**Stage One Appeal of a**

**Board of Examiners’ decision**

Stage One Appeal requests regarding a Board of Examiners’ decision must be made within **seven calendar days** of the publication of the decision. There are limited grounds for appeal, as set out in the Assessment Regulations:

* No appeal request regarding a decision of the Board may be submitted if it relates to the academic judgment of the Board or of an External Examiner.
* No appeal request regarding a decision of the Board may be submitted unless:
	+ - the Board has misapplied the Regulations; or
		- Following the outcome of a concession/ mitigating circumstance application, there are new circumstances or circumstances not previously made known to the University, and the candidate can show good reason why he or she could not have made the relevant circumstances known before the decision, which is subject to appeal.
* For the avoidance of doubt, any request for appeal of a concession/ mitigating circumstance decision, where no such application was previously submitted to be considered, will be treated as a late concession and must be submitted in accordance with the relevant Regulations regarding concession/ mitigating circumstances applications.

Please complete all details below and on the reverse of this document and send with any supporting documents to the Assessment Office using the following emails, as applicable:

|  |  |
| --- | --- |
| All courses, apart from Apprenticeships | concessions@law.ac.uk |
| Apprenticeship courses only | assessments-apprenticeships@law.ac.uk |

|  |  |
| --- | --- |
| Full Name | Email Address |
|   |       |

|  |  |
| --- | --- |
| Candidate Number | Mode of Study |
|       | [ ]  | Full Time | [ ]  | Part Time  |
| [ ]  | Supervised |  |  |

|  |
| --- |
| Course |
|       |
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|  |  |
| --- | --- |
| Campus of Study | Year(s) of Study |
|       |       |

|  |  |
| --- | --- |
| Assessment(s) linked to this application | Date of assessment(s) |
|       |       |

Please indicate the grounds for your Stage One Appeal and tick the appropriate boxes:

[ ]  **The Board has misapplied the regulations**

[ ]  **The decision is based on a material defect of procedure in the conduct of the assessment**

[ ]  **The Board failed to take into account personal circumstances**

**Please use the space below to give full details of your appeal request:**

|  |
| --- |
|       |

To ensure that the Board have the relevant information to enable them to consider your appeal, please check the boxes below to confirm the following:

|  |
| --- |
| **The Board has misapplied the regulations** |
| [ ]  | I have explained the reason |
|  |  |
| **The Board failed to take into account personal circumstances** |
| [ ]  | I have explained the new circumstances |
| [ ]  | I have explained why this information was not provided earlier |
| [ ]  | Supporting evidence is attached |
| [ ]  | This is an appeal against a concession/ mitigating circumstance decision |
| [ ]  | I am submitting additional evidence for a previous concession/ mitigating circumstance application |
|  |  |
| **The decision is based on a material defect of procedure in the conduct of the assessment** |
| [ ]  | I have explained the reason |

If supporting evidence is not attached to this application, it must be provided within 21 calendar days.

|  |  |
| --- | --- |
| If not attached, evidence will be provided by |       |

Date of application: …     ………………………………………..

For advice on the best way to complete the form, contact StudentsUnion@law.ac.uk

**OBTAINING MEDICAL EVIDENCE FOR**

**A STAGE ONE APPEAL**

When obtaining medical evidence for a Stage One Appeal, **please show this to the medical professional providing the evidence**, to ensure it will meet the necessary requirements.

For students who were absent from an examination, failed to submit an assessment, or left an examination part way through:

We are looking for **evidence from you (the medical professional) that this student’s absence from or failure to submit the assessment** was due to the mental and/or physical effects of:

* a medical condition
* the side effects of medication
* extreme circumstances, such as a recent bereavement

For students who attended and completed an examination or submitted an assessment:

We are looking for **evidence from you (the medical professional) that this student would have been unable to make a rational decision about whether or not to attend and complete the examination or submit the assessment,** due to the mental and/or physical effects of:

* a medical condition
* the side effects of medication
* extreme circumstances, such as a recent bereavement

