

Version number:	Status:	Owner:	Approved By:	Date of Approval:	Date of Next Review:
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# Open College of the Arts (OCA) Academic Appeals - Policy and Procedures

Updated: June 2024

## 1. Purpose

- 1.1. OCA defines an academic appeal as 'a request for a review of a decision of an academic body charged with making decisions on admission, assessment, student progression and awards.' Decisions about entry requirements, reasonable adjustments for teaching and assessment for students with disabilities, progression rules, academic misconduct, assignment marks, module results, awarded credit exemption and the award and classification of qualifications would be covered by the Academic Appeals Policy and Procedures.
- 1.2. This document outlines the process by which students at OCA may make an academic appeal, how OCA will consider academic appeals and the mechanisms through which academic appeals can be resolved. The procedure comprises an informal, a formal, and a review stage.

## 2. Principles

- 2.1. OCA undertakes to provide high quality services in respect of delivering academic courses, supported by appropriate tutors, staff, and resources. We recognise that sometimes things go wrong and, when they do, we welcome the opportunity to put them right as soon as possible.
- 2.2. The procedures aim to be simple, clear, and fair to all parties. Academic Appeals (both informal and formal) will be handled sensitively and with due consideration for confidentiality. No student who brings a genuine academic appeal under these procedures will be disadvantaged by OCA, regardless of the outcome.

## 3. Scope

- 3.1. This policy applies to all applicants, all students on courses at OCA including undergraduate, postgraduate, short course, and foundation courses and alumni.

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#### **4. Changes**

4.1. Added contact email information for OCA's Appeals Panel (8.4.2)

4.2. corrected referencing within document (8.4.3)

#### **5. Policies superseded by this document**

5.1. This document supersedes Version 1 of this policy

#### **6. Related policies and legislation**

6.1. This Policy and Procedures are subject to [OCA's Terms and Conditions](#), and forms part of the [Academic Regulations for Subsidiary Institutions of The OU](#).

6.2. This policy should be read in conjunction with [Academic Regulations for Subsidiary Institutions of The OU](#), [Summative Assessment Policy](#) and [Data Retention Schedule](#).

#### **7. Policy / procedures**

##### **7.1. Time limits**

The table below shows the timeframes for each stage of the appeal process. If for any unexpected eventualities OCA is unable to meet the response times stated within this document they will write to the student/applicant making the appeal and advise them of this.

	Stage 1 - Informal	Stage 2 - Formal	Stage 3 - Request Formal Review
Timeframe for student/applicant to contact OCA's Appeals Screening Group	Within 28 working days of the instance occurring / or of applicant / student being notified of an academic decision being made		
Timeframe for OCA's Appeals	28 working days from receipt of		

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Screening Group to respond to student/applicant with <i>Outcome Letter</i>	academic appeal.			
Timeframe for student / applicant to contact OCA's Appeals Panel if they wish to escalate to Stage 2		Within 28 working days receipt of the Outcome Letter from the Appeal Screening Group		
Timeframe for Appeals Panel to acknowledge receipt to Stage 2		Within 5 working days of notice of escalation to Stage 2 from student / applicant.		
Timeframe for Appeals Panel to provide <i>Decision Letter</i>		Within 28 days of acknowledgement of escalation to Stage 2.		
Timeframe for students/applicant to escalate to Stage 3			Within 28 days of receipt of the Decision Letter	
Timeframe for OU to provide resolution to Stage 3 Appeal			Within 10 working days of the acknowledgement, The Secretary of the Panel at The Open University will write to the student /applicant and advise them whether or not the review request has been accepted. If the request for	

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			<p>review is not accepted the student/applicant will be advised of reasons for that decision. The student/applicant will be given a further opportunity to resubmit their request for a review within 28 days of the decision letter or 10 working days of the acknowledgement of their request by the Secretary, whichever is longer.</p>
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**7.2.** Any complaints or requests for administrative review received after 28 working days have passed will not be considered unless the student can evidence extenuating circumstances that prevented them from submitting within 28 working days. For example, if you have been seriously ill, we will take this into account when considering if your complaint can be accepted. You will need to provide evidence, such as a medical note, to show that you were unable to submit your complaint within the given time limit.

