



Verification and Appeals Procedure (Collaborative Partner Institutions)

Applicable to:

- candidates who have completed their periods of study for initial degrees, foundation degrees, undergraduate University Diplomas and Certificates, or who have been awarded an exit qualification of the University of Wales;
- candidates who have completed either of the stages (examination and dissertation) of a taught Master's degree, Postgraduate Diploma, or Postgraduate Certificate scheme of study;
- candidates who have completed the examination component of a Doctoral degree by examination and thesis.

Academic Year 2009-2010

University of Wales Registry,
King Edward VII Avenue,
Cathays Park,
Cardiff CF10 3NS

Procedural Fairness and Informal Advice

This procedure is intended to incorporate the principles of natural justice and procedural fairness and shall be conducted in reference to the following guidelines:

- a person making a decision in a case should declare any personal interest they have in the proceedings;
- a person who makes a decision should be unbiased and act in good faith;
- proceedings should be conducted so that they are fair to all parties;
- each party should be given the opportunity to ask questions and contradict the evidence of an opposing party;
- a decision maker should take into account all relevant considerations and extenuating circumstances and ignore any irrelevant considerations;
- justice should be seen to be done.

In some cases the University may be willing to meet any reasonable expenses incurred by an appellant in the course of pursuing his/her appeal. Informal advice about invoking this procedure including arrangements for the meeting of reasonable expenses can be obtained from the University of Wales Registry, King Edward VII Avenue, Cathays Park, Cardiff, CF10 3NS (Ref: Appeals) or by emailing appeals@wales.ac.uk

Appeals Procedures

The University has established four appeals procedures for candidates for University examinations at undergraduate and postgraduate levels at Collaborative Partner Institutions only.

1. The Verification and Appeals Procedure

Is applicable to:

- candidates who have completed their periods of study for initial degrees, foundation degrees, undergraduate University Diplomas and Certificates, or who have been awarded an exit qualification of the University of Wales (institutions have full jurisdiction over appeals in respect of interim results, e.g. *vis-à-vis* individual modules, and progression. Candidates who wish to appeal against the decision of an interim result should refer to the University of Wales Interim Appeal Procedure;
- candidates who have completed either of the stages (examination and dissertation) of a taught Master's degree, Postgraduate Diploma or Postgraduate Certificate scheme of study;
- candidates who have completed the examination component of a Doctoral degree by examination and thesis.

2. Appeals Procedure (Postgraduate Research Degree)

Is applicable to candidates who have submitted a thesis* for the degrees of: PhD, EngD, DClinPsy, DEdPsy, DNursSci, DMin or EdD, DCounsSci or for a Master's degree by research (normally MPhil).

* In certain circumstances, an artefact accompanied by analytical commentary or published works accompanied by critical analysis may be submitted in place of a thesis

3. Appeals Procedure (Unfair Practice Decisions)

Is applicable to students who wish to appeal against the decision of a Committee of Enquiry convened to consider an allegation of unfair practice.

4. Appeals Procedure (Fitness to Practise Decisions)

Is applicable to students who wish to appeal against the decision of a Committee on Fitness to Practise.

Students invoking the Verification and Appeals Procedure are advised to note that the Procedure consists of **two distinct stages**: firstly, an application to the Institution at which you have studied for verification of the result and, secondly, following completion of the verification process, an application for appeal to the University of Wales. A diagram outlining the entire verification and appeals process is included at the back of this booklet for easy reference.

Verification and Appeals Procedure

Each collaborative partner institution of the University shall inform candidates for University examinations at the commencement of each session of the following Verification and Appeals Procedure.

Verification

1. A candidate is entitled to ask for verification of one or more of the following in respect of a University examination*:
 - 1.1 that the assessment published by the University is free of arithmetical or other errors of fact;
 - 1.2 that the examiners were aware of exceptional personal circumstances reported by the student prior to the meeting of the Examining Board(s) concerned and which might in the student's opinion have had an adverse effect on his/her academic performance;
 - 1.3 that the examiners were aware of defects or irregularities in the conduct of the examinations or in written instructions or in advice relating thereto, when such defects or irregularities or advice might, in the student's opinion, have had an adverse effect on his/her performance.

