

UNIVERSITY OF ABERDEEN POLICY AND PROCEDURES ON STUDENT APPEALS

1. POLICY

This Policy and Procedure was approved by the University Senate on 9 February 2011, by the University Court on 24 February 2011, and was most recently revised on the 25 August 2020.

The University is committed to providing a high level of service to its students at each stage of their relationship with the University, from time of application until graduation. In particular, it is committed to excellence, fairness and equality, and continuous improvement of quality.

However, the University recognises that there may be occasions when students may consider that they have grounds to appeal against an academic decision. This policy and procedures reflects the University's commitment to valuing appeals and is underpinned by the following principles:

- Clarity and Simplicity
- Confidentiality
- Fairness and adherence to processes and academic standards
- Timeliness/frontline resolution
- User-focused and accessible

2. DEFINITIONS OF GROUNDS

WHAT IS AN ACADEMIC APPEAL?

An academic appeal is where a student seeks review of a decision made by the University with regard to his or her:

- Admission or re-admission
- Assessment*
- Degree or programme award
- Class certificate (see Glossary of Terms)
- Progression within a postgraduate programme of study
- Termination of studies on academic grounds
- Outcomes of disciplinary hearings under the Code of Practice of Student Discipline
- Decisions taken by the Undergraduate Students' Progress Committee (SPC)
- Decisions taken under the Policy on Fitness to Practise

** Academic appeals against assessment will only be accepted where the appeal is made against the final CGS mark for a course (i.e. the mark as released to student hub).*

Those involved in investigating academic appeals will not pursue an appeal that does nothing more than question academic judgement. For example, a student cannot appeal simply because they are unhappy or disagree with a CGS mark awarded. Academic judgement is a matter solely for the relevant School(s) and the Examiners. Academic appeals will only be pursued on grounds where:

- (i) it is believed that the University's procedures were not followed;
- (ii) it is believed that the person/body making the decision did not have the authority to do so;
- (iii) it is believed that the person/body making the decision did not act impartially;
- (iv) a student considers that they have suffered, or could suffer, material disadvantage.

The Aberdeen University Students' Association ([AUSA](#)) can provide independent advice, assistance or support to students at every stage of the appeals process, including accompany or representing students at meetings or hearings (see Glossary of Terms). Initial enquiries can be directed to the AUSA Student Advice Centre in the Student Union Building in person, by telephone to 01224 274200 or by email to ausaadvice@abdn.ac.uk.

3. EXTENUATING OR MITIGATING CIRCUMSTANCES

If a student believes that a medical condition or other personal circumstances have affected their performance in an assessment or prevented them from taking an examination or meeting a deadline for submission of coursework they must notify the Head of the relevant School(s) immediately. This must be done in writing, not more than three days after the date of submission of the assessment or the exam concerned. The University's [Policy and Procedures on Student Absence](#) provides further information.

Where a student has **not** given notice of such extenuating or mitigating circumstances (see Glossary of Terms) within the permitted timescale, they cannot be accepted as evidence in support of an appeal unless a satisfactory explanation for the delay in providing the information can be given. If those circumstances are raised for the first time at the Initial Stage (i.e. with the Head of School or Service) the Head of School or Service (or their nominee) will decide whether it is appropriate to take them into account.

If raised, or raised again, at the Further Stage it will be for the Grounds to Proceed Panel to decide whether there are grounds on which to accept late notification. They will make this decision having regard to the timescale for submission of evidence and the reason for the delay. Their decision will be final.

4 EQUALITY AND DIVERSITY

The University is committed to promoting equality and diversity in all its activities. Further information can be found in the University's Equality & Diversity Policy Statement. Any appeal which involves any allegation of discrimination (*see Glossary of Terms*) against another student or a member of staff will be taken very seriously. Any allegation must be substantiated with evidence and will be investigated. Unsubstantiated claims will not be considered. Any allegation of discrimination that is found to be vexatious (*see Glossary of Terms*) may result in disciplinary procedures.

The University will monitor appeals to ensure that no discrimination exists either in the actions of the University which have resulted in the case being brought, or in the manner in which the case is handled by the University.

