

T44 There is an academic appeals process available to undergraduate and taught postgraduate students. This cannot be used to challenge academic judgement.

Academic Appeals for students on taught programmes

- T44.1 The Head of Student Conduct and Appeals (HoSCA) holds delegated responsibility for the Appeals process from the Director of Students and Education.
- T44.2 Other than the below, no decision of a Faculty Assessment Board (FAB), acting in accordance with College regulations, may be modified.
- T44.3 The appeals process cannot be used to challenge academic judgment; appeals based on academic judgment will not be considered.
- T44.4 It is expected that all parties involved in an academic appeal will act reasonably and fairly, and treat the process in a respectful manner. If inappropriate behaviour is displayed, action may be taken.
- T44.5 The College may pause or stop the consideration of any appeal submitted where the student is suspected to be in breach of the Misconduct Regulations (G27) or the Fitness for registration and Fitness to Practise Regulations (G29), and action should be taken under those regulations.
- T44.6 If an appeal contains matters which fall under the Student Complaints Regulations (G31), consideration of the appeal may be paused until the complaints process is complete. In such cases, the findings of the complaint investigation may be considered as evidence for the appeal.
- T44.7 Group appeals are permitted. In the first instance a group should raise any issues with the programme lead via their student representative or a nominated member of the group. If the matter is not resolved, the nominated student will then submit the appeal and communicate with the College on behalf of the group. Any outcome of an appeal will apply to all members of the group.

Stage One Appeal

- T44.8 Students should submit a Stage One Appeal Form within 21 days of the release of ratified results. Appeals received after this deadline will only be accepted at the discretion of the HoSCA.
- T44.9 A student may appeal on either or both of the following grounds:
- where there is evidence that assessment(s) may have been adversely affected by mitigating circumstances which the student was unable, or for valid reasons unwilling, to make known before the original decision was reached;
 - where there is clear evidence that assessment(s) may have been adversely affected by a significant administrative error on the part of the College or in the conduct of the assessment.
- T44.10 A Stage One appeal may be rejected before forwarding to the FAB for consideration in the following circumstances:
- where the appeal is not made on the correct form, or the form is incomplete;
 - where the appeal has been submitted late;
 - where, if appealing on ground T44.9 a), there is no independent third party evidence of the mitigating circumstances; or the evidence provided is not a certified translation;

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- d) where the appeal contains no evidence that either of the grounds for review has been met;
- e) where the appeal is frivolous or vexatious; and/or
- f) where the appeal does not fall within the scope of this regulation and should be considered under an alternative regulation.

T44.11 If the appeal is rejected at this stage a student can contest this decision but is not able to submit additional evidence.

T44.12 Any contestation submitted must be submitted to the HoSCA within 7 days of the date of notification of the decision. The HoSCA will consider whether the decision to reject the appeal was made in accordance with these regulations. If the contestation is accepted, the appeal will be passed to the FAB for consideration. If the contestation is rejected, there are no further opportunities for the appeal to be considered.

T44.13 The FAB will normally consider the appeal and report its decision to the HoSCA within 42 days of the release of results.

T44.14 The FAB will decide whether the grounds for appeal have been met or not. Where the ground(s) have been met, the Board will decide whether to modify or confirm its original decision. Where the ground(s) have not been met, the original decision of the Board stands. The Board may also reject the appeal on any of the filter grounds set out in T44.10, or where the student has challenged academic judgment.

T44.15 A written statement confirming the decision of the Board and the reasons for this will be prepared by the Chair of the Board. This statement should be sent to the HoSCA and included in the outcome letter which is sent to the student.

Stage Two Appeal

T44.16 Students may appeal the decision of a FAB on either or both of the following grounds:

- a) the FAB's handling or consideration of the case was not undertaken in accordance with the procedure outlined in these regulations; and if sufficient evidence remains that the request for a review warrants further consideration;
- b) giving due consideration to the evidence and representations previously provided, the decision of the FAB was unreasonable.

T44.17 Students should submit a Stage Two Appeal Form within 14 days of the Stage One Appeal outcome. Appeals received after this deadline will only be accepted at the discretion of the HoSCA.

