

## **CHAPTER 7: ACADEMIC SUPPORT AND APPEALS**

*The following regulations are subject to regular review and updated versions apply irrespective of the year of a student's registration.*

This section outlines the regulations, policies and procedures in place to support students during their studies at King's. This includes information on:

- Personalised Assessment Arrangements
- Mitigating Circumstances
- Support for Study
- Academic Appeals

In accordance with the Equality Act 2010, the College will consider any reasonable adjustments to these regulations to take into account the needs of individual students.

### **Personalised Assessment Arrangements**

- 7.1. Students may apply for Personalised Assessment Arrangements in certain circumstances and depending on qualifying criteria currently published [here](#).
- 7.2. Provision may be made for a student to undertake an alternative format of assessment, if the Personalised Assessment Arrangements Applications Panel, in consultation with the Assessment Sub-Board, considers the original format of the assessment to be impracticable for that student, or the duration of the examination, with any additional arrangements in place, would extend over 4.5 hours.

### **Mitigating Circumstances**

- 7.3. Where recognisably disruptive or unexpected events beyond the student's control might have a significant and adverse impact on their academic performance, a student should submit a mitigating circumstances form and consult the [Mitigating Circumstances Policy](#).

### **Support for Study**

- 7.4. There may be occasions where a student's physical or mental health may give rise to concerns about the student's support for study and capacity to engage with their studies or about the appropriateness of their behaviour in relation to the university community. Where this is considered to be the case, the College may interrupt a student if it is in the best interests of the student or the King's community.
- 7.5. The aim of [Support for Study Policy](#) is to enable a student to succeed and progress in a supportive environment, whilst being mindful of the need to ensure safety and wellbeing of the student themselves and of other university members.

### **Academic Appeals for undergraduate and postgraduate taught students**

- 7.6. Undergraduate and postgraduate taught students may submit an academic appeal. This cannot be used to challenge academic judgement.
- 7.7. Postgraduate Research Students should refer to section 6.15 in the Framework for Postgraduate Research Awards for the two academic appeals processes available:

- a. to appeal the PhD upgrade and MD(Res) transfer decisions;
  - b. to appeal the outcome of the thesis and oral examination.
- 7.8. The Head of Student Conduct and Appeals (HoSCA) holds delegated responsibility for the appeals process from the Director of Students and Education.
- 7.9. Other than the below, no decision of an Assessment Sub-Board, acting in accordance with College regulations, may be modified. The appeals process cannot be used to challenge academic judgment; appeals based on academic judgment will not be considered.
- 7.10. Marks will never be raised following an academic appeal based on regulation 7.17a.
- 7.11. 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.
- 7.12. The College may pause or stop the consideration of any appeal submitted where students are suspected to be in breach of regulation 8.26 (Misconduct) or regulations 8.27-8 (Fitness to Practise), and action should be taken under those regulations.
- 7.13. If an appeal contains matters which fall under regulations 8.37-8 (Student Complaints), 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.
- 7.14. Group appeals are permitted. 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.

#### *Collaborative Provision*

- 7.15. Where students from another institution takes an intercollegiate module with the College as the host institution, the College will manage the academic appeal process under these regulations.

#### *Stage One Appeal*

- 7.16. Students should submit a Stage One Appeal Form within 15 working days of the release of ratified results. Appeals received after this deadline will only be accepted at the discretion of the HoSCA.
- 7.17. Student may appeal on either or both of the following grounds:
- a. where there is evidence that assessment(s) may have been adversely affected by mitigating circumstances which they were unable, or for valid reasons unwilling, to make known before the original decision was reached;
  - b. 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.