In addition, a candidate for a Master's degree by Examination and Dissertation may, in accordance with the grounds detailed under 1.1 to 1.3 above, seek verification of the decision of the Examining Board not to award the mark of Distinction in respect of either of the parts of the scheme of study (i.e. examination or dissertation).

2. A candidate who wishes to have such verification shall make written application to the Academic Registrar/Secretary, or equivalent, of the institution at which they studied normally within **fourteen days** of the date of the meeting of the relevant Examining Board. Applications for verification submitted outside this timescale with good reason may be accepted at the discretion of the Academic Registrar/Secretary or equivalent of the institution concerned. Requests for verification must include details of any alleged defects or irregularities in the conduct of the examinations or in any written instructions or in any advice relating thereto, or of any exceptional personal circumstances.
3. Upon receipt of such written application, the Academic Registrar/Secretary, or equivalent, of the Institution, or his/her nominee, shall ask the Chair of the Examining Board, or his/her nominee, to take the necessary steps to verify the facts to which the application refers. The Chair shall ensure that the facts are verified within **three weeks** of the date of the application. At the same time, the Academic Registrar/Secretary, or equivalent, of the Institution, or his/her nominee, shall acknowledge receipt of the application, informing the candidate of the action being taken, and shall forward to the Director of Academic Affairs (Ref: Appeals) of the University of Wales a copy of the candidate's application for verification.

* In the context of this Procedure a University examination is an examination or assessed piece of work which counts towards a candidate's overall result and which is, therefore, conducted by a University Examining Board comprising both internal and external examiners.

4. The Chair of the Examining Board shall, when he/she has completed his/her enquiry, take the following action:

4.1 if the verification procedure indicates that:

- there has been an arithmetical or other factual error;
- exceptional personal circumstances reported by the student **prior** to the meeting of the Examining Board(s) concerned were not, in fact, considered at the meeting(s);
- a candidate, in the course of requesting verification, has provided additional evidence of exceptional personal circumstances which were previously notified prior to the meeting of the Examining Board;

the Chair of the Examining Board shall arrange for the Examining Board to re-consider the candidate's examination performance. He/she shall then inform the Academic Registrar/ Secretary, or equivalent senior officer, of the Institution concerned and the Director of Academic Affairs (ref: Appeals) of the University of Wales in writing of the full circumstances of the case, and, at the same time, the candidate shall be informed by the Institution of the action being taken.

The University, in consultation with the Chair of the Examining Board, shall subsequently arrange for the publication of such supplementary pass-list as may be necessary.

4.2 if the verification procedure indicates that:

- there has been no error;
- any exceptional personal circumstances reported by the candidate have already been considered;
- there are no defects or irregularities in the conduct of the examinations or in written instructions or advice relating thereto;

the Chair of the Examining Board shall inform the Academic Registrar/Secretary, or equivalent senior officer, of the Institution concerned in writing of this conclusion. Depending on the policy of the Institution concerned, either the Chair, or the Institution's Academic Registrar/Secretary, or equivalent senior officer, shall in turn inform the candidate of this conclusion, of the candidate's right of appeal, that an appeal may only be made on the grounds stipulated in paragraph 6 below and that such an appeal must reach the Director of Academic Affairs (Ref: Appeals) within the deadline stipulated in paragraph 5 below; a copy of the Procedure and of the Application Form for Appeal shall be enclosed with that letter which shall be copied to the Director of Academic Affairs of the University of Wales.

4.3 if it transpires that:

- there were exceptional personal circumstances which could have affected the candidate's performance adversely, of which the Examining Board

was unaware because the candidate did not report them at the appropriate time;

- the candidate has provided evidence of defects or irregularities in the conduct of the examinations or in written instructions or advice relating thereto of which the Examining Board had been unaware;

the action stipulated in paragraph 4.2 above shall apply. At the same time, the Chair of the Examining Board shall inform the Director of Academic Affairs of the University of Wales in writing of the full circumstances of the case, adding comment where this is considered necessary.

