic and/or professional services staff. The panel must not contain any member of staff previously involved in a Mitigating Circumstances committee or Examination Board that considered the student(s) in question. A note-taker will also be in attendance for all panels.
4. The appellant may be required to attend the event, although failure to attend will not stop the proceeding. The panel will be allowed, through the Chair, to question the appellant. It will not normally be permissible to call witnesses as part of the panel hearing; however, the Chair may allow it at their discretion. The appellant will be given the opportunity to sum up their position. Following the proceeding, the panel will deliberate in private using the balance of probability as the standard of proof, and reach a decision.
5. An Academic Appeal Panel which has been convened to consider an appeal against a judgement of academic malpractice shall review that judgement and all the evidence pertaining to it and shall decide one of the following:
 - a) The original finding and penalty are confirmed; or
 - b) The original finding is upheld but the penalty is varied (according to the available penalties set out in the Academic Regulations. The penalty imposed by the Panel can be no greater than that previously imposed
 - c) The original finding and penalty are removed (and the student's record amended accordingly).

Principles of the Procedure

The procedure is based on the following principles:

- a student has the right to be accompanied by a colleague or friend at any panel (subcommittee) hearing.
- a record of any formal hearing will be available to the student on request.
- the timescales set out may be extended with the agreement of the parties.
- where more than one student has lodged an academic appeal relating to the same, or substantially the same, issue, the appeals may be dealt with together in the interests of fair and consistent decision-making.

Deliberately false or malicious appeals will be treated as matters of misconduct and will be investigated in line with the Disciplinary policy and procedure. Appeals raised while a student is subject to disciplinary proceedings will be heard entirely independently of the disciplinary process.

There may be times when what is expressed by the student as an academic appeal contains within it a complaint and vice versa. Where this is the case, the School may reclassify the matter in consultation with the person making the academic appeal. It is possible for such a reclassification to trigger an alternative procedure without the student having to initiate this.

The School will make every attempt to ensure that the Stage 2 hearing will be held within 20 working days of receipt of any investigating officer's report, or within 20

working days of the appeal being received if no investigation is ordered.

The student will be given five working days notice that any panel hearing is to be held. The student may request an alternative date, to allow up to an additional five working days if their representative is unavailable. If, following a reasonable attempt to rearrange the hearing, the student is still unable to attend, they may send a representative, or the hearing may be held in their absence. The student should inform the chair of the panel, two working days before any meeting or hearing, whom the student would like to be accompanied or represented by.

The student making the appeal should ensure that they attend the meeting at the specified time. If they are unable to attend because of circumstances beyond their control, they should inform the chair of the panel as soon as possible. If they fail to attend without explanation, or it appears that they have not made sufficient attempts to attend, the hearing may take place in their absence.

The committee or panel, in seeking to resolve the appeal matter, may adjourn the meeting or defer a decision if more information is required. The Academic Appeal Panel will inform the Academic Board of its decision.

The student will receive a 'Completion of Procedures Letter' confirming that the internal procedures have reached completion and the outcome has been reached (including reason(s) for reaching that outcome), within 14 working days of the exam board meeting. The written communication will be sent in at least two ways (eg email, posted letter). The letter will explain how and when it will implement any remedy.

The decision and Completion of Procedures letter of the Academic Board, are the final internal steps. There is no further internal right of appeal after this decision. Students who remain dissatisfied may be able to, depending upon the nature of the issue and terms of reference of the external body, approach external agencies such as the Office of the Independent Adjudicator and/or any awarding or approval body.

Document Title:	CFS Academic Appeals Policy
Document Ref:	CFS AAP_04
Version:	4.0
Issuing Authority:	CFS Academic Board
Owner:	Head of School
Author:	Donovan Synmoie
Approval Date:	01/09/2021
Last Amended:	06/12/2023
Sensitivity:	Unclassified
Effective from:	September 2022 for the 2022/2023 Academic Year
Internal Review Date:	Prior to 2023/2024 Academic Year
History:	First Published: 30/06/2016