

## Academic Appeals Regulations for Taught Programmes

*These Regulations are approved by the Academic Board.*

*These Regulations take effect from the start of the 2019/20 academic year and apply to all undergraduate and taught postgraduate students.*

See also:

- Regulations for First Degrees;
- Regulations for Taught Masters;
- Schemes for Awards; and
- The procedure for submitting Exceptional Circumstances (ECs).

### 1. Introduction

- 1.1. The London School of Economics (LSE) is committed to a high-quality student experience and these Regulations reflect the School's commitment to consider appeals in a reasonable, consistent and equitable manner.
- 1.2. These Regulations apply to all undergraduate and taught masters students of the School and are designed to protect students against unfair assessment resulting from omission or error on the part of the School or from unforeseen circumstances affecting a student.
- 1.3. No student appealing under these Regulations, whether successful or not, shall be treated less favourably than would have been the case had an appeal not been made.
- 1.4. The Regulations are aligned to the appropriate advice and guidance in the QAA's UK Quality Code for Higher Education and the Good Practice Framework: Handling Academic Appeals and Student Complaints (Office of the Independent Adjudicator for Higher Education – OIA).
- 1.5. In accordance with the definition provided by the QAA, the School defines an academic appeal as: "A request for a review of a decision of an academic body around a mark, outcome or decision. Students may appeal an outcome on the basis of evidence or procedure, but not on the basis of disagreement with academic judgement."
- 1.6. The principles of natural justice and procedural fairness will be applied in the consideration of all appeals. All appeals will be dealt with confidentially, but on the understanding that suitable enquiries will have to be made in order to investigate the matters raised in the appeal.
- 1.7. Details of the grounds of appeal are contained in Section 2, but in short, you can appeal to have an Exam Board's procedural error corrected (you cannot just appeal their decision per se) and/or you can appeal to have your Exceptional Circumstances considered as if they were not submitted on time, by demonstrating good reason(s) for their late submission.
- 1.8. These regulations govern the procedure for making an appeal; they do not apply to complaints about issues affecting the provision of teaching, learning, research, supervision or exams. For information on how to raise a complaint about these issues see the Student Complaints Procedure and the Exam Procedures for Candidates.
- 1.9. Where your appeal in part or whole would be more appropriately considered under the Complaints Procedure, you will be informed of this and invited to submit a Complaint Form should you wish to do so. The aspects of the appeal that would be more appropriately considered under the Complaints Procedure will be deemed invalid for

the purposes of your appeal unless they have a material impact upon the appeal in which case they may exceptionally be considered under both procedures.

- 1.10. This appeal procedure is an internal process, not a legal process. Normally, we expect you to represent yourself when using this procedure. However, if you deem it more appropriate you may appoint a representative, provided that you send an email from your LSE email address to [ssc.appeals@lse.ac.uk](mailto:ssc.appeals@lse.ac.uk) confirming that they have your consent to submit an appeal on your behalf. For context, it would also be useful if you could briefly outline their job and/or relation to you so that any conflict of interest, bias or perceived bias can be avoided.
- 1.11. If you would like support or guidance with your appeal, then you are advised to contact the [LSE Students' Union Advice Service](#), who are able to provide free, independent advice to students at all stages of this process.
- 1.12. If, when making an appeal, you believe you should receive reasonable adjustments to the procedure on the grounds of disability, you should clearly state this in the appeal.
- 1.13. The Academic Registrar (or nominee) has overall responsibility for these Regulations.

## 2. Grounds for Appeal

- 2.1. You can appeal against decisions made by LSE examination boards, including the School Board of Examiners, the Graduate School Board of Examiners, any sub-board of Examiners, and the LLB Board of Examiners. You can make an appeal on one or both of the following grounds:
  - 2.1.1. That the Exam Board did not follow the correct procedure such that there is reasonable doubt that the decision would have been the same if the correct procedure had been followed ('Procedural error');
  - 2.1.2. That there is new information about Exceptional Circumstances (ECs) that affected the examination outcome. The School's General Academic Regulations state that "such circumstances would normally be sudden, unforeseen, out of the student's own control and proximate to the assessment(s) in question".
- 2.2. If you are appealing under 2.1.2, you must provide:
  - 2.2.1. Evidence of the exceptional circumstances that affected the assessment in question, and;
  - 2.2.2. Evidence of a good reason for not reporting those circumstances at the time, as set out in the procedure for submitting [exceptional circumstances](#).