Appeal

5. Candidates in University examinations are only entitled to appeal against a decision reached following the above process of verification. Any appeal shall be sent, in full, in writing to the Director of Academic Affairs of the University of Wales (Ref: Appeals) and must reach him/her not later than **one month** after the despatch to the candidate of the verification of his/her result. Simple notice of appeal given in writing by a candidate within the above deadline shall not be deemed to constitute an appeal proper and shall not be accepted. The Chair shall, at an Appeal Board meeting, have discretion to declare inadmissible any matter introduced by the appellant, or by any member of staff or student accompanying the appellant, if he/she deems it not directly related to the contents of the appeal previously lodged in writing within the stipulated deadline.
6. The University is only prepared to consider appeals which are based on one or both of the following grounds:
 - 6.1 defects or irregularities in the conduct of the examinations or in written instructions or in advice relating thereto, where there is a *prima facie* case that such defects, irregularities or advice could have had an adverse effect on the candidate's performance;
 - 6.2 exceptional personal circumstances where there is a *prima facie* case that such circumstances could have had an adverse effect on the candidate's performance. (In appeals based on these grounds, the appellant must show good reason why such personal circumstances were not made known to the Examining Board before its meeting. Where a candidate could have reported exceptional circumstances to the Examining Board prior to its meeting, those circumstances cannot subsequently be cited as grounds for appeal.)
7. Appeals which question the academic judgement of examiners shall not be admissible. Disagreement with the academic judgement of the appointed Examination Board in assessing the merits of an individual piece of work, or in reaching any assessment decision cannot in itself constitute grounds for an academic appeal.
8. On receipt of an appeal the nominee of the Director of Academic Affairs, or his/her nominee, shall acknowledge receipt normally within three working days and, where appropriate to the circumstances of the case, consult the Head of the appellant's Department or the Chair of the relevant Examining Board. The appeal will then be passed to the Pro-Vice Chancellor (Quality), or his/her nominee*, for consideration. The appellant shall be provided with a written progress report within 25 working days.

9. The Pro-Vice Chancellor (Quality), or his/her nominee* is required to disallow any appeal normally within three months of its receipt:
 - 9.1 which is based on factors which were known to the Examining Board concerned when the candidate's result was determined;
 - 9.2 which introduces information which was known to, and could have been reported by, the candidate prior to the meeting of the Examining Board.
10. If it is decided by the Pro Vice-Chancellor (Quality) or his/her nominee that there is a *prima facie* case to be considered, he/ she may choose:
 - 10.1 to refer the case back to the relevant Examining Board for further consideration;
 - 10.2 to refer the case to a full Appeal Board for decision.
11. In accordance with Statute 19(5) and Statute 31(1)(g), the Appeal Board shall have delegated powers to act on behalf of the Academic Board and shall consist of three persons, at least two of whom shall be senior members of staff in accredited institutions of the University of Wales.
12. An appellant shall be offered a personal hearing by the Appeal Board and shall accordingly be informed in advance of the time and date of the meeting. This shall normally be within three months of receipt of the application for appeal. The appellant may be accompanied, but not represented, by a member of the academic or welfare or advisory staff of the Institution concerned or by a student or officer of the Students' Union at the Institution concerned, but not by any other individual. Any person accompanying an appellant shall be asked by the Board to identify themselves at the beginning of the proceedings and may be invited by the Board during the hearing to speak in support of the case. The appellant may not send another person to an Appeal Board in his/her stead.
13. The Institution concerned shall be invited to send a member of staff to attend the hearing and, at the invitation of the Chair of the Appeal Board, to contribute to the hearing. The Institution Registry shall accordingly be informed in advance of the time and date of the meeting and shall be provided with a copy of the candidate's application for appeal.
14. The Appeal Board shall base its decision on the evidence of the appellant's submission and the testimony of the Chair of the Examining Board concerned, together with any further evidence which it considers relevant.
15. The decision of the Appeal Board shall be notified by the Director of Academic Affairs or his/her nominee as soon as possible to the appellant, the Chair of the Examining Board and the Academic Registrar/Secretary, or equivalent senior officer, of the Institution concerned.
16. The Appeal Board shall be empowered to take either of the following decisions:

* An equivalent senior officer in the University Registry may be nominated by the ProVice-Chancellor (Quality) to act on his/her behalf

16.1 that the appeal be rejected and no further action be taken;

16.2 that the matter be referred back to the relevant Examining Board.