**Concessions/ Mitigating Circumstances, Academic Appeals and Reviews**

**Student Guide**

Final decisions on the marks, grades or qualifications that you receive are made by the Examination or Degree Board relating to your course (the Board). In a limited number of circumstances, you may challenge the Board’s decisions. This guide is designed to give you a brief overview of the University’s concessions/ mitigating circumstances, Stage One Appeals and Stage Two Review procedures and some tips on filling out the forms. As this is only a guide, it is important that you read the Assessment Regulations for your course, the [Overarching Policy for Academic Appeals and Student Complaints](https://www.law.ac.uk/globalassets/13.-media--doc-repo/08.-policies/pdf_policies_overarching-policy-appeals-and-complaints.pdf) and the [Academic Appeals and Review Policy](https://www.law.ac.uk/globalassets/13.-media--doc-repo/08.-policies/pdf_policies_academic-reviews-and-appeal-policy.pdf) before making your application. You will also find useful information in your Student Handbook.

**I am not happy with my results.**

You cannot challenge the Board’s academic judgment. This means that you cannot ask for your paper to be re-marked or for a grade to be raised to take into consideration mitigating circumstances. However, in a small number of cases, you can submit a concession/ mitigating circumstance application. **You can request advice from your academic coach or Programme and Student Lead on what grounds you can use to submit a concession/ mitigating circumstance application, and what evidence will be required.**

**What is the purpose of a concession/ mitigating circumstance application?**

Concessions/ mitigating circumstances are used where:

* you were absent from an exam or submitted assessment hand-in date;
* you handed in a submitted assessment late;
* there was a procedural defect in the exam;
* you became ill during the exam and had to leave without finishing the paper; or
* in extremely limited circumstances, where you were unable to make a rational decision to undertake the exam or hand in the submitted assessment.

Please see the Tips section for further details.

If successful, you may resit the paper with your previous attempt discounted. Therefore, if the previous exam or submitted assessment was your first attempt, the resit would then be counted as a first attempt in its place. In relation to a submitted assessment which is handed in late, if successful, you will have your submitted assessment marked, provided that it was handed in within seven calendar days of the deadline.

**How do I make a concession application?**

Concession and Mitigating Circumstances [forms are available from the Assessment Office Overview](https://rise.articulate.com/share/hgTfmpOsLbojbOkTl6c3hq-UajkSpkuc#/lessons/wkA3onO9GrO1YKkGU22zbWWx8rVBoP4n).

You must fill out the form following the detailed instructions provided with it. In the case of MS Word concession forms, please return the form with supporting documents by email to concessions@law.ac.uk. This must be done **within seven calendar days** of the date of the exam or hand-in date. Your concession outcome will be decided by the Board.

**Can I submit one concession/ mitigating circumstance application for a block of exams or submitted assessments?**

It is possible to use one form to claim a concession/ mitigating circumstance for a block of assessments, in which case the seven calendar days are measured from the date of the last exam or hand-in date.

**I am not happy with the outcome of my concession/ mitigating circumstance; what can I do?**

If you are unhappy with your concession/ mitigating circumstance outcome, then you may appeal to the Board. To do this, you can download a Stage One Appeal form from the [Assessment Office Overview page](https://rise.articulate.com/share/hgTfmpOsLbojbOkTl6c3hq-UajkSpkuc#/lessons/OTWj5t4Uq-Qyde39WKJlbWbcNoAC-ZwZ) or the University of Law Policies website from the [Appeals and Complaints section](https://www.law.ac.uk/policies/). Complete the form and return it with supporting documents as above. You must do this **within seven calendar days** of the publication of your exam or submitted assessment results. If you are unable to obtain all your supporting documents within that period, then you can submit the appeal form first and then submit the evidence later, provided it is **within 21 calendar days** of the publication of results.

You can also request a Stage One Appeal if you feel the Board has misapplied the Regulations in determining your assessment result. This does not require prior submission of a concession/ mitigating circumstance application.

**I do not agree with the outcome of the Stage One Appeal; what can I do?**

If you are not satisfied with the appeal outcome, then you can ask for a Stage Two Review. The review form is sent to you with the appeal outcome and must be completed and returned, with supporting documents, by email to Academic.Registry@law.ac.uk or by post to Academic Registry, The University of Law, 2 Bunhill Row, London, ECIY 8HQ, United Kingdom. You must do this **within 14 calendar days** of receiving the appeal outcome letter.

