



University  
of Dundee

# **UNDERGRADUATE AND POSTGRADUATE APPEALS PROCEDURE REGULATIONS - GUIDANCE NOTE**

**Student Guide**

**March 2021**

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# Definitions

We use capitalised terms in this document and this is what they mean.

AAP	means the University's Senate Academic Appeals Procedures (in accordance with the Senate Regulations for both Undergraduate or Postgraduate students).
The Committee	means the Undergraduate Appeals Committee or the Postgraduate Appeals Committee (as appropriate)
The Convener	The Convener is the chairperson of the Committee and is normally a Vice-Principal or equivalent of the University.
Dean	The Dean of your School
PG	means postgraduate
Regulation	The University's Regulations on UG/PG appeals found at: <a href="https://www.dundee.ac.uk/governance/discipline-complaints-appeals/appeals">https://www.dundee.ac.uk/governance/discipline-complaints-appeals/appeals</a>
School	The current School in which you are enrolled for your relevant course
Senate	The Committee which regulates the academic work of the University (also known as the Senatus Academicus)
UG	means undergraduate

# ALL STUDENTS SHOULD ATTEMPT TO RESOLVE THEIR APPEAL WITH THE DEAN OF THEIR SCHOOL IN THE FIRST INSTANCE BEFORE USING THE AAP.

## 1. Introduction

### 1.1 Purpose of this guidance

- 1.1.1 The purpose of this guidance is to promote consistency and transparency in the application of the AAP.
- 1.1.2 This guidance will not cover appeals from UG students against the termination of their studies.
- 1.1.3 This guidance is not intended to be exhaustive and requires to be read in conjunction with the AAP. It is not to be seen as a replacement of the AAP. It may be updated from time to time and any changes will be communicated.
- 1.1.4 All questions below relate solely to the AAP.

## 2. What is an academic appeal?

- 2.1 An academic appeal is a request for a review of the decision of an academic body charged with making decisions on student progression, assessment and awards.
- 2.2 The AAP shall consider the following appeals by students:
  - (a) failing to pass assessments;
  - (b) concerning the grade or grades awarded for assessments including final Honours degree classifications;
  - (c) whose studies have been discontinued by the Senate in terms of Regulation 3 of the Admission of Research Students Regulations (research students only);
  - (d) non-award of a PG degree following submission of a thesis or dissertation.

## 3. What grounds can I appeal upon?

- 3.1 Your appeal must be based upon one or more of the following: (UG Regulation 6(3) and PG Regulation 7.2 refer)
  - (a) extenuating circumstances\* affecting your performance and of which the examiners were unaware when their decision was taken, or

**\*Note:** *Extenuating circumstances shall not include your illness at the time of the examination unless a medical certificate has been submitted to the head of the department either before the examination or within seven days thereafter. (UG Regulation 8(1) and PG Regulation 9.1 refer)*

- (b) procedural irregularities (including administrative error) in the conduct of a written or oral examination of such a nature as to give rise to reasonable doubt whether the examiners would have reached the same conclusion had they not occurred, or
  - (c) prejudice or bias on the part of one or more of the examiners.
- 3.2 If your appeal is not based on one or more of the above grounds, then your appeal cannot be considered under the AAP.

## SENATE ACADEMIC APPEAL PROCESS

### 4. Stage 1 – Starting your appeal under the AAP

**YOU MUST HAVE AN OUTCOME LETTER FROM YOUR SCHOOL REGARDING AN UNSUCCESSFUL ACADEMIC APPEAL BEFORE USING THE AAP.**

#### 4.1 Time limit to raise an appeal

- 4.1.1 There is a 4-week time limit from the date of the rejection of your academic appeal at School level to raising an appeal under the AAP. Any appeals received after this date will be rejected unless there are exceptional circumstances. (UG Regulation 7(1) and PG Regulation 8 refer)

#### 4.2 How do I make an appeal?

- 4.2.1 We recommend you complete the [online appeal form](#).
- 4.2.2 All of the information required by the University for us to consider your appeal as quickly and as efficiently as possible is contained within the online appeal form.
- 4.2.3 Alternatively you can submit a letter or email using the template on our website <https://www.dundee.ac.uk/governance/discipline-complaints-appeals/appeals>.
- 4.2.4 The [online appeal form](#) will automatically be submitted to the University Secretary or their nominee who will process your appeal under the relevant AAP. If you use a letter, please address it as noted at <https://www.dundee.ac.uk/governance/discipline-complaints-appeals/appeals> together with all supporting evidence.

