

Student Appeals

CANDIDATE GUIDANCE NOTES

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Preamble

The College of Estate Management often has to take decisions that affect you personally, perhaps to do with an admissions decision, a credit transfer claim, an academic misconduct offence or an award of a course result. If you think that your case has not been properly considered or that a decision is unfair, you have the right to query and then to appeal against it.

This document explains the general procedure for querying and appealing against College decisions from the following boards:

- The Admissions Committee
- The Academic Misconduct Committee
- The Examination Results Board

These are collectively referred to in this document as regulatory committees.

Definition

An appeal is 'a request for a review of a decision taken by an individual or academic body charged with making decisions about students' progression, assessment, and awards'.

A complaint is 'an expression of dissatisfaction concerning the provision of a programme of study or related academic or administrative service, when the complainant has drawn his or her concern to the attention of the College and is not satisfied with the response'.

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Please ensure that you are following the correct procedure based on the nature of your grievance. If your grievance meets the criteria for a complaint rather than an appeal, the guidance notes for complaints can be found on your VLE under the Academic Support tab, College Policies.

Introduction

The appeals regulations may be different depending on the awarding body of your course. The different awarding bodies of CEM courses are:

Course	Awarding Body
BSc in Building Services QS Practice	University of Reading
BSc in Building Surveying	University of Reading
BSc in Construction Management	University of Reading
BSc in Estate Management	University of Reading
BSc in Property Management	University of Reading
BSc in Quantity Surveying	University of Reading
Diploma in Shopping Centre Management	College of Estate Management
Diploma in Construction Practice	College of Estate Management
Diploma in Surveying Practice	College of Estate Management
CEM PG Dip in Surveying (Graduate Development Programme)	College of Estate Management
UoR PG Dip in Surveying (Graduate Development Programme)	University of Reading
MSc in Surveying (Graduate Development Programme)	University of Reading
MBA in Construction & Real Estate (course commenced September 2010 onwards)	Open University
MBA in Construction & Real Estate (course commenced prior to September 2010)	University of Reading
PG Diploma in Project Management	College of Estate Management
MSc in Real Estate	University of Reading
PG Diploma in Adjudication	College of Estate Management
PG Diploma in Arbitration	College of Estate Management
CEM PG Diploma in Conservation of the Historic Environment	College of Estate Management
UoR PG Diploma in Conservation of the Historic Environment	University of Reading
MSc in Conservation of the Historic Environment	University of Reading
CEM PG Diploma in Facilities Management	College of Estate Management
UoR PG Diploma in Facilities Management	University of Reading
MSc in Facilities Management	University of Reading
CEM PG Diploma in Property Investment	College of Estate Management
UoR PG Diploma in Property Investment	University of Reading
MSc in Property Investment	University of Reading

If you are on a College of Estate Management Course you should follow the instructions contained in this document.

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If you are an Open University student you should firstly follow the instructions in this document. However, if, after you have exhausted the College's procedures, your appeal has not been resolved in a satisfactory manner, you retain the right to further appeal to the Open University. Information for this can be found at www.open.ac.uk/validate

If you are a University of Reading student then for appeals against decisions of the Academic Misconduct Committee or the Examination Results Board you should follow the University of Reading regulations and in the first instance should contact the Faculty Director of Teaching & Learning at o.b.kennedy@reading.ac.uk If your appeal is against a decision of the Admissions Committee, then you should follow the instructions in this document.

The regulations for your course make provision for you to appeal, in circumstances explained in these Notes, against a decision of the relevant regulatory committee. If you have legitimate grounds for an appeal the procedure enables the decision to be reconsidered by an independent body. The purpose of these Guidance Notes is to set out the criteria which must be met before an appeal will be considered and to detail the appeals procedure. To assist you to decide whether or not to proceed with an appeal the Notes also respond to some of the concerns which have been raised and misunderstandings held by students in the past.

Note that all appeals must be made within **28 days** of receiving the decision of a regulatory committee. Any appeal received outside of this time, unless accompanied by valid reasons for late submission, will not be considered.

Terms of reference for the regulatory committees can be found on your VLE under the Academic Support tab, College Policies.