Stage Two Reviews are decided by a Review Panel made up of three senior staff members. Upon receipt of your application, Academic Registry will inform you when the next Review Panel meeting is and you will be sent the outcome within seven calendar days of that meeting.

If your Stage Two Review is unsuccessful, you will also receive a Completion of Procedures Letter with the outcome. If your review is successful, then the Review Panel will make a recommendation to the Board to reconsider your case. Remember that the Panel can only make a recommendation; they do not make the final decision. You will then be told of the outcome of the Board’s reconsideration and sent a Completion of Procedures Letter.

The University aims to provide a final outcome within 90 calendar days of receipt of the Stage One Appeal application. However, this may be delayed if you need more time to obtain and provide the required evidence at any stage.

**I am still not satisfied with the outcome of the Stage Two Review; what can I do?**

After the Stage Two Review process, you have exhausted all appeal and review routes within the University. However, if you are unhappy with the outcome of the Stage Two Review process, then you may request a further review by the Office of the Independent Adjudicator (OIA). Further details will be provided with the Stage Two Review outcome and can also be found at [www.oiahe.org.uk](http://www.oiahe.org.uk). You must provide the OIA with your Completion of Procedures Letter and submit an application to them **within twelve months** of the date of that letter.

**I am outside the time limits.**

If you are outside the time limits at any stage in the process, you must provide an adequate explanation that there were exceptional circumstances which justified your delay in submission.

**I have a question not covered here.**

For further details on Concessions/ Mitigating Circumstances and/ or Stage One Appeals, please contact the Assessment Office at concessions@law.ac.uk.

For further details about Stage Two Reviews, please contact the Academic Registry at Academic.Registry@law.ac.uk.

**You can also request advice from your academic coach or Programme and Student Lead on what grounds you can use to submit a concession/ mitigating circumstance or appeal (as applicable), and what evidence will be required.**

**Tips for filling out the forms**

**Grounds**

It can be difficult to identify the grounds for each stage of the process. However, it is very important to indicate which ground you are using, as otherwise it can lead to confusion and the possibility of your application being rejected.

|  |  |  |
| --- | --- | --- |
| **Concession/ Mitigating Circumstance** | **Stage One Appeal** | **Stage Two Review** |
| 1. absence or late submission
2. Bereavement
3. Domestic problems
4. Pregnancy
5. Own illness
6. Illness of close friend/relative
7. Other
8. procedural defect
9. inability to make a rational decision
 | 1. the Board has misapplied the Assessment Regulations
2. there are new circumstances or circumstances not previously made known to the Board and there is a good reason why these were not made known before the original decision was made
 | 1. the Board did not follow its own rules and procedures under the Assessment Regulations
2. despite having followed the correct procedures, the decision reached was one that no reasonable body, properly directed and taking into account all relevant factors, could have arrived at
3. there are new circumstances or circumstances not previously made known to the Board and there is a good reason why these were not made known before the original decision was made
 |

**What is a procedural defect?**

This category should be used where you wish to challenge the conduct of the exam. For example, if there was broken air conditioning leading to excessive temperatures or if the fire alarm sounded during your exam.

**What counts as an inability to make a rational decision?**

Generally, under the Assessment Regulations, if you sit an exam or hand in a submitted assessment, you deem yourself fit to sit and cannot retrospectively claim illness. However, the University recognises that in truly exceptional circumstances you may not have been capable of making a rational decision about whether you should attend your exam or hand in your submitted assessment. It is in those rare circumstances that this ground may be used. Some examples may include suffering from a medical condition that affects your cognitive function, such as depression or malaria, suffering from a condition resulting in considerable pain, or suffering from extreme stress and anxiety brought on by adverse familial circumstances.

**Proximity**

Please remember that whichever concession/ mitigating circumstance ground you use, the event and evidence must be proximate to the exams – the Board cannot consider an isolated incident that happened several months previously.