#### 4.3 What are the grounds for appeal?

- 4.3.1 Your appeal will only be considered if it is based on the allegations as listed in paragraph 3 above.
- 4.3.2 If you do not provide the grounds for appeal or the basis of your allegations, as set out in the online appeal form or within your written appeal, the University will not consider your appeal and it will not be taken further.
- 4.3.3. You must state all the grounds on which you consider that the decision should be changed, the remedy which you seek and whether you would wish to attend and

Speak at a hearing (if successfully meeting the grounds of appeal). (UG Regulation 7(2) refers)

## 5. Stage 2 - How will your appeal be managed?

### 5.1 Satisfying the grounds of appeal

- 5.1.1 Once we have received your appeal within the stated timescale (see paragraph 4.1 above) we will check to see if it satisfies the grounds of appeal and notify you of the outcome - typically via email.
- 5.1.2 If your appeal is rejected by the University your appeal will not be taken further.
- 5.1.3 Where the grounds of appeal have been met, your appeal will be considered at Stage 3 - Hearing.

## 6. Stage 3 - Hearing

### 6.1 What is the Hearing?

- 6.1.1 The Committee shall listen and decide on your case at the Hearing.
- 6.1.2 The Committee can obtain all information or opinions it may consider helpful in coming to a decision. This may include:
- an account of your progress; and/or
  - the procedures already carried out in the matter (including how the original School decision was reached) (UG Regulation 9 and PG Regulation 5 refer)

### 6.2 When will the Hearing take place?

- 6.2.1 A date will be fixed to hear your appeal by the University. We will give you at least 2 weeks' notice of the date on which the Committee will hear your appeal.
- 6.2.2 This notice will be sent to you usually by email.

### 6.3 What are my rights at the Hearing?

- 6.3.1 UG student: you can attend the hearing in person if you wish to do so. If you intend to attend and speak at the Hearing you can ask to be accompanied (UG Regulation 8(3) refers).
- 6.3.2 PG student: you can: (PG Regulation 9.3 refers)
- (1) be present at the Hearing and be accompanied, or be represented,
  - (2) call witnesses,
  - (3) examine opposing witnesses, and

- (4) give oral and/or documentary evidence: provided that a copy of any document to be produced shall be lodged with the University not less than 48 hours before the Hearing.

## 6.4 What will happen at the Hearing?

6.4.1 See Annex 1 - on how the University will conduct the Hearing.

## 6.5 What outcomes might the Hearing make?

### 6.5.1 UG student

- reject your appeal; or
- dismiss the appeal if they consider that you have not suffered material prejudice; or
- uphold the appeal and order whatever remedy it deems fair in the circumstances.

### 6.5.2 PG student

- reject your appeal; or
- uphold your appeal and recommend, as appropriate, that you be permitted:

- (1) to take the written examination or practical assessment again, or
- (2) to revise and resubmit their thesis or dissertation, or
- (3) to resume their research.

The Committee may impose any conditions on you as they deem appropriate in upholding the appeal.

If the Committee upholds an appeal on the grounds of prejudice, bias or inadequate assessment, it shall direct that the committee of examiners be replaced by a new committee to re-examine the candidate's work. (PG Regulation 10.2 refers)

**THE DECISION OF THE COMMITTEE WILL BE FINAL AND NO FURTHER OPPORTUNITY FOR AN APPEAL WILL BE GIVEN.**

## The Hearing

The Convener will ensure the members of the Committee and yourself:

- have copies of all relevant documents relating to the case
- are aware of the proceedings to be followed
- and that you have had the opportunity to be accompanied.

The Convener will introduce by name the members and others and explain their function and the matter(s) under consideration.

The Convener will confirm names and designations of witnesses who have been asked to attend and will emphasise the hearing should be conducted in an atmosphere of respect and courtesy even where the any parties appear to be in opposition to each other.

The Convener will invite you to introduce your representative if appropriate.

The Convener will explain the remit of the Committee and under which of the 3 grounds of appeal the Hearing is taking place:

- (a) extenuating circumstances affecting your performance and of which the examiners were unaware when their decision was taken, or
- (b) procedural irregularities (including administrative error) in the conduct of a written or oral examination of such a nature as to give rise to reasonable doubt whether the examiners would have reached the same conclusion had they not occurred, or
- (c) prejudice, or bias on the part of one or more of the examiners.

The Convener will invite you (or your representative) to put forward your case.

The Convener will invite the Committee members to ask questions.