## 3. What Can I Appeal Against?

- 3.1. Any result; e.g. final degree classification, course mark etc. can be appealed against on the ground of procedural defect; furthermore, you can appeal against the following on the basis of new information about exceptional circumstances:
  - 3.1.1. Your final degree classification;
  - 3.1.2. Not being awarded a degree, or a decision to class you as a 'Final Fail';
  - 3.1.3. A mark or grade of 'Absent', 'Incomplete' or 'Fail'.
- 3.2. If you are appealing on the basis of exceptional circumstances, you will need to provide evidence of:
  - 3.2.1. The exceptional circumstances, and;
  - 3.2.2. Why you did not report these circumstances at the appropriate time, as set out in the procedure for submitting exceptional circumstances.
- 3.3. If you are appealing against your final degree classification on the basis of exceptional circumstances, in addition to the conditions set out in 3.2, you will also have to meet the following conditions:

- 3.3.1. Your classification marks are no more than three marks below the next higher classification in a single course, or:
- 3.3.2. Your aggregate is no more than fifteen marks away from the next higher classification on aggregate if you are an undergraduate student; or no more than ten marks away from the next higher classification on aggregate if you are a postgraduate student.
- 3.4. There are no other aspects of your academic results that you can appeal against. For example, you cannot appeal with regard to:
  - 3.4.1. Provisional results;
  - 3.4.2. Exceptional progression decisions;
  - 3.4.3. A mark being capped because it is a resit;
- 3.5. Specifically, the School does not accept academic appeals that challenge academic judgement. The OIA defines academic judgement as “a judgement that is made about a matter where only the opinion of an academic expert is sufficient”. For example the final grading of assessment, based on clear marking and moderation procedures, is an academic judgement.
- 3.6. The School will not consider appeals which it considers frivolous or vexatious. The decision of the Academic Registrar that an appeal is frivolous or vexatious is final. Any such appeal will be closed and a Completion of Procedures letter will be issued.

#### 4. Submitting an Appeal

- 4.1. The deadline for submitting an appeal is 10 working days from when your results are published. To make an appeal, you must complete the appeal form and submit it, along with all the evidence that you want considered, to the Assessment Regulations Team (ART) by the deadline.
- 4.2. You must send your appeal to the ART via [ssc.appeals@lse.ac.uk](mailto:ssc.appeals@lse.ac.uk). Hard copy appeals are not accepted unless by prior agreement with the ART. You should receive email within 1-3 days confirming receipt – it is your responsibility to follow up to confirm receipt if you do not receive this acknowledgement.
- 4.3. By submitting an appeal, you are giving the ART permission to seek further detail about your case as required – this may involve consulting your student record, your academic department, any School service or any external service (for example, if you have taken an intercollegiate course).
- 4.4. You must submit all supporting evidence at the same time as you submit your appeal form. Late evidence will not be accepted without explicit prior permission from the ART. If you need additional time to submit evidence, you must contact the ART **before** the appeal deadline to explain your reasons and ask for permission.
- 4.5. The ART will not obtain evidence on your behalf; it is your responsibility to submit any evidence that you think is relevant to the consideration of your appeal. Prior to submitting your appeal and evidence, you should consult the School’s [‘Standards of Evidence’](#).
- 4.6. All evidence must be in English and you are responsible for obtaining official translations as necessary.
- 4.7. Evidence in relation to Exceptional Circumstances should demonstrate the impact of the circumstances on you; evidence solely in relation to a third party may not be the best, or appropriate, way of demonstrating this impact. Where the circumstances are, for example, that you were worried about the health of a family member, you need to submit evidence to show how these circumstances specifically affected you and your academic performance.