In exceptional cases only, the Appeal Board may specify the composition of the Examining Board.

Where the case is referred back to the Examining Board, the Appeal Board may, where appropriate to the circumstances of the case, require an officer of the University of Wales Registry to attend as observer the meeting of the Examining Board.

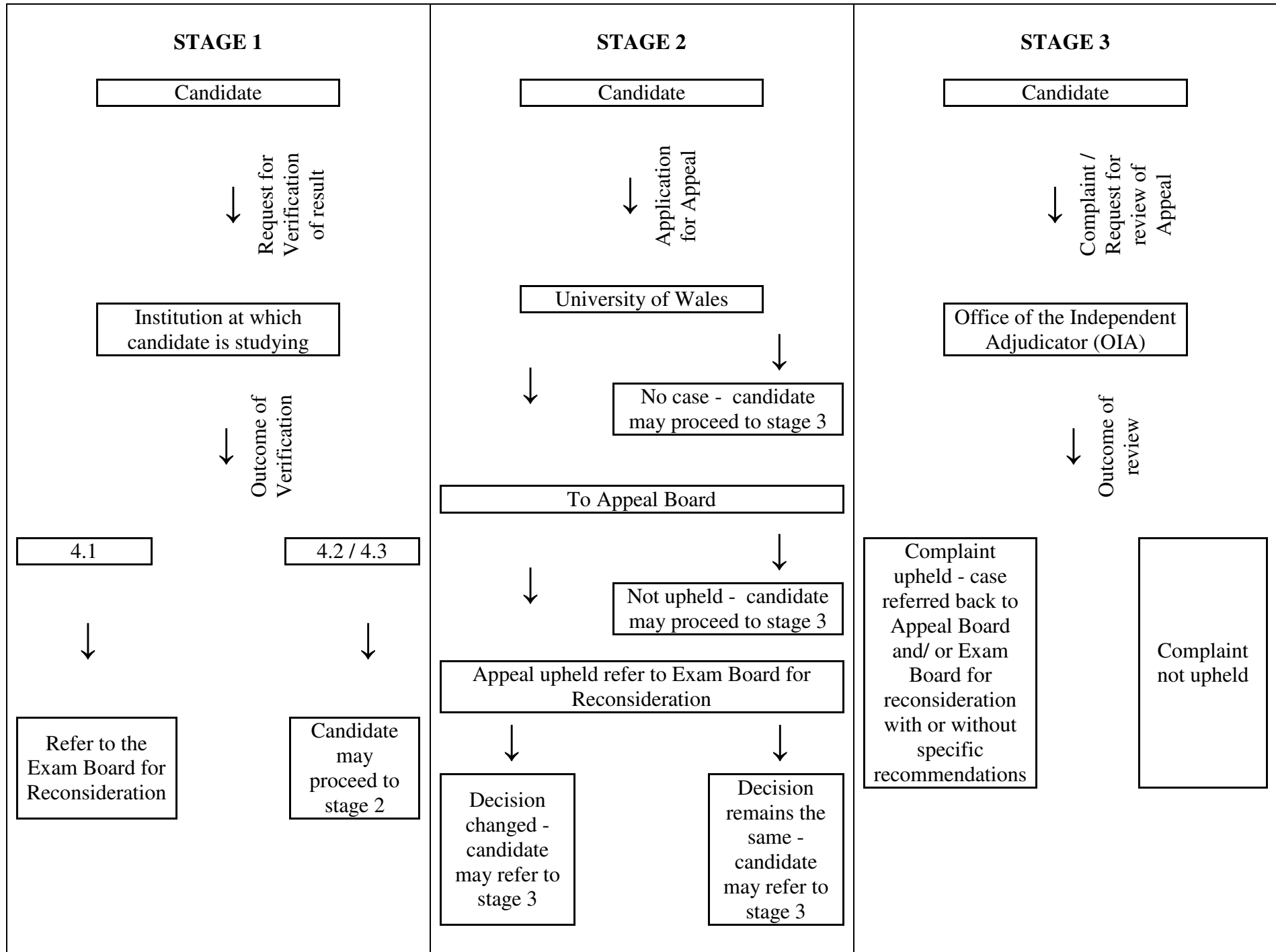
17. In the case of 16.1 above, the decision of the Appeal Board shall be final and the matter shall, therefore, be regarded as closed. There shall be no discussion of the decision of the Appeal Board with the appellant or any other person.
18. In the case of 10.1 and 16.2 above, a full report, including recommendations or advice where appropriate to the circumstances of the case - including all supporting documentation - shall be sent by the Director of Academic Affairs or his/her nominee to the Chair of the Examining Board and shall be considered by the Examining Board. The decision of the Examining Board, together with a copy of a relevant extract from its minutes, shall be sent by the Chair of the Examining Board to the Director of Academic Affairs or his/her nominee within **six working weeks** of the date of the appeal hearing. The Examining Board's decision on whether any adjustment should be made to marks or grades previously awarded shall be reported back to the Appeal Board and shall be final. On receipt of this material, the Director of Academic Affairs or his/her nominee may, in exceptional cases only, refer the case to the Chair of the Appeal Board for review of the procedures followed. If it transpires that a **serious** procedural irregularity has occurred, the case may be referred back to the relevant Examining Board for reconsideration.
19. An Examining Board's decision on whether or not to adjust marks or grades previously awarded may or may not alter the appellant's overall examination result. If the overall result **is** altered, the Chair of the Examining Board shall arrange for the University to publish any supplementary pass-list which may be necessary. The Director of Academic Affairs, or his/her nominee, shall inform the appellant in writing of the decision of the Examining Board, and of the reasons for the decision.