Section 1 - Your decision whether to appeal – general guidance

The following notes may be helpful to you in deciding whether or not to appeal:-

1.1 Admissions Committee

- 1.1.1 It is possible for a student to feel that they should have been given more exemptions. The Admissions Committee considers the level of study previously undertaken and the content of the modules therein when assessing exemption. They are only able to make decisions based on the certified information provided and not on the word of an applicant.
- 1.1.2 Entry requirements for College courses are detailed in the prospectus and on the website. Applicants who do not meet these criteria are considered by the Admissions Committee. Where the Committee is unable to grant admission to a course, an alternative is normally recommended. Where this is not possible applicants will be given advice to upgrade their application.

1.2 Academic Misconduct Committee

1.2.1 When considering each case, the Academic Misconduct Committee will consider the intent to deceive, the extent of misconduct, the students' response to the right of reply, and the evidence gathered as well as any previous academic misdemeanours before deciding whether a penalty is appropriate. In short the Committee will seek to assess whether there is an attempt to cheat the learning process.

1.3 Examination Results Board

1.3.1 It is possible that you may perform badly in an examination for a variety of reasons, but be unaware of it. The reasons include misreading a question, omitting key points in an answer, or simply misunderstanding the examination instructions. Because the time available and pressures experienced are quite different, it is not unusual for a candidate's examination performance to be in sharp contrast to that demonstrated in coursework. In the case of an examination, the examiner can only make a judgement upon the script submitted, and in doing so will seek evidence that you have sufficient grasp of the subject to enable a pass to be awarded in accordance with the marking scheme for the paper.

1.3.2 To ensure consistency of assessment, the examination process incorporates scrutiny by independent External Examiners who are specialists in the subjects examined and who are usually either experienced academics or practitioners. They are not members of the College staff. All examination scripts and coursework records are made available to the External Examiners and particular attention is paid to borderline cases to ensure that no injustice has occurred. Additionally, the examination regulations make provision for results to be checked to ensure that no arithmetical or administrative error has occurred.

1.4 General

1.4.1 The Independent Appeals Board normally meets twice a year. You should therefore consider the implication of awaiting a decision as, if your appeal is not successful, the delay may inhibit your progress on your course.

Section 2 Matters which will not be considered as legitimate grounds for appeal

It is not unusual for the perception of candidates and regulatory committees to differ on the decision made. **No appeal will be considered to be legitimate solely because you are disappointed by or disagree with the decision.** Further, the Independent Appeals Board will not consider appeals which are based upon:-

2.1 Admissions Committee

- 2.1.1 a colleague/friend has received an exemption but the applicant has not.
- 2.1.2 how long the length course will be with or without exemptions.
- 2.1.3 the fact that exemption or admission is not granted based purely on experience (unless stated in prospectus).
- 2.1.4 the fees due based on lack of exemptions.

2.2 Academic Misconduct Committee & Examination Results Board

- 2.2.1 the pressure of work in your employment during the build-up to a submission or examination date;
- 2.2.2 the effect of the result on your employment;
- 2.2.3 any difficulty you may envisage due to a later than anticipated course completion date;
- 2.2.4 any effect on your family life.

Section 3 Matters which will normally be considered as legitimate grounds for appeal

The grounds upon which you base your appeal are for you to decide, but there are some categories of circumstances where an appeal could legitimately arise, only if they have not previously been notified to the relevant regulatory committee:-

3.1 Admissions Committee

- 3.1.1 Evidence for exemption/admission that was not available to the Committee when making its decision.
- 3.1.2 An administrative shortcoming on behalf of the College such as incorrect notification of entry requirements or dates.

3.2 Academic Misconduct Committee

3.2.1 new and compelling evidence that no misconduct occurred;

3.3 Examination Results Board

3.3.1 that at the time of writing the assessed work, normally an examination, you were suffering from a medical condition which adversely affected your performance;

3.3.2 that at the time of writing the assessed work, normally an examination, you were subject to personal circumstances which caused severe emotional strain, such as a close family bereavement;

3.3.3 an administrative shortcoming on behalf of the College, such as notification of an incorrect date for an examination;

3.3.4 an “environmental” factor which may have occurred, such as disruptive building work, or other adverse conditions in the examination centre;

- Notes:
- i) For all of the regulatory committees above, the Independent Appeals Board Convener, in consultation with the Chair of the Independent Appeals Board, reserves the right to allow an appeal to proceed based on a significant reason not listed above but which is felt to have had a detrimental affect on the student.
 - ii) Mitigating circumstances cannot be used in mitigation for academic misconduct and should be notified to the College as advised in the Student Handbook. Although module and results board do not have the authority to reverse the decisions of the Academic Misconduct Committee, a result of deemed not sat may be appropriate in some instances.
 - iii) In the case of appeals against decisions of the Examination Results Board, mitigating circumstances, accompanied by supporting evidence, should be notified to that Board prior to its meeting. Failure to do so will be taken into account by the Independent Appeals Board.