- 4.8. Any evidence containing information relating to a third party (other than a death certificate) cannot be considered as part of your appeal and will be destroyed, unless that party has given their express consent for the information to be used and stored.

## 5. Appeal Consideration: Stage 1

- 5.1. The ART will review each appeal to determine its validity in accordance with sections 2.1 and 2.2 above. Where the ART deems an appeal to be valid, it will be considered, where it is deemed invalid it will be rejected and the student will be notified of the reason(s) and offered the opportunity to request a review of the decision as per Section 10 below.
- 5.2. The ART will consider each appeal and determine whether it is reasonable to accept or reject the appeal. Such consideration will be based on the student's statement and the evidence submitted in support of it, with due regard to equity across the School. Information from staff members, other students or outside agencies may also be sought, as appropriate, by the ART when considering an appeal.

## 6. Accepted Appeals

- 6.1. Where the ART considers that it is reasonable to accept an appeal; for example where your statement and evidence demonstrate that the ground(s) appealed under have been clearly met, you will be notified of the reason(s) for your appeal being accepted.
  - 6.1.1. In the case of 'Procedural Error', any disadvantage caused by the error(s) will be rectified; this will mean that normally you will be put back in the position you would have been in prior to the error(s), with the error(s) being corrected;
  - 6.1.2. In the case of Exceptional Circumstances, your reason(s) for not notifying the School of your ECs by the deadline will be accepted
- 6.2. This will be the end of the appeals process. However, if you are dissatisfied with this outcome you can request a review of the decision as per Section 10 below

## 7. Accepted Appeals – Further Action

- 7.1. If the ART accepts your appeal that marks the conclusion of the appeal process. They will then refer the matter appealed against to the SBE/GSBE Chair, or their nominee for their consideration and decision. The Chair or their nominee will make a decision, ensuring that the correct procedure is followed and, if appropriate, that your ECs are considered as if submitted on time. For the avoidance of doubt, the Chair's (or their nominee's) decision is different to, and additional from, the ART's decision to accept your appeal. The ART's decision to accept your appeal should not be taken as an indicator of the Chair's (or their nominee's) subsequent decision. The Chair's (or their nominee's) possible decisions could include:
  - 7.1.1. Awarding you a degree, or;
  - 7.1.2. Awarding you a higher degree classification, or;
  - 7.1.3. Granting you another attempt at a course or courses that you have previously failed. The failed attempt(s) will remain on your record, and you will not be permitted to re-sit any element of assessment which you have already passed, or;
  - 7.1.4. Discounting failed course(s) as a whole meaning that the failed attempt will be removed from your record.
  - 7.1.5. It being determined that your Exceptional Circumstances do not merit a suspension of the School's regulations.

- 7.2. For undergraduate students only, where a first attempt is discounted, this means that you will sit the next attempt without it being capped at a pass mark.
- 7.3. You will be notified of the SBE/GSBE Chair's decision by the ART, this decision is not part of the Appeals Procedure and is not governed by these Regulations; rather it will be governed by the application of the relevant classification scheme and associated regulations.

## 8. Rejected Appeal at Stage 1

- 8.1. If your appeal does not clearly demonstrate that the ground(s) of appeal have been met, the ART will reject the appeal. The reason(s) for the decision will be clearly explained and any evidence/information upon which the decision was based that you did not provide will be provided to you as part of the decision; although this may be in a redacted form to protect the confidentiality of others.
- 8.2. If your appeal is rejected, you will be notified that you can request a review of the decision as per Section 10 below.