**Evidence**

Evidence is essential. Even if you have a really compelling case on paper, it will be rejected unless you provide sufficient evidence. You will then have to ask for a Stage One Appeal and provide more evidence, along with a good reason for not providing it before. This will cause you unnecessary stress and delay the outcome of the case, so it is a good idea to provide everything you can in the first instance. The Board is under no obligation to chase you for additional evidence.

Please remember that evidence has to be relevant to the ground you are claiming. For example, if you have a doctor’s note relating to an illness that occurred months before the exam, you will need a new note in relation to the exam period, even if it is the same condition.

The MS Word concession form has a useful table of the type of evidence needed for each ground. For Mitigating Circumstances applications you will find guidance in the [Extensions Deferrals and Mitigating Circumstances Policy](https://www.law.ac.uk/globalassets/13.-media--doc-repo/08.-policies/pdf_policies_extensions-deferrals-and-mitigating-circumstances-policy.pdf). If you are obtaining evidence from a doctor, please use the medical form attached to the concession form or the note on obtaining medical evidence for an appeal, which is attached to both the Stage One Appeal and Stage Two Review forms. This will help to make sure that your doctor writes all the things that we need to know.

Where you are claiming under the ground that you were unable to make a rational decision, you must obtain a doctor’s letter **stating that you were not capable of making a rational decision**. It is not enough, for example, simply to provide evidence of ill health or bereavement.

If you did not see a doctor at the time of the exam, you can still visit one after the fact and explain the situation to them – they may still be able to provide adequate evidence for the period of the exams, based on what you can tell them.

For MS Word concession forms, please remember to also fill out the concession evidence cover sheet attached to the form.

**Content**

When filling out any of the forms, it is important to include detail. You could consider mentioning when the problem arose; whether it is ongoing; if it is not ongoing, when it ended and why; why it has affected you; and how it has affected you. You also need to be clear about which exam or submitted assessment your application concerns. The more specific you can be, the more likely your application is to be resolved quickly.

However, it is important to keep in mind the grounds for your application. Detail is good, but irrelevant details will simply cause confusion. If you feel your application requires context, put the background details in a separately labelled paragraph.

Remember, when completing the Stage One Appeal or Stage Two Review forms, there are specific grounds for each. You must explain why you believe one of these grounds exists. You cannot simply reiterate the original application.

**Structure**

You need to demonstrate why your application should succeed, so try and make it as clear as possible. It can be difficult to understand what happened and when, especially where problems are ongoing or complex. Approach things in a logical order; use sub-headings and bullet points if appropriate. You might consider a timeline of events to help demonstrate the proximity to the exams or hand-in date.

Do not feel constrained by the size of the box; you can continue on a separate sheet. It is better to have a longer but clearly laid out application than one crammed onto the form. If you do decide to use an additional sheet, make sure that this is indicated on the form.

**Style**

We know that taking exams and receiving results can be stressful at the best of times, without the added upset of making an application. However, it helps to try and remain detached when completing the forms. We do want to know how you feel, but overly emotional language may cause confusion.

**Outcome**

The Stage Two Appeal form asks for the outcome that you request. Please remember that you cannot ask for re-marking or for your marks to be raised. The Board can only grant an additional attempt at the exam or for a late submitted assessment to be marked, provided it was submitted within seven calendar days of the hand-in date.

Informed of the date of next Review Panel meeting.

Outcome successful – recommendation made to Board.

Sent outcome of Board’s decision and Completion of Procedures Letter.

Happy with response?

Complete the Stage Two Review form **within 14 calendar days** of the appeal outcome.

Request review by the OIA **within 12 months** of the date of the Completion of Procedures Letter.

Outcome sent within seven calendar days of the Review Panel meeting.

Outcome unsuccessful – sent Completion of Procedures Letter.

Yes

No

No

Send any further evidence **within 21 calendar days** of your results.

Yes

Happy with response?

Complete the Stage One Appeal form **within seven calendar days** of the publication of your exam or submitted assessment results.

Application Successful

Yes

No

Complete the concession/ mitigating circumstance form **within seven calendar days** of the exam or the submitted assessment hand-in date.

Happy with response?