5 DISCIPLINARY AND STUDENT PROGRESS MATTERS

If an appeal raises any issue which is appropriate for review under the relevant University codes of practice, policies covering student or staff discipline or undergraduate student progress these issues will be considered taking account of the relevant policy. Separate proceedings may be triggered as a consequence of such an appeal. The student who initiated the appeal will be informed that other procedures have been engaged.

Where separate procedures are started, for example a staff or student disciplinary process, any evidence (or findings) from the appeal that is relevant to the other process may be submitted. Where appropriate a member of the University's Human Resources section may be invited to attend as an observer at a hearing of an Appeal Panel.

Where a separate process is required, an Appeal Panel, having considered the evidence presented to it, may choose to allow a student to progress or to continue their studies pending completion of the separate process. This will not prejudice the outcome of the appeal or any further investigation that may be required as part of a separate procedure.

Should the outcome of a separate process subsequently determine that claims made were not proven, the University retains the right to reverse a previous decision in regard to progression or continuation of studies.

6 MEDIA INVOLVEMENT, EXTERNAL LEGAL ADVISERS AND COSTS

All University staff and students involved in an appeal process must respect confidentiality. This includes neither party contacting or involving the media (*e.g. radio, newspaper journalists*) until the University's internal process is complete. The University aims to ensure that a student can complete this process in a timely manner and cannot be held responsible for any delay which may arise from it having to deal with media enquiries linked to an appeal.

Where media involvement so undermines the appeal process, the University reserves the right to suspend or abandon the process. The University will seek to avoid this, however, and will ensure that a student's rights under all other processes are not affected.

7 EXTERNAL LEGAL ADVISERS AND COSTS

Students, who begin an alternative external legal process, e.g. by raising a Court action against the University, should recognise that the University will **NOT** reimburse any legal expenses incurred by the student in relation to such action regardless of outcome, unless ordered by a UK court. Students are strongly encouraged to seek assistance from the Aberdeen University Students' Association (AUSA) (see Section 2.3 above) before contacting a legal adviser.

8 SIMILAR APPEALS

If the University receives a number of appeals relating to the same or a similar issue, in the interests of achieving a timely resolution of the matter, the University reserves the right to deal with such cases together and to apply its decision to all related cases.

The University will ensure that there is no disadvantage to those students whose cases are considered together. Where the University chooses to take such an approach, those students concerned will be informed that this is the approach being proposed and will have the right to request that their case be heard separately.

9 APPEALS PROCEDURE

9.1 CLARITY AND SIMPLICITY

The University aims to make its Appeals Procedure clear and simple and to deal with cases as quickly as possible to reduce any stress or uncertainty for students or staff members. Recognising that problems are often most easily and quickly resolved at or close to the point of origin, the procedures provide an opportunity, before a student formalises an appeal, to seek frontline resolution. There is, however, a time limit on this.

The procedures provide, exceptionally, for a student to seek to move immediately to the formal stages of the process should they feel this is necessary. Students are, however, normally expected to seek frontline resolution in the first instance and, if they have not done so, are asked to stipulate the reasoning for this.

Section 11 and the table on page 9 summarise the stages of the Appeals Process. These include the frontline stage, an 'Initial Stage' at which an appeal is formalised and a possible 'Further Stage' involving a formal hearing. Beyond these internal stages, there is scope for an independent review of the University's procedures by the Scottish Public Services Ombudsman (SPSO).

9.2 FAIRNESS AND STATUS OF STUDENTS PENDING OUTCOME

Students who submit an appeal will not suffer any disadvantage as a result of doing so and their student status will not normally be affected during their appeal. Further information is available in the Guidance Note on the [Status of Students Pending an Appeal or Complaint](#).

Students have the right to expect that everyone who responds to, investigates, or adjudicates upon an appeal will do so impartially. No individual will be permitted to act in any manner in a case in which they have a material interest or in which any actual or potential conflict of interest may arise. The student's privacy and confidentiality will be respected at all stages of the process. However, it must be accepted that limited disclosure will be required to enable investigation of the case to proceed.