20. If, following a successful appeal, the Examining Board decides that a candidate has qualified for a degree, such a candidate shall be admitted to that degree at the next succeeding Degree Congregation. Alternatively, the Vice-Chancellor shall have authority to deem such a candidate to have been admitted to the degree provided all other necessary conditions for his/her admission have been met.
21. The Vice-Chancellor shall also have authority to deem a candidate who has already been admitted to a degree to have been admitted to a different class of degree if, following a successful appeal, an Examining Board decides that the candidate's degree classification shall be amended. In such cases, the Director of Academic Affairs or his/her nominee shall issue a replacement certificate upon the return by the candidate of the original certificate.
22. Where applicable, appropriate arrangements will be made in respect of candidates who, following a successful appeal, are deemed by an Examining Board to have qualified for the award of a certificate or diploma.

23. The Appeal Board may make recommendations for consideration by the Academic Board or by the institution concerned as appropriate on any matter arising from the consideration of appeals.
24. Pursuant to the Higher Education Act 2004, the Office of the Independent Adjudicator for Higher Education (the OIA) has been designated by the National Assembly for Wales from 1 January 2005 as the operator of an independent scheme in Wales for the review of student complaints.

Once all the relevant University of Wales procedures above have been exhausted a candidate may submit a complaint to the OIA. Any such complaint must be submitted by sending a completed Scheme Application Form together with all relevant information to the OIA within three months of the date on the “Completion of Procedures Letter” from the University of Wales upon completion of its internal procedures. A Scheme Application Form can be obtained from the University of Wales Registry (Ref: Appeals), downloaded from the OIA website www.oiahe.org.uk or by telephoning or writing to the OIA. The contact details for the OIA are as follows:

OIAHE, 5th Floor, Thames Tower, Station Road, Reading, RG1 1LX
Tel: 0118 959 9813
Email: enquiries@oiahe.org.uk

UNIVERSITY OF WALES VERIFICATION AND APPEALS PROCEDURE



University of Wales Registry
King Edward VII Avenue
Cathays Park
CARDIFF
CF10 3NS

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