**7.3.** Details of academic appeals are retained for the length of study plus 6 years minimum post study.

**7.4. Help and advice**

When an academic appeal is being made the student will be able to contact OCA with queries at the Informal and Formal Stages. If the appeal has reached the 'Request for

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Formal Review' then queries must be directed to The Open University's Student Casework Office.

### 7.5. Confidentiality

Your academic appeal will be dealt with in confidence and the detail will only be shared with staff who need to know in order to investigate and respond to the issues you have raised. It is possible that information you provide in support of your academic appeal may be shared with other areas of OCA and/or the validating university in order to resolve your academic appeal. If you need to submit evidence of exceptional personal circumstances, for example around the health of a family member, it is preferable if you do not submit detailed medical evidence about that person as OCA will need to advise that person that we are processing their data. If possible, please only submit evidence about the effect the circumstances have had on you directly.

### 7.6. Third Party Academic Appeals

Academic appeals made by third parties on behalf of a student or students will only be investigated if the student or students have given their written permission that the third party may act on their behalf. This includes Members of Parliament, legal advisers and family members. If you already have an advocacy agreement in place this is acceptable permission.

### 7.7. Ineligible Academic Appeals

**7.7.1.** OCA will reject an academic appeal without full consideration of the issues if the academic appeal is judged to be ineligible by being one or more of the following:

- An appeal solely against academic judgement.
- The academic appeal is out of time and there are no exceptional circumstances for extending the time limit
- The academic appeal reveals no facts, evidence or other circumstances which could reasonably support an appeal against a decision of OCA;
- The substantive issues in the academic appeal have been addressed previously and the OCA's procedures have been completed;
- It is being pursued in an unreasonable manner likely to cause disruption, distress, inconvenience, delay or unreasonable expense;
- It contains wholly unsubstantiated accusations against members of OCA staff or persons connected with members of OCA staff alleging

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discrimination, harassment, fraud, dishonesty, conflict of interest, sexual impropriety or other serious misconduct.

**7.7.2.** If it is determined that an academic appeal is ineligible, OCA will write to you to explain that we are terminating our consideration of the academic appeal and give you reasons for that decision. If you disagree with that decision you must write to the Appeals Screening Group within 10 working days of that decision setting out your reasons for your disagreement. This will then be considered by a member of OCA Directorate who will determine whether the complaint or appeal will be considered.

### 7.8. Expected standards of behaviour

OCA staff will deal with your academic appeal courteously and respectfully and, wherever possible, in such a way as to resolve any problems as quickly and effectively as possible. We understand that you may be upset or angry when you contact us to make an academic appeal, but OCA staff also have the right to be treated in a courteous and respectful manner and will not deal with your academic appeal if they are shouted at, threatened or abused. It is usually in all parties' interests if students are able to present their academic appeals as calmly and reasonably as possible in the circumstances, so that we can quickly understand the issues and, where appropriate apologise for any mistakes and put right what has gone wrong. If you are not satisfied with the behaviour of a member of staff who is dealing with your academic appeal and you cannot resolve this informally with that person, or if you have made a academic appeal and have reason to believe that you have been disadvantaged as a consequence of doing so, you should make a formal complaint about the staff member concerned as soon as possible by contacting the OCA Principal. If your complaint is found to be justified, it will be dealt with under the OCA's staff management procedures.

## **8. Academic Appeals Process**

### 8.1. Definition of an academic appeal:

**8.1.1.** OCA defines an academic appeal as 'a request for a review of a decision of an academic body charged with making decisions on admission, assessment, student progression and awards.'