## 9. Common Reasons Why Appeals Are Unsuccessful

- 9.1. The following list is not exhaustive but explains the most common reasons why appeals are rejected or deemed to be invalid.
- 9.2. The appeal was received outside the deadline of 10 working days without good reason and evidence for the delay. In cases where a delay is unavoidable, the appeal must be submitted as soon as possible after the deadline and must include an explanation and independent supporting evidence covering the entire period affected.
- 9.3. The Exceptional Circumstances could, in the opinion of the ART, have been disclosed via the Exceptional Circumstances procedure; i.e. in time for consideration by the Sub-Board of Examiners for your programme.
- 9.4. The appeal is made on the grounds of Exceptional Circumstances, but the evidence does not meet the criteria set down in the School's ['Standards of Evidence'](#).
- 9.5. Although frequently cited in appeal applications, the following do not constitute valid grounds for appeal:
  - 9.5.1. Disagreement with the academic judgement of a Sub-Board/Board in assessing the merits of an item of academic work or the classification of a final award, where the Board's decision was reached in accordance with the School's regulations and procedures. In such circumstances you should request feedback from the relevant course tutor;
  - 9.5.2. Ignorance without good reason of the published regulations and procedures, including deadlines for submitting Exceptional Circumstances or Deferral requests;
  - 9.5.3. Academic performance being affected by alleged poor teaching, supervision or guidance. In such circumstances you should submit a complaint in good time in accordance with the Complaints Procedure.

## 10. Appeal Review: Stage 2

- 10.1. If a student is dissatisfied with the outcome of their appeal, including it being deemed invalid, they can request a review in accordance with the following grounds:
  - 10.1.1. A review of the appeal procedure already followed;
  - 10.1.2. A consideration of whether the outcome of the appeal was reasonable in all circumstances;

- 10.1.3. Consideration of new relevant evidence, which the student was unable, for valid reason(s), to provide earlier in the process.
- 10.2. To request a review, you must write to the ART with specific, concise reasons for your request and submit it within 10 working days of receiving the outcome of your appeal, using [ssc.appeals@lse.ac.uk](mailto:ssc.appeals@lse.ac.uk)
- 10.3. If you would like support or guidance with requesting a review, then you are advised to contact the LSE Students' Union Advice Service, who are able to provide free, independent advice to students at all stages of this process.
- 10.4. The review will not normally entail a reconsideration of the appeal but will check whether the appropriate procedures were followed and that the decision to reject the appeal was reasonable. The review stage will not usually consider issues afresh or involve a further investigation. It will also not consider any actions taken subsequent to the conclusion of the appeals process; for example, the actions outlined in Section 7 above.
- 10.5. The review will be undertaken by the Academic Registrar (or nominee, who will have had no previous involvement with the appeal).
- 10.6. If the review concludes that appropriate procedures were not followed, and/or that the decision to reject the appeal was not reasonable, the Academic Registrar (or nominee) will set aside the original appeal decision and determine a new one as per Sections 6 and 7 above.
- 10.7. If the appeal remains rejected, you will be notified of the reason(s) for this decision.
- 10.8. In either case you will be issued with a Completion of Procedures letter.

## 11. Concluding Remarks

- 11.1 You will normally be notified of the outcome of your appeal within 90 days of the date that the appeal was initially received by the School. Where this proves not to be possible, you will be notified of the progress of the review to date.
- 11.2 The School subscribes to the independent scheme for the review of student complaints. If you are dissatisfied with the outcome of your appeal you may be able to apply for a review of your appeal to the Office of the Independent Adjudicator for students in Higher Education (OIA) providing that the complaint you take to the OIA is eligible under its Rules. The School will confirm in writing to you by way of a Completion of Procedures letter, when you have exhausted the University's internal procedures. At this point you may apply to the OIA if you wish. If you would like support or guidance with applying to the OIA, then you are advised to contact the LSE Students' Union Advice Service, who are able to provide free, independent advice to students.
- 11.3 You will normally have one calendar year in which to submit a complaint to the OIA. The exact deadline will be stated in the Completion of Procedures letter.
- 11.4 You should note that an anonymised record will be kept of your appeal and of its outcome in order that trends and themes in appeals can be identified, addressed and improvements introduced.
- 11.5 Student Services will hold the full documentation of your academic appeal in line with the School's record retention schedule.
- 11.6 Fraudulent appeals will lead the School to take action under its disciplinary procedures.