9.3 TIMELINESS/EARLY RESOLUTION

A timeline is given for each stage of the process to assist students in obtaining an outcome as quickly as possible. It is the responsibility of all parties to ensure that the timelines are adhered to as closely as possible. It should be recognised, however, that to ensure a thorough review of a submission it may, by exception, be necessary to take a case beyond the standard timeline. In such circumstances all parties will be notified of this in writing.

Appeals should be made as soon as possible after their cause (e.g. the date of notification of an exam result) and no later than **10 working days** after the cause occurred or became known to the student. The date of the cause and the date it was raised at the frontline must be stated on the Appeal Form.

10. UNACCEPTABLE BEHAVIOUR IN APPEALS

It is recognised that people may act out of character in times of trouble or distress. The circumstances leading to an appeal may result in the appellant acting in an unacceptable way. Appellants who display unacceptable behaviour may still have a legitimate case, and the University must therefore treat all appellants seriously and assess them properly.

The University places the same expectations in regard to behaviour on appellants as it does with its staff and students and all others who interact with the University. The University also has a duty of care to ensure the safety and welfare of all staff and students. Consequently, the University will not tolerate appellants behaving in an unacceptable manner.

Appellants should feel able to raise any matter of concern without any risk of disadvantage, however, where the University deems an appellant's behaviour to be unacceptable the University will take appropriate action as necessary.

Where it is deemed necessary to take steps to address unacceptable behaviour, the appellant will be advised of this and attempts will nevertheless be made to complete the investigation of the appeal although contact with the appellant may be restricted. The University's [Policy on Unacceptable Actions](#) provides further information.

11 STAGES OF THE APPEALS PROCEDURE

The appeals process is outlined below. Students should note that where they are subject to other University procedures (e.g. discipline, termination of study) the entire process may not be

applicable. In such circumstances, students will be advised of this, including the appropriate procedure and timeline to be followed.

11.1 FIRST STEPS: FRONTLINERESOLUTION

Where a student feels they wish to raise an appeal, initially they should do so at the frontline, by raising their concern as soon as possible with the relevant member of staff within the related School or Service. This can be done in the first instance by approaching the School or Service Office. Where a student is unsure who to talk to or how to approach an appeal they should discuss the matter with the Aberdeen University Students' Association (AUSA) (see Section 2 above). The AUSA will be able to offer advice and guidance throughout an appeal or process.

The University anticipates that by ensuring that all matters are considered at the frontline at an early stage, problems can and will be resolved quickly and effectively at a local level. Such concerns should be raised within **10 working days** of the issue causing concern arising. The relevant School or Service will respond to the frontline appeal within **5 working days**.

If the matter has been resolved at the frontline but concerns something which the University should address more generally (e.g. a problem with a classroom), the member of staff dealing with the case at the frontline will, in consultation with the relevant Head of School or Service, ensure that it is reported to the Academic Registrar (for academic matters), the University Secretary (for non-academic matters) or the Director of Human Resources (for matters involving a staffing issue) and where appropriate, the Aberdeen University Students' Association (AUSA).

11.2 INITIAL STAGE: FRONTLINE REVIEW BY HEAD OF SCHOOL ORSERVICE

The University encourages both staff and students to aim for frontline, early resolution of appeals. However, if an issue is not satisfactorily resolved at the frontline, and a student wishes to formalise an appeal they should complete and submit Part A of an Appeal Form and submit this to Registry via academicervices@abdn.ac.uk with all relevant supporting evidence. This should be done within **5 working days** of being unable to resolve the matter at the frontline.

The submission of the Form for Appeals (and supporting documentation) will, **within 3 working days**, be logged, given a reference number and will be allocated to a Case Officer (see Glossary of Terms). An email will be sent to the student confirming these details. Late submission will only be accepted in exceptional circumstances where good reason can be given for the delay.

Occasionally, a student may not feel able to raise their concerns at the frontline (see 11.1) and may choose to move immediately to submit an Form for Appeals. Where a student chooses to do this, the reasons for not pursuing the matter at the frontline must be stated on the Form.