Section 4 The appeals process

4.1 STEP ONE - what you must do:-

Your appeal must:-

4.1.1 be made in writing and be signed by you personally. Appeals made by third parties on your behalf will not be considered;

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- 4.1.2 be addressed to the Head of Exams & Progression (see section 6 for contact details) in an envelope marked "Private and Confidential", this will be passed to the relevant Independent Appeals Board Convener;
- 4.1.3 clearly state the grounds upon which the appeal is based (see Section 3);
- 4.1.4 include any relevant documentary evidence supporting the appeal (see Section 3 Notes);
- 4.1.5 be accompanied by the appropriate fee (see Section 5).

4.2 **STEP TWO** - what the College will do:-

- 4.2.1 your case will first be considered by the Independent Appeals Board Convener, who will decide whether your appeal comes within the specified criteria and complies with the requirements detailed in these Notes;
- 4.2.2 the Independent Appeals Board Convener will notify you whether your appeal comes within the specified criteria within twenty-eight days of receipt of your written submission. If you have had no response after twenty-eight days, you should contact the College;
- 4.2.3 if the Independent Appeals Board Convener decides that your appeal does not come within the specified criteria, you will be notified in writing, with reasons, and your appeal fee will be returned;
- 4.2.4 if the Independent Appeals Board Convener decides that your appeal comes within the specified criteria, your case will be considered at the next meeting of the Independent Appeals Board. You will be advised of the date, place and time of the meeting of the Independent Appeals Board and you will have the right to present your case in person and to be accompanied by a family member, friend, or colleague who can act as a companion but not a representative for the appellant.

Note: A decision of the Independent Appeals Board Convener to refer the appeal to the Independent Appeals Board will be determined solely on whether or not it comes within the specified criteria and does not imply a judgement on the merit of an appeal.

4.3 **STEP THREE** - what the Independent Appeals Board will do:-

Each member of the Independent Appeals Board will be given a copy of your appeal submission and full particulars of your academic record in so far as it relates to the course which is the subject of your appeal. The Board will consider all or any of the following:-

- 4.3.1 whether the assessment determined by the relevant regulatory committee would have been different had the circumstances which described in the appeal been known during consideration by that committee;

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- 4.3.2 whether, in either case, the decision reached by the regulatory committee was reasonable;
- 4.3.3 any other matter or matters the Board may deem relevant.

Having considered your case, the Independent Appeals Board will normally make one of the following three decisions:-

- 4.3.4 uphold your appeal and reverse the decision;
- 4.3.5 uphold your appeal and alter the decision; or
- 4.3.6 reject your appeal and confirm the decision of the relevant regulatory committee.

THE DECISION OF THE INDEPENDENT APPEALS BOARD IS FINAL (except as described in the Introduction section above)

Section 5 The appeal fee

The fee for lodging an appeal is £100 which should be in the form of a cheque made payable to the College of Estate Management. Payment of the fee must be made at the same time as you submit your written appeal and accompanying documentary evidence.

If your appeal is successful, your appeal fee will normally be reimbursed in full. However, the Independent Appeals Board has the discretion to retain your fee if you had the opportunity to notify the relevant College Board of your circumstances, but failed to do so. If your appeal is rejected by the Independent Appeals Board, your appeal fee will be forfeited.

Should you lodge an appeal without legitimate grounds, it will not be considered by the Independent Appeals Board and your fee will be retained by the College to contribute towards the administrative costs of dealing with your case.

Section 6 Appeal support

If you need help or support at any point in the procedures, you can contact:

Helen Edwards

Complaints Officer

The College of Estate Management

Whiteknights

Reading

RG6 6AW

Telephone: +44 (0) 118 921 4678

E-mail: h.edwards@cem.ac.uk

Please contact the Head of Exams & Progression if you need this document in hard copy or in an alternative format:

Head of Exams & Progression

The College of Estate Management

As above

Telephone: +44 (0) 118 921 4600

E-mail: e.jones@cem.ac.uk