T44.18 New evidence submitted as part of a Stage Two Appeal will not normally be considered.

T44.19 The HoSCA will normally advise the student in writing of their decision on the appeal request within 42 days of receipt. If it is determined that an appeal should be heard, and Appeal Committee will be arranged in accordance with the Appeal Committee Structure.

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Stage Two Appeal – Appeal Committee

- T44.20 The student may be represented at the Appeal Committee by another College member or a member of the student's professional organisation (where applicable) or a member of the King's College London Students' Union (KCLSU).
- T44.21 Additionally, the student may be accompanied by a family member or a friend who will not be able to speak on the student's behalf, unless this is a reasonable adjustment, such as a sign language communicator or interpreter.
- T44.22 If the student is to be represented or accompanied, the name of the person who is to attend must be received in writing by the HoSCA at least 48 hours in advance of the Committee. The Chair of the Appeal Committee may accept or reject a request, and their decision will be final. The Chair may refuse to permit a representative, friend or family member to attend where 48 hours' notice has not been received.
- T44.23 Written notice of the Committee will normally be sent to the student, together with the names of the Committee members and the Chair, and all documentary evidence, at least 14 days before the Committee date. Any concerns regarding documentation or membership of the Committee should be raised in writing by the student at the earliest opportunity to the HoSCA.
- T44.24 New evidence that has not already been submitted as part of the appeal will not normally be considered by the Appeal Committee. Should either party wish to submit new evidence this must be done at least seven days before the Committee date. The Chair of the Appeal Committee may accept or reject new evidence, and their decision will be final.
- T44.25 The Appeal Committee shall consider the documentary evidence, and invite the student and the FAB Chair (or their nominee) to give evidence. Other persons shall be asked to attend to give evidence if the Committee wishes.
- T44.26 The absence of the student or the Chair of the FAB will not prevent the Committee from taking place nor invalidate the proceedings. In the event that a student has indicated they will attend but then cannot do so for good reason, an adjournment would generally be considered.
- T44.27 The Appeal Committee will determine whether there is sufficient reason to challenge Stage One Appeal outcome. If there is sufficient reason, the Appeal Committee can set aside the decision of the FAB and replace it with one of its own, or it can refer the case back to the FAB for fresh consideration with commentary. If there is insufficient reason, the appeal will be dismissed and the outcome of the Stage One Appeal will stand.
- T44.28 Where an appeal is upheld, the Appeal Committee may set aside an attempt at an assignment or module and permit the student to be re-assessed in any specific assessment or specific module, not limited to those listed by the student in their appeal. The Appeal Committee has the discretion to consider other decisions, but these must comply with the College regulations and the relevant programme requirements.

T44 ACADEMIC REGULATION (APPENDIX)

2018/19

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- T44.29 An Appeal Committee is not a FAB, and cannot raise marks in assignments or modules, amend marks from fail to pass, raise degree classifications or make awards. If a successful appeal is regarding an award or classification the student's appeal will be referred back to the relevant FAB for reconsideration.
- T44.30 The decision of the Appeal Committee is be final. There is no further right to appeal and no right to appeal against the decision of the FAB if the case has been referred back to the Board.
- T44.31 The decision of the Appeal Committee shall normally be communicated in writing by the HoSCA to the student, and the Chair of the FAB, within seven days of the decision of the Appeal Committee.
- T44.32 Students have no automatic right to continue with their studies or to progress to the next stage of their programme pending the outcome of an appeal; the Faculty may exercise their discretion to allow this attendance, if applicable and permitted by the programme regulations.

Useful Links

[Office of the Independent Adjudicator \(OIA\)](#)

[Data Protection Policy](#)

[Academic appeals for students on research degree programmes \(R17\)](#)

[Misconduct \(G27\)](#)

[Appeal Committee Structure](#)

[Student Complaints \(G31\)](#)

[Student Conduct and Appeals webpages](#)

[Glossary](#)

Exemptions: not anticipated. For advice contact appeals@kcl.ac.uk.