The Form includes guidance on completion, and relevant signposting. The Form and any supporting evidence will create a File Record (see Glossary of Terms) that will go on to contain all submissions and responses of both the student and the University. The File Record will form the basis of all subsequent proceedings, including being provided to the Scottish Public Services Ombudsman (SPSO) if the matter proceeds to external procedural review (see below).

The File Record will then be forwarded to the relevant Head of School or Service for initial local investigation and response. This stage will include the opportunity for the student to meet with the Head of School or Service (or their nominee) with a view to achieving a formal resolution. Such meetings will be held in the appropriate way, whether on-campus or online. The School or Service representative will not be the same person involved in the frontline stage (see 11.1 above) or any person named in the appeal documentation. The Head of School or Service will arrange a meeting within **10 working days** of receiving the File Record, giving the student at least **3 working days** notice of the meeting.

The procedure to be followed at this meeting is included as **Annex A**. The student may be accompanied at the meeting by one person of their choice or be represented by a third party (e.g. the AUSA). Any staff member named in the appeal will similarly be invited to attend the meeting and will be entitled to be accompanied or represented by a person of their choice. Where the student or staff member is not able to attend on the date given, an alternative meeting will be arranged. If the student or staff member is unable to attend on this alternative date, the meeting will proceed in their absence. An administrator will be present at the meeting to take notes.

Following the conclusion of their investigations, the Head of School or Service (or their nominee) will complete Part B of the Form for Appeals and submit this to the Case Officer. This will detail the outcome of the meeting, including any proposed remedy, together with any relevant supporting documentation provided by the student or staff. It should be noted that this is the **FINAL** stage at which additional issues can normally be submitted by a Head of School or Service. If a Head of School or Service's decision requires the matter to be referred back to Examiners, this stage will only be concluded once that response is received. The student will be provided with the outcome of the meeting within **3 working days** and will have a further **5 working days** from receipt of this to decide whether to take the matter further.

If a student considers that the matter has not been satisfactorily dealt with, and feels that the matter should be taken further, they should complete the Part C of the Form for Appeals (which will be sent to the student with the Head of School or Service's response). The student should state the reasons why they are not content and attach any additional evidence. It should be noted that this is the **FINAL** stage at which any additional issues can normally be submitted by the student. The remedy sought by the student should be clearly indicated on the Form. However, it should be noted that even if an appeal is upheld on procedural grounds this may not include support for the remedy requested.

11.3 FURTHER STAGE: INDEPENDENT INVESTIGATION AND FORMAL HEARING

On receipt of the completed and submitted Part C of an Form for Appeals and Complaints, a Grounds to Proceed Panel composed of the Case Officer and two senior academic or administrative staff members (depending on the nature of the case) will review the case to determine whether there are grounds for a further investigation or hearing to proceed. Grounds to proceed are explained within the [Frequently Asked Questions](#) and in the Glossary of Terms.

This review will be completed within **5 working days** from receipt of the Form. If the appeal is deemed not to contain grounds to proceed, the student will be advised of his or her right of review by the Scottish Public Services Ombudsman (SPSO) (see 11.7 below).

If the Grounds to Proceed Panel consider that the appeal should proceed, a hearing (see Glossary of Terms) of an Appeal Panel (see Glossary of Terms) will be convened. Hearings will be convened on-campus or online (e.g. by Microsoft Teams).

The Grounds to Proceed Panel may refer the appeal back to the School or Section who took the decision within the Part B for review should they feel there are grounds to do so. Should the School or Section not amend their decision at this point, a hearing will be held no later than **20 working days** from the date of the Grounds to Proceed decision. Every effort will be made to provide at least **10 working days** notice of the date of the hearing, including detail of the composition of the Appeal Panel. All parties will have an opportunity to inform the Case Officer, no later than **5 working days** in advance of the hearing, if they feel that any panel member may have a conflict of interest (e.g. if they know the student). Papers will be submitted to all parties at least **5 working days** before the date of the hearing.

