

Sotheby's INSTITUTE OF ART

ACADEMIC APPEALS PROCEDURE – LONDON

This procedure is applicable to all SIA - London students registered with the University of Manchester

Introduction and Principles

1. This procedure has been revised in line with the December 2022 guidance of the Office of the Independent Adjudicator (OIA) Good Practice Framework, and the Quality Assurance Agency's (QAA) revised UK Quality Code.
2. For the purposes of this document, an academic appeal is defined as '*a challenge to or request for reconsideration of a decision by an academic body that makes decisions on student progress, assessment and awards. This may include a request to change marks or progress decisions, or final award classifications*'¹.
3. This Procedure may be used by students or recent graduates who wish to appeal against a final decision of an Examination Board that affects a student's academic status or progress in the Institute. Students are defined as those enrolled with Sotheby's Institute of Art - London and the University of Manchester in award bearing programmes and courses. The definition also includes those who have recently left the programme or course they had been enrolled on.
4. This Procedure may not be used because a student is dissatisfied with the outcome of their assessment. Furthermore, an appeal that questions the academic or professional judgement or professional competence of those charged with the responsibility for assessing a student's academic performance, will not be permitted.

Definition and Scope of Procedure

5. This Procedure is designed for serious academic issues as described in paragraph 2 above, including, but not limited to, the following:
 - (a) a decision that the student be dismissed from the Institute on grounds of unsatisfactory progress or failure to meet academic or professional requirements;
 - (b) a decision to award a lesser qualification, such as a PG Dip or PG Cert;
 - (c) a decision not to allow a student to progress from a Postgraduate Diploma to a Master's degree;

¹ Paragraph 12, OIA Good Practice Framework: Handling complaints and academic appeals
<https://www.oiahe.org.uk/media/otzp4do5/gpf-handling-complaints-and-academic-appeals.pdf>

- (d) a decision not to award credits or a postgraduate qualification;
 - (e) a decision not to allow resubmission of a dissertation for a Master's degree;
 - (f) the result of a formal assessment, unit result or the award of a particular degree classification.
6. A student may submit an appeal only on his or her own behalf; an appeal submitted by a third party will not be accepted unless accompanied by written authorisation from the student. A student may, however, seek support from, for instance, Student Support services in submitting an appeal.

Grounds for Appeal

7. An appeal may be made only on grounds alleging, with accompanying evidence:
- (a) that there exists or existed circumstances affecting the student's performance of which, for good reason, the Board of Examiners or committee may not have been made aware when the decision was taken, and which might have had a material effect on the decision. **[Note: If a student wishes to appeal on such grounds, they must give adequate reasons with supporting documentation why this information was not made available prior to the decision being made. If a student wishes to appeal on such grounds without supporting documentation, the student must present a credible and compelling reason for the non-disclosure of circumstances affecting their performance at the time];**
 - (b) that there had been a material administrative error or procedural irregularity in the assessment process or in putting into effect the regulations for the programme/course of study of such a nature as to cause significant doubt whether the decision might have been different if the error or irregularity had not occurred;
 - (c) that there is evidence of prejudice or bias on the part of one or more of the examiners;
 - (d) that the supervision of the student in respect of research for a dissertation or thesis or equivalent work was unsatisfactory in relation to the Institute's Dissertation Protocol, to the point that their performance was seriously affected. If students wish to appeal on such grounds but the supervisory concerns arose significantly before the assessment result against which they are appealing, and without it having been raised in writing with the Institute before the appeal, the student must provide credible and compelling reasons for only raising these concerns at appeal.

Stage 1: Informal /Early Resolution Stage

8. A student considering appealing should discuss the matter with their Personal Tutor, Programme Director or Course Leader, or Supervisor at the Institute before appealing in order to better clarify the reason for the result or decision against which they wish to

appeal, or to outline where a readily amendable error may have taken place. An initial evaluation at this informal stage will also ensure that the student's prospective appeal is submitted under the appropriate procedure. The student may be referred, for example, to a different procedure (e.g. Student Complaints Procedure). A formal appeal should only be submitted if a student remains dissatisfied once informal avenues have been exhausted.

9. Where a student's possible appeal has been resolved locally, the member(s) of staff involved will communicate the resolution to the student, usually via email, so there is a record of the resolution. The email communication will also be sent to the Institute's Quality Team so they can record and track locally resolved potential appeals.
10. The Institute's Quality Team will also monitor, action and track any student appeals, whether resolved at the informal stage or through the formal procedure.

