

Appeals Working Group 05-02-2016

Summary of Recommendations

Context

The volume of appeals after the supplemental examinations has given cause for concern over the past number of years. In 2015, 201 cases were heard by Courts of First Appeal post publication of the supplemental results. This figure represents a slight decrease over 2014 and 2013, when 216 and 226 cases respectively were heard by the Courts of First Appeal. By contrast, the number of cases heard by Academic Appeals after the supplementals increased from 15 in 2013 to 37 in 2014 and 47 in 2015. Exceptionally, of the 47 cases, 29 had not been heard by a Court of First Appeal. Concerns were expressed by several academic departments about the bypassing of Courts of Appeal, which runs counter to the Calendar regulations. Paragraph 54 states that "Appellants must have exhausted the appropriate appeals mechanism in the first instance through the relevant Court of First Appeal prior to coming before the Academic Appeals Committee"(Calendar 15-16). A discussion took place on 13 October 2015 at the Undergraduate Studies Committee (USC) about the reasons for the bypassing of the Courts of First Appeal by so many appellants and their tutors, and the reasons for the multiple blockages which occur post-publication of the supplemental examination results. It was decided to establish a working group to look into these issues and to propose solutions to address the problems.

The following issues were examined and considered by the working group:

1. The grounds for appeals, the outcomes being sought, the evidence presented in support of appeals; availability of information on the role and function of Courts of First Appeal and Academic Appeals.
2. The work generated for Student Cases and for Courts of First Appeal by the lifting of exclusions;
3. Measures to create efficiencies at the Courts of First Appeal.
4. The processing steps and timeline from supplemental Courts of Examiners to the commencement of the special examinations and the consideration of the recommendations from the Courts of First Appeal by the Senior Lecturer.
5. Other work undertaken by Student Cases outside of the Appeals which impact on case management.

Recommendations emerging from the review of each of these areas are presented below. These recommendations relate in the main to supplemental examinations and to the Courts of First Appeal and Academic Appeals sittings in Michaelmas Term, i.e., after the publication of the supplemental results. However, a number of the recommendations will also have an impact on the functioning of the Courts of First Appeal and Academic Appeals at the annual session.

Recommendation 1a: The working group recommends acceptance of the proposed list of 'exceptional circumstances' in support of an *ad misericordiam* appeal.

Recommendation 1b: The working group recommends acceptance of the proposed list of circumstances that should not normally be seen as acceptable grounds for an *ad misericordiam* appeal.

Recommendation 1c: The working group recommends acceptance of the proposed guidelines for documentary evidence required in support of *ad misericordiam* appeals and for the types of evidence which students must submit in support of 'exceptional circumstances'.

Recommendation 2: The Senior Lecturer should delegate authority to the Courts of Examiners to take particular decisions on exclusions as outlined below:

- a. At the annual examinations, where supplemental examinations are available in the programme and year of study:

Where Courts of Examiners have been informed or are aware that a medical certificate has been submitted within 3 days of the examination to the Senior Lecturer or tutor or Course Office and this certificate has been verified by Senior Lecturer or tutor or Course Office, the Court of Examiners has permission to return the student as *permission to defer* for that module. The Court of Examiners should then determine the result for the year according to the normal conventions for the programme with reference to the range of marks achieved.

Where a student has not submitted coursework alternative codes will be used. Use of these codes will prevent a student being excluded by the system and with this, the extensive work associated with lifting exclusions.

- b. At the supplemental examinations:

Where Courts of Examiners have been informed or are aware that a medical certificate has been submitted within 3 days of the examination to the Senior Lecturer or tutor or Course Office and this certificate has been verified by Senior Lecturer or tutor or Course Office, the Court of Examiners should apply a module grade of *permission to defer* and then determine the result for the year according to the normal conventions for the programme, with reference to the range of marks achieved, e.g., Defer to next session; Fail – Repeat Year.

Recommendation 3a: The working group proposes that 'Noting' be implemented in all supplemental Courts of First Appeal in the Freshman years in the following types of cases:

- Courts of First Appeal may note cases where a student who has missed a supplemental examination due to certified medical illness or evidence of other grave cause is seeking a special, and where there has been prior consultation with the relevant department/s;
- Courts of First Appeal may note cases involving the lifting of exclusions where a student has missed any or all of their supplementals without SL permission. Where a medical certificate or other grave cause is provided to the Court, the exclusion may be lifted and the student granted permission to repeat the year.
- Courts of First Appeal may note cases where a student is seeking permission to repeat the year off-books with assessment, where no more than 20 ECTS have been failed, and where exceptional circumstances are presented and evidenced. Where labs/practicals/placements have not been passed, OBA may not be appropriate. The case should be heard if:
 - The appellant has failed the year and has repeated on-books or off-books and failed again;
 - The appellant has previously repeated a year on or off books.

Recommendation 3b: Noting should also be implemented in the annual Courts of First Appeal in the Freshman years in the following cases:

- The Courts of First Appeal may note cases involving the lifting of exclusions where a student has missed any or all of their examinations without SL permission. Where a medical certificate or other grave cause is provided to the Court, the exclusion may be lifted and the student granted permission to take the supplemental.

Recommendation 4a: The working group recommends that the appeals form be available online and embedded in SITS as a matter of priority. In order for this to happen, a new SITS report will have to be generated. This will enable the form to be populated directly from SITS, thereby saving time and creating a more efficient process. Steps should be taken immediately to ensure that a report is created within this academic year.

Recommendation 4b: The working group recommends that the scheduling of Courts of Examiners, publication of results, Courts of First Appeal, and Academic Appeals be reviewed, with a view to streamlining the schedule and potentially having fewer dates of publication. It is mindful that some courses have already set and published dates for these events in 2015-16, but proposes that work which is under way in the Academic Registry on building efficiencies into this timetable should be accelerated and, where possible, implemented in the current academic year.

Recommendation 5: The working group recommends that the procedures for mark changes be reviewed and that a policy be developed that guarantees the integrity of marks within SITS, but defines workable and secure parameters to enable specific types of mark change to be delegated to progression managers in Schools.