Where a student or staff member is unable to attend a hearing on a given date, an alternative date

for the hearing will be arranged. If the student or staff member is unable to attend this alternative date, the hearing will proceed in their absence and a note of the hearing will be taken.

The Appeal Panel will be comprised of three members (two staff and one student). The Case Officer will also be present at the hearing to take notes. Panel members will be drawn from a trained pool appointed by the University Senate including members of senior academic and senior administrative staff and representatives from the AUSA. One member of staff will be appointed as Panel Convener. The Panel Convener will, prior to the hearing, invite any witness(es) to attend as is deemed appropriate. The Panel Convener will also invite witness suggestions from the person who has made the appeal, and those who oppose it.

The student may be accompanied by one person of their choice or be represented by a third party. The student may also ask that witness(es) attend the hearing to provide evidence, where appropriate. The student is responsible for ensuring that their witnesses and representatives are informed of the date and time of the hearing, and for advising the Case Officer in a timely fashion whether any witnesses will be attending.

The Head of School/Service (or nominee) to whom the appeal was first addressed will be invited to be present at the hearing to present their response to the case and to respond to any questions. They may also be accompanied by relevant witness(es) where appropriate.

Any staff member named in the appeal will similarly be invited to attend the hearing and will be entitled to be accompanied by one person of their choice or to be represented. The staff member may also ask that witness(es) attend the hearing to provide evidence, where appropriate. The staff member is responsible for ensuring that their witnesses and representatives are informed of the date and time of the hearing.

The procedure which will be followed at a hearing is detailed in **Annex B**. The Appeal Panel will consider the documentation included in the File Record (including the Form for Appeals and supporting evidence) and any evidence presented at the hearing. The Appeal Panel will agree an outcome and, where appropriate, a proposed remedy at the hearing. Written confirmation of the outcome of the hearing will be sent to all parties no later than **3 working days** after the hearing.

The outcome of the hearing will be recorded in the File Record and will include reference to the issues considered, parties involved, documents reviewed, and the reason for the decision. Where any proposed remedy requires further review of an academic decision, the matter will be referred back to the Examiners via the Head of School, or the Academic Registrar where appropriate. Where the matter requires review of staff behaviour, processes or standards within a School or Service, this will be referred to the person with responsibility for those matters. Any claim for compensation will be considered in accordance with the standard rates of compensation and may be offered subject to acceptance conditions. It will not be possible for a student to make a further Appeal on the same matter.

11.4 APPEALS AGAINST THE OUTCOME OF DISCIPLINARY HEARINGS UNDER THE CODE OF PRACTICE ON STUDENT DISCIPLINE (ACADEMIC AND NON-ACADEMIC)

Under the Code of Practice on Student Discipline (Academic) and Code of Practice on Student Discipline (non-Academic) (see glossary of terms) a student can appeal against the decision of a Disciplinary Officer, a Senior Disciplinary Officer or a Disciplinary Committee, but only if there are valid grounds to do so (point 2 above refers). A student in this position will be considered to have exhausted the first steps and initial stage of a standard appeal and, as such, will be invited to **complete a form equivalent to that of a Part C**.

The submission of the appropriate form (and supporting documentation) will be logged, given a reference number and will be allocated to a Case Officer (see Glossary of Terms). An email will be

sent to the student confirming these details. Late submission will only be accepted in exceptional circumstances where good reason can be given for the delay.

Where the discipline case File Record has not been provided by the student, this will be sought from the appropriate internal department by the case officer. The process for this type of appeal will then follow the procedures as laid out above (point 11.3 refers).

11.5 APPEALS AGAINST DECISIONS TAKEN BY THE STUDENTS' PROGRESS COMMITTEE (SPC) UNDER THE POLICY ON UNDERGRADUATE STUDENTS PROGRESS

Under the policy on Undergraduate Students' Progress (see glossary of terms) a student can appeal against the decision of the Students' Progress Committee (SPC), but only if there are valid grounds to do so (point 2.2 above refers). A student in this position will be considered to have exhausted the first steps and initial stage of a standard appeal and, as such, will be invited to complete a form equivalent to that of a Part C.