- 7.18. Students who are dissatisfied with the outcome of the mitigating circumstances process, may submit an academic appeal once their results have been ratified on either or both of the following grounds:
- a. that there is new evidence that could not have been, or for good reason was not, made available at the time of the submission of the mitigating circumstances form and that sufficient evidence remains that their mitigating circumstances warrant further consideration;
  - b. that evidence can be produced of significant procedural error on the part of the College in the consideration of the mitigating circumstances, and that sufficient evidence remains that the original mitigating circumstances warrant further consideration.
- 7.19. A Stage One appeal may be rejected before forwarding to the Assessment Board for consideration in the following circumstances:
- a. where the appeal is not made on the correct form, or the form is incomplete;
  - b. where the appeal has been submitted late;
  - c. where, if appealing on grounds of 7.18 (a) there is no independent third-party evidence of the mitigating circumstances; or the evidence provided is not a certified translation;
  - 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.
- 7.20. If the appeal is rejected at this stage a student can contest this decision but is not able to submit additional evidence.
- 7.21. Any contestation submitted must be submitted to the HoSCA within 5 working 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 Assessment Board for consideration. If the contestation is rejected, there are no further opportunities for the appeal to be considered.
- 7.22. The Assessment Board will normally consider the appeal and report its decision to the HoSCA within 30 working days of the release of results.
- 7.23. The Assessment Board 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 the original decision made by the Assessment Sub-Board. Where the ground(s) have not been met, the original decision of the Assessment Sub-Board stands. The Board may also

reject the appeal on any of the filter grounds set out in regulation 7.19, or where students have challenged academic judgment.

- 7.24. 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*

- 7.25. Students may appeal the decision of an Assessment Board on the following grounds:
- a. that there is new evidence that could not have been, or for good reason was not, made available at the time of the Stage One submission and that sufficient evidence remains that the appeal warrants further consideration; and/or
  - b. that evidence can be produced of significant procedural error on the part of the College in considering the appeal, and that sufficient evidence remains that the appeal warrants further consideration; and/or
  - c. giving due consideration to the evidence and representations previously provided, the decision of the Assessment Board was unreasonable.
- 7.26. Students should submit a Stage Two Appeal Form within 10 working days of the Stage One Appeal outcome. Appeals received after this deadline will only be accepted at the discretion of the HoSCA.
- 7.27. The HoSCA (or their nominee) will normally advise students in writing of their decision on the appeal request within 30 working days of receipt. If it is determined that an appeal should be heard an Appeal Committee will be arranged in accordance with the Appeal Committee Structure.

#### *Stage Two Appeal – Appeal Committee*

- 7.28. Students 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.
- 7.29. Additionally, students 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.
- 7.30. If students are 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.
- 7.31. Written notice of the Committee will normally be sent to students, together with the names of the Committee members and the Chair, and all documentary evidence, at least 10 working days before the Committee date. Any concerns regarding documentation or membership of the Committee should be raised in writing, by students at the earliest opportunity to the HoSCA.

- 7.32. 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 5 working days before the Committee date. The Chair of the Appeal Committee may accept or reject new evidence, and their decision will be final.
- 7.33. The Appeal Committee shall consider the documentary evidence and invite the student and the Assessment Board Chair (or their nominee) to give evidence. Other persons shall be asked to attend to give evidence if the Committee wishes.
- 7.34. The absence of the student or the Chair of the Assessment Board will not prevent the Committee from taking place nor invalidate the proceedings. If a student has indicated they will attend but then cannot do so for good reason, an adjournment would generally be considered.
- 7.35. 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 Assessment Board and replace it with one of its own, or it can refer the case back to the Assessment Board 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.
- 7.36. 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.
- 7.37. An Appeal Committee is not an Assessment Board, 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 Assessment Board for reconsideration.
- 7.38. The decision of the Appeal Committee is final. There is no further right to appeal and no right to appeal against the decision of the Assessment Board if the case has been referred back to the Board.
- 7.39. The decision of the Appeal Committee shall normally be communicated in writing by the HoSCA to the student, and the Chair of the Assessment Board, within 5 working days of the decision of the Appeal Committee.
- 7.40. 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.

## **Policies and Procedures**

[Support for Study Policy](#)

[Misconduct Policy and Procedure](#)

[Proofreading Policy](#)

[Mitigating Circumstances Policy](#)

[Student Complaints Policy](#)

**Useful Links**

[Student Conduct and Appeals webpages](#)

[Office of the Independent Adjudicator](#)

[Academic appeals for research students](#)

[Student Conduct and Appeals Committees \(Appendix A\)](#)

[Glossary](#)