Stage 2: Formal Procedure

11. If a student remains dissatisfied with the result or decision once informal avenues have been exhausted, or when the issue is not appropriate to be raised informally in the opinion of the student, and the student believes there are valid grounds for appeal (as specified in paragraph 7 above), they may invoke the formal appeal procedure. The student may seek advice and guidance in preparing the appeal from the Registrar or other members of the Quality Team.
12. A formal appeal may be initiated by completing an Appeals Form (available from Canvas and website) and submitting it to the Registrar within forty (40) working days of notification of the result or decision. No appeal can be made subsequent to the forty (40) day period, unless the Quality Team determines in its discretion that good cause has been shown for late submission. The student should submit the form with any documents they wish to be considered in the appeal. Evidence should normally be contemporaneous, capable of verification, and written in English. If the Institute has any concerns about the authenticity of evidence the student has put in, it may need to take steps to verify the evidence and, if it is found not to be genuine, the Institute may decide to consider the matter under its disciplinary procedures.
13. The Registrar will send the student formal written notification if a student's appeal is submitted out of time and the Quality Team has determined that good cause for late submission has not been shown. This decision is not appealable; an Outcome letter can be provided on request.
14. The Registrar will convene a meeting of the Academic Appeals Committee as soon as possible to review the appeal and supporting documentation, and will inform the student at least ten (10) working days before the date of the meeting, and of the members of the Committee. The student may if they wish appear before the Committee in person and may be accompanied by a friend who is also a registered student of the Institute, or a recent graduate, acting as an observer only. Attendance by the student is not required.
15. If the student has any objection to (a) the time or date of the meeting, and/or (b) the membership of any person or persons participating on the Academic Appeals Committee, the student may, by written request to the Registrar, submit a request for change. This request should be received no later than five (5) working days before the date that the meeting is to be held, ask for (i) an alternative time and date and/or (ii) an

alternative member or members to serve on the Academic Appeals Committee, giving the reason(s) for the request. The Registrar shall have power to decide upon the validity of any such request and may change the time and date and/or appoint an alternative member or members to the Academic Appeals Committee. If the meeting is being held remotely, the student(s) will be invited to attend the Committee meeting via Teams or Zoom.

16. The Registrar will compile materials relevant to the Appeal to circulate to the Academic Appeals Committee. It will be shared with the appellant at least 5 working days before the date of the Committee.
17. The Academic Appeals Committee will include the Institute's Head of Quality (Chair) or Nominee, and two members of staff and/or academic faculty not associated with the case and a Student Representative from a different cohort to the appellant(s). The Registrar will attend as secretary but shall not vote.
18. Subject to the provisions of this Procedure, the Chair shall determine all issues of procedure at the meeting of the Academic Appeals Committee. The Academic Appeals Committee shall give the student opportunity to present their case at the meeting. The Academic Appeals Committee shall conduct its hearings in accordance with the rules of natural justice.
19. The Academic Appeals Committee will reach its conclusions and recommendations by a majority of its members. The Chair may vote and shall have, in addition, a casting vote.
20. The Academic Appeals Committee may determine that the academic appeal has identified relevant matters that were not known to those making the original decision or that there had been procedural or administrative errors that might have affected that decision. In this event it may refer the case back to the original Board of Examiners for reconsideration taking into account any new information, or any guidance, from the Academic Appeals Committee. The reconvened Board of Examiners or committee will have the power to confirm or alter its original decision. Where the original decision is confirmed, the student will be given reasons for that decision. If the student is dissatisfied with the decision of the reconvened Board of Examiners or committee, the student may ask for the case to be reviewed once more by the Academic Appeals Committee, following the procedure outlined herein.
21. The Academic Appeals Committee will notify the student in writing within ten (10) working days of the meeting of its conclusions and recommendations in writing, which will set forth the reasons for its conclusions and recommendations. If there is a delay in reaching a conclusion because of, for example, the need for clarification of matters with the student or for further information, the Academic Appeals Committee will so notify the student in writing. In such event, the Academic Appeals Committee will reconvene within thirty (30) working days of the original meeting date. The student may attend the reconvened meeting. The Academic Appeals Committee will notify the student in writing within ten (10) working days of the reconvened meeting of the outcome.

22. The Academic Appeals Committee should be aware that appeals processes are likely to be stressful for the students concerned and should attempt to minimise unnecessary pressure on students and offer them appropriate support, while striving to fulfil its duties in line with this Policy.
23. If this is the end of the appeals process, an Outcome letter will be issued to the student and a copy retained by the Quality Team.