The submission of the appropriate form (and supporting documentation) will be logged, given a reference number and will be allocated to a Case Officer (see Glossary of Terms). An email will be sent to the student confirming these details. Late submission will only be accepted in exceptional circumstances where good reason can be given for the delay.

Where the Student Progress Committee case File Record has not been provided by the student, this will be sought from the appropriate internal department by the case officer. The process for this type of appeal will then follow the procedures as laid out in above (point 11.3 refers).

11.6 APPEALS AGAINST DECISIONS TAKEN BY THE FITNESS TO PRACTISE COMMITTEE (EDUCATION) OR FITNESS TO PRACTISE COMMITTEE (MEDICINE AND DENTISTRY) UNDER THE POLICY ON FITNESS TO PRACTISE

Under the policy on Fitness to Practise (see glossary of terms) a student can appeal against the decision of a Fitness to Practise Committee, but only if there are valid grounds to do so (point 2 above refers). A student in this position will be considered to have exhausted the first steps and initial stage of a standard appeal and, as such, will be invited to complete a form equivalent to that of a Part C.

The submission of the appropriate form (and supporting documentation) will be logged, given a reference number and will be allocated to a Case Officer (see Glossary of Terms). An email will be sent to the student confirming these details. Late submission will only be accepted in exceptional circumstances where good reason can be given for the delay.

Where the Fitness to Practise case File Record has not been provided by the student, this will be sought from the appropriate internal department by the case officer. The process for this type of appeal will then follow the procedures as laid out in point 11.3 above.

Please note, however, in respect of appeals against decisions taken by a Fitness to Practise Committee, any outcome of the Appeal Panel can be only to refer the case to be reheard by a trained Fitness to Practise Committee on the basis of procedural irregularities. A decision on Fitness to Practise cannot and will not be taken by an Appeal Panel.

11.7 EXTERNAL PROCEDURAL REVIEW - SCOTTISH PUBLIC SERVICES OMBUDSMAN (SPSO)

A student will be deemed to have exhausted the University's internal Appeals Procedures:

- if an appeal is deemed not to have Grounds to Proceed to an Appeal Panel hearing; *or*

- on receiving the formal written outcome of an Appeal Panelhearing

If at this stage a student believes that the University has failed to follow its procedures in arriving at a decision on the appeal, s/he may ask for an external procedural review to be undertaken by the Scottish Public Services Ombudsman (SPSO).

Information on how to do this will be given in the outcome letter sent to the student at the conclusion of internal procedures but is also available at www.spsso.org.uk.

It should be noted that the SPSO will not consider any case where the University's internal procedures have not yet been concluded. In undertaking its review the SPSO will contact the University to obtain a copy of the File Record.

GLOSSARY OF TERMS

Academic Judgement: relates to the considered application of academic expertise in the assessment and grading of a student's academic work. It is a matter solely for the person or committee that has made that academic judgement. The University's academic judgement procedures are approved by the UK Quality Assurance Agency (QAA). The University will not normally consider appeals concerning the academic judgement of any of its examiners or committees unless it can be shown that they have not followed correct procedures or that their decision was perverse (i.e. that the decision was one that no reasonable person, properly advised, could have reached). Where a student disagrees, or is unhappy with a decision of academic judgement, for example the award of a particular CGS mark, that student cannot submit an appeal solely because they disagree or are unhappy. To submit an appeal there must be valid grounds, for example, if the procedure used in reaching the decision was flawed.

Appeal Panel: the body of trained staff and student representatives that will hear an appeal at the 'Further Stage' of the University's Appeals process.

Case Officer: a University Officer assigned by Registry to a student's appeal. This person will be a student's main point of contact throughout their appeal.

Class Certificate: confirmation that a candidate has attended and duly performed the work prescribed for a course.

Code of Practice of Student Discipline (Academic) and (non-Academic): refers to the procedures of the University in relation to prescribing sanctions against misconduct by students which interferes with the proper functioning of the University, its activities, or with the legitimate interests of those who work or study in the University.