The Convener will invite any other person (i.e. School Representative) individually to attend the whole meeting and to make a brief statement of their involvement and outline the School's position.

The Convener will invite the Committee members to ask any questions and also ask if you have any questions, you would like clarified

Once the Convener is satisfied the Committee has completed questioning and you and any other witness called have had a full opportunity to convey information to the Committee, you will be invited to put forward a summary to conclude.

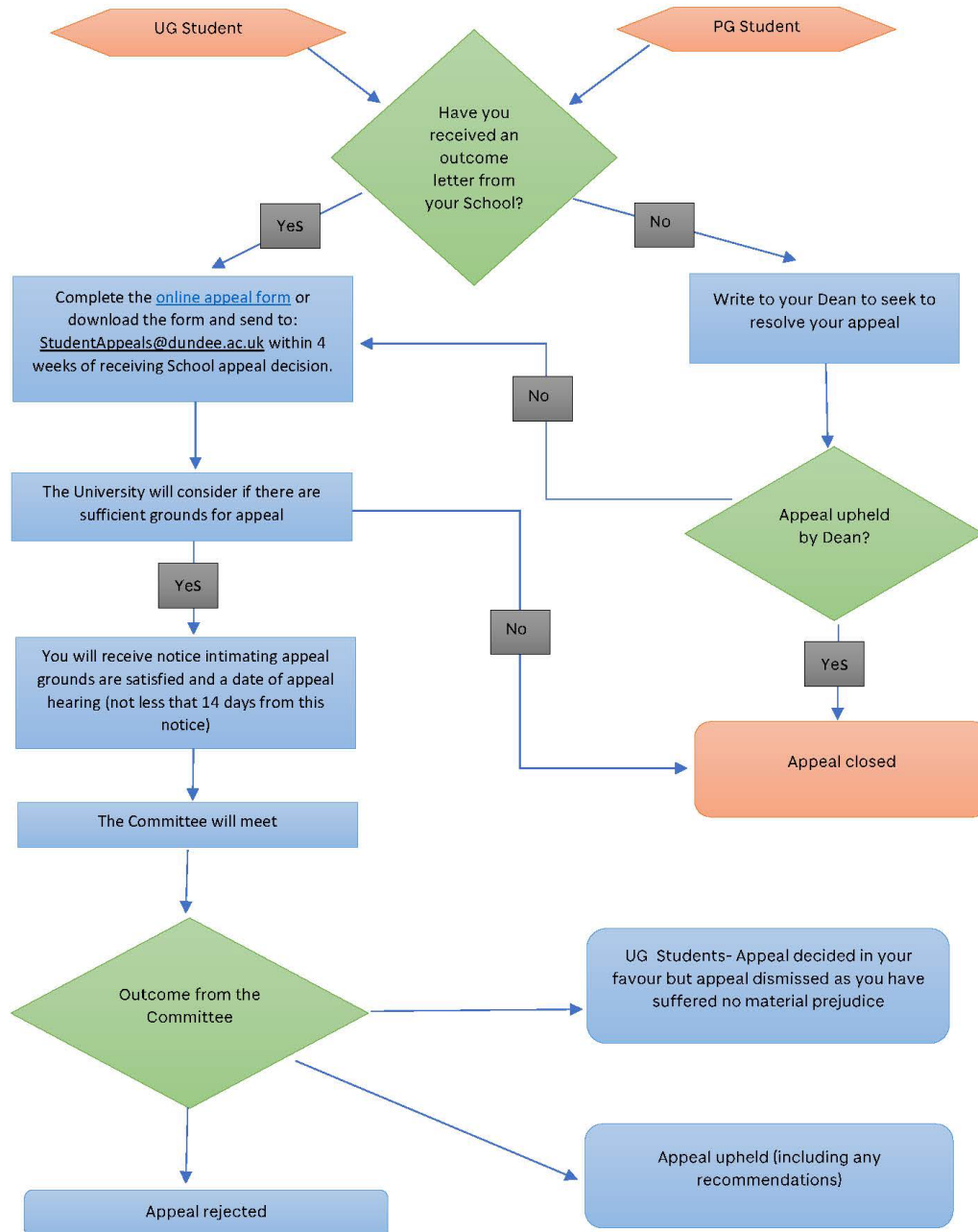
Convener will convey the possible outcomes available to them for instance:

- to uphold appeal on one of the three grounds outlined and decide appropriate action of redress
- not to uphold the appeal on any of these grounds.

The Committee will retire to consider its decision.



AAP Flowchart



For illustration only