Stage 3: Review

24. If the student is dissatisfied with the response set forth in the written notification of the Academic Appeals Committee, the student shall have the right to ask for a review of the decision. A review will only be undertaken against the conclusions and recommendations on one or all of the following grounds:
 - (a) procedural irregularity; and/or
 - (b) a consideration of whether the outcome was reasonable in all the circumstances; and/or
 - (c) availability of new evidence which could not reasonably have been expected to be presented at the original Academic Appeals Committee meeting.
25. The student may submit a request for a review, including a statement of the grounds on which the review request is being made, in writing to the Registrar to be received within ten (10) working days of the date on which written notification of the determination of the original Academic Appeals Committee is sent to the student. A request for a review received after this time without good cause shown for its late submission shall only be granted at the discretion of the Registrar.
26. The Registrar shall convene a Review Panel to hear the appeal of the student. The Review Panel shall not re-hear the case afresh, but shall consider whether the initial conclusions and recommendations were fair by:
 - (a) reviewing the procedures followed; and
 - (b) establishing whether the appellant has presented any new evidence that could not reasonably have been expected to be presented at the original Academic Appeals Committee meeting and whether this evidence is material and substantial to the conclusions and recommendations.
27. The following Institute members shall serve on the Review Panel:
 - (a) One nominated member drawn from the Academic Board (Chair);
 - (b) Two members of the academic staff, drawn from the Institute;
 - (c) A Student Representative from a different cohort to the appellant(s).
28. The Review Panel shall have a quorum of four members. The Registrar shall attend as secretary but shall not vote.
29. No person shall be a member of the Review Panel:

- (a) who served on the Academic Appeals Committee which dealt with the matter(s) under review, or was otherwise involved in the proceedings; or
 - (b) who has been in any manner closely connected with the case; or
 - (c) in respect of whom a conflict of interest would arise or is likely to arise if they were to be a member of the Review Panel.
- 30. The Registrar shall inform the student in writing at least ten (10) working days in advance of the hearing of the date, time and place of the hearing, and of the names of the members of the Review Panel.
- 31. If the student has any objection to (a) the time or date of the hearing, and/or (b) the membership of any person or persons participating on the Review Panel, the student may by written request to the Registrar, submit a request for change. The request should be received no later than five (5) working days before the date that the hearing is to be held, ask for (i) an alternative time and date and/or (ii) an alternative member or members to serve on the Review Panel, giving the reason(s) for the request. The Registrar shall have power to decide upon the validity of any such request and may change the time and date and/or appoint an alternative member or members to the Review Panel.
- 32. Subject to the provisions of this Procedure, the Chair shall determine all issues of procedure at the hearing of the Review Panel. The Review Panel shall give the student the opportunity to present their case at the hearing. If the meeting is being held remotely, the student(s) will be invited to attend the Panel via Teams or Zoom.
- 33. The student may be accompanied at the hearing of the Review Panel by a friend if they are a registered student at the Institute, or a recent graduate, acting as an observer only.
- 34. Attendance by the student at the Review Panel is not compulsory.
- 35. Conclusions and recommendations may be made by a majority of the Review Panel. The Chair may vote and shall have, in addition, a casting vote. The Review Panel may elect an alternate Chair.
- 36. The Review Panel shall conduct its business in accordance with the rules of natural justice. The Review Panel shall have the authority, if the student presents new evidence that is material and substantial to the Review Panel, to refer the case back for consideration to the original Board of Examiners. In such event the student will have another opportunity to appeal the conclusions and recommendations of the newly constituted Academic Appeals Committee.
- 37. The Review Panel shall inform the student in writing within ten (10) working days of the hearing of the Panel's decision on the appeal, together with reasons for the decision. An Outcome letter will be issued by the Registrar.
- 38. The Review Panel shall send a copy of the decision of the appeal to the Institute's Quality Team at the same time as it sends the decision to the student.
- 39. The Review Panel has the power to adjourn a hearing to another date, as it thinks fit.

40. Following receipt of the decision of (a) the initial **Review Panel** or (b) a subsequently constituted **Review Panel** should the initial **Review Panel** have referred the case back to a newly constituted **Academic Appeals Committee**, the student shall have the right to request a review of the Institute's decision by the Institute's validating organisation, the University of Manchester. The request is subject to the regulations and policies of the University. The student should refer to the University of Manchester's Teaching and Learning Delivery team for details of procedures for requesting a review, and for the relevant staff contacts, which are set forth at:

<http://documents.manchester.ac.uk/display.aspx?DocID=28682>

41. If, after the review process by the University of Manchester, this is the end of the appeals process, a Completion of Procedures letter will be issued to the student by the university.
42. In the event that a student has asked for a review by the University of Manchester and the issue remains unresolved to their satisfaction, the student is entitled to ask the OIA (Office of the Independent Adjudicator) to review their case about the outcome of the Institute's and University of Manchester's Academic Appeals process. The OIA is an independent body set up to review student complaints about higher education providers in England and Wales. The student should make any such representations to the OIA within 12 months of the date of issuing of a Completion of Procedures letter by the University of Manchester. For further information go to:
<https://www.oiahe.org.uk/students/>

Director's Powers

43. In the event that it proves impracticable to convene the Academic Appeals Committee or the Review Panel because of the unavailability of a sufficient number of individuals who are eligible to serve on such a Committee or Panel, the Institute's Director may appoint such other person or persons to serve on such Committee or Panel as he sees fit.

Title	Academic Appeals Procedure
Date first implemented	2016
Approving body	Academic Board
Version	May 2025
Effective	From 2025 – 2026
Supersedes	September 2022
Next review date	Summer 2028
Frequency of review	Every three years
Policy owner	Quality Team