Discrimination: there are nine 'protected characteristics' in equality and diversity related legislation that make it unlawful to discriminate on the grounds of: sex; age; race; disability; religion & belief; sexual orientation; gender reassignment; pregnancy & maternity; and marriage & civil partnership.

Extenuating or Mitigating Circumstances: circumstances or events which may be considered to have had a disadvantageous effect (e.g. serious illness supported by a medical certificate)

Evidence: supporting statements or information which must be independent (e.g. provided by a medical practice).

File Record: the case documents compiled during an appeal and consisting of a Form for Appeals, supplementary evidence (e.g. medical certification), formal outcome letters and other related correspondence.

Fitness to Practise: refers to the guidance of the General Medical Council (GMC), the General Dental Council (GDC), and the General Teaching Council (GTC) on the fitness (or suitability) of students undertaking medical, dentistry and teaching qualifications to go on to work with the public in those fields.

Grounds to Proceed: the procedural grounds (or basis) upon which an appeal is considered suitable to proceed to a formal hearing by an Appeal Panel. This decision will be made by the Grounds to Proceed Panel, consisting of the Case Officer and a senior member of University staff. The decision will be based on whether the appeal satisfies the criteria for such an action (e.g. it relates to procedures rather than the questioning of academic judgement).

Head of School or Service: the head of an academic 'School' (e.g. the School of Social Sciences or the School of Biological Sciences). Where an appeal involves the Head of School, or where deemed appropriate, the Head of School may nominate another member of staff to lead on an appeal.

Hearing: a meeting of an Appeal Panel to hear and decide a case at the Further Stage of the University's appeals process.

Material disadvantage: is the verifiable disadvantage that a student feels they have suffered. For example, where an irregularity has resulted in a student failing to be admitted to an Honours programme, or where an Honours classification has been adversely affected by problems with an individual course. Material disadvantage must have resulted from a breach of procedure or lack of competency or prejudice.

Policy on Undergraduate Student Progress: refers to the University's policy on Undergraduate Student Progress and applies to those undergraduate students¹ wishing to put forward a case against not being permitted to progress to the next Programme Year of their undergraduate degree programme or a requirement that they discontinue attendance on courses as set out in the relevant Degree Regulations;

Registry: the Registry is part of the University's central administration and has responsibility for many aspects of student and academic administration, including appeals.

Remedy/Remedies: the agreed action to be taken as a result of an upheld appeal. For example, a student who had an appeal against an academic decision upheld (e.g. a CGS mark) would be advised that the decision in question would be returned to the examiners for review. This is because a decision of the examiners can only be altered by the examiners (see Academic Judgement above). The examiners would be invited to re-consider their academic judgement in light of the grounds of appeal and of the Appeal Panel's decision and will only be asked to do so where it can be shown that they have not followed correct procedures or that their decision was perverse (again, see Academic Judgement above). Students should note that in reviewing an academic decision the examiners may decide not to revise an award, or may revise it up or down.

Senate: the Senatus Academicus (or University Senate) is the supreme academic body of the University of Aberdeen.

Students' Association: the Aberdeen University Students' Association (AUSA) is the organisation that represents and serves the interests of all Aberdeen University students. It is an independent body to the University but works closely with it.

University Court: the University Court is the supreme governing body of the University of Aberdeen.

University Partnership Agreement: a partnership stating the expectations, on both sides, of the relationship between the University and its students.

Vexatious: where an action that has been deemed to be without merit is pursued with undue persistence or is pursued in a manner that harasses a member of University staff or a fellow student.

¹ For the purposes of this policy, the term 'undergraduate student' includes students registered on the Professional Graduate Diploma in Education

Annex A

OUTLINE OF PROCEDURES: MEETING WITH A HEAD OF SCHOOL

The Head of School (or nominee) has an obligation to ensure that appeals made by students are fully and properly explored.

On receiving a Form for Appeals and Complaints from Registry, the Head of School will arrange to meet with the student, and such additional staff members as are required, to seek resolution of the matter. An administrator will also be present to take notes of the meeting.

During an appeal meeting the Head of School will ensure that all statements made are substantiated and are made in an appropriate manner. Where the Head of School believes that any written or verbal statement is inappropriate, derogatory or defamatory he or she will ask that such statements are retracted and/or rephrased.

The procedure to be followed at an appeal meeting with the Head of School will be kept as informal as possible but will include the following:

1. The Head of School will ensure that all of those present, including any representatives, are introduced at the start of the meeting.
2. The Head of School will invite the student (or his/her representative) to make an opening statement based on the written grounds of the appeal.
3. The Head of School may address questions to the student (and/or his/her representative).
4. The Head of School will then invite any member of staff present (or his/her representative) to comment on the circumstances of the case.
5. The Head of School may address questions to the member of staff (and/or his/her representative).
6. The Head of School will invite the student (or his/her representative) to address questions to the member of staff (or his/her representative).
7. The Head of School will invite the member of staff (or his/her representative) to address questions to the student (or his/her representative).
8. The Head of School will invite the staff member (or his/her representative) and the student (or his/her representative) to make a closing statement.
9. When the Head of School is satisfied that no party or respective representative has any further question to ask or statement to make, the Head of School will ask all parties to leave the room while he or she considers the outcome of the meeting.
10. The Head of School's decision, including any proposed remedy, will be conveyed in writing to the student, and where appropriate any member(s) of staff, within three working days of the meeting. The outcome and any proposed remedy will be recorded on Part B of the Form for Appeals. The Head of School/Service should address **all points** raised by a student within their appeal within Part B. It will also include the procedure and grounds for further appeal to an Appeal Panel.

Annex B

OUTLINE OF PROCEDURES: APPEAL PANEL HEARING

A University Appeal Panel has powers delegated to it by the University Senate and Court to hear and decide on student appeals and to apply such remedies as it considers appropriate.

The Panel Convener has an obligation to ensure that appeals made by a student are fully and properly explored. During an Appeal Panel hearing, the Panel Convener is responsible for ensuring that all statements made are substantiated and are made in an appropriate manner. Where the Panel Convener believes that any written or verbal statement is inappropriate, derogatory or defamatory he or she will ask that such statements are retracted and/or rephrased.

The procedure to be followed at an Appeal Panel hearing will be kept as informal as possible but will include the following:

1. The Panel Convener will introduce the Panel members to the student and/or, where in attendance, the student's representative and witness(es).
2. The Panel Convener will invite all other University staff in attendance to introduce themselves to the Panel and to the student (and/or his or her representative).
3. The Panel Convener will outline the procedure to be followed.
4. The Panel Convener will ask any witness(es) to wait outside the hearing room until called.
5. The Panel Convener will invite the student (or his/her representative) to make an opening statement and the Panel will have an opportunity to ask the student (and/or his/her representative) questions.
6. The Panel Convener will invite the Head of School (or nominee) to comment on the case and the Panel will have an opportunity to ask the Head of School or Service (or nominee) questions.
7. The Panel Convener will call, where relevant, any witness(es) named by the student for questioning by the Panel. The witness(es) will be asked to leave the room after answering questions.
8. The Panel Convener will call, where relevant, any staff witness(es) invited by the Head of School or the Panel for initial questioning by the Panel. The student (or his/her representative) will be given an opportunity to question the witness(es). The witness(es) will be asked to leave the room after answering questions.
9. The Panel Convener will invite the student (or his/her representative) to make a concluding statement.
10. Once the Panel Convener is satisfied that no parties or representative has further questions to ask or statements to make, he or she will invite all parties, except the Panel members and the Case Officer, to leave the room while the Panel considers its decision.
11. The decision of the Panel, including any proposed remedy will, where possible, be communicated to the student and Head of School or Service verbally on the day of the hearing. It will be provided in writing to all relevant parties within three working days.
12. The decision of the Panel is final and is not subject to further appeal within the University. The student will be provided with detail of the Scottish Public Services Ombudsman's procedure for conducting external review of the University's handling of the appeal.