**8.1.2.** The academic bodies charged with making those decisions at OCA are:

- Stage 1 - OCA's Appeals Screening Group (this consists of OCA Head of Quality & Academic Support, a member of the Quality & Enhancement Team, a Programme Leader

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- Stage 2 - OCA's Appeals Panel (convened from 3 members of OCA's Curriculum & Quality Committee (CQC) who must include the CQC Chair or Deputy Chair plus 2 other members but *not* including members of the Appeals Screening Group involved at Stage 1. If this includes a Student Representative, it will be the Chair's responsibility to fully brief them. OCA's Appeals Panel must also include a representative appointed by the university

**8.1.3.** Both the Appeals Screening Group and Appeals panel will also have a delegated clerk.

**8.1.4.** You cannot appeal against an academic decision simply because you disagree with the academic judgement of OCA. You may only appeal an academic decision where there are specific grounds relating to the fairness or adequacy of the procedures followed, including the consideration of all relevant evidence, the correct application of rules, how a decision was communicated, bias, and whether the decision was one which, in all the circumstances, it was reasonable for OCA to have made.

## 8.2. The General Academic Appeals Procedure

**8.2.1.** This section of the Academic Appeals Procedure applies to academic decisions concerning:

- entry requirements,
- registration and enrolment;
- reasonable adjustments for teaching and assessment of students with disabilities;
- the application of progression rules and study order;
- academic misconduct (plagiarism);
- the discretionary postponement of an end of course unit assessment;
- the extension of time limits for assessment or examination, including the late submission of special circumstances;
- the award of aegrotat credit;
- the exceptional award of a qualification;
- any other academic decision not referred to below

**8.2.2.** Decisions about assignment marks and unit result are covered below.

### The stages in the General Academic Appeals Procedure

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### **8.3. Stage 1 Informal:**

**8.3.1.** If you have grounds to believe that an academic decision relating to your admission, assessment, progression or award is wrong, you should notify OCA as soon as possible. The details of who you should contact will have been given to you in the notification of the decision. You cannot query an academic decision simply because you do not agree with it; you must make a case, with evidence to support it, that the decision was not made in accordance with the relevant OCA policies, procedures or regulations.

1. You should contact the OCA's Appeals Screening Group (email to [assessment@oca.ac.uk](mailto:assessment@oca.ac.uk)) and set out the reason(s) why you believe the decision was not the correct decision, providing evidence where appropriate. You must contact OCA within 28 working days of the decision. If your query is received more than 28 working days after the decision, it will be considered as out of time, unless there are exceptional circumstances for extending the time limit.
2. Within 28 working days of receipt of your query, you will be issued with an Outcome Letter which will contain a full response to your query or concern. Until you are in receipt of that Outcome letter you will be unable to escalate your query to the formal appeal stage.
3. If the Outcome Letter is not issued within the 28 working day time limit, and you have not received an explanation for the delay, you should contact OCA Head of Quality & Academic Support to discuss escalation of the query to the formal appeal stage.

### **8.4. Stage 2 Formal:**

**8.4.1.** If you consider that the decision in the Outcome Letter you have received has not been reviewed in accordance with the relevant OCA policies, procedures and regulations, or if you have not received an Outcome Letter within the time limit (or extended time limit) you may invoke the Appeal Stage of the Academic Appeals Procedure.

**8.4.2.** To do this you must:

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1. Write to the OCA's Appeals Panel (email to [registry@oca.ac.uk](mailto:registry@oca.ac.uk)) within 28 working days of the date of the Outcome Letter .
2. Explain why the outcome to your query has not resolved the issue.
3. Set out one or more of the following grounds on which you believe OCA should review its decision:
  - that relevant evidence has not been taken into account;
  - that irrelevant evidence was taken into account
  - that any relevant OCA regulations, policies or procedures have not been applied correctly.
  - that the reasons for the decision were not clearly communicated to you;
  - that there was bias, or the likelihood of bias in making the decision;
  - that the decision was made by a person or body without the necessary responsibility or authority;
  - that the procedure followed was not fair or adequate;
  - that the decision was not one which, in all the circumstances, it was reasonable for OCA to have made.
4. Submit any new or additional evidence which has not previously been submitted in support of your appeal.
5. Show that the time limit (or extended time limit) for a response has passed.

Failure to meet these requirements will result in your appeal not being accepted

**8.4.3.** The Appeals Panel will acknowledge receipt of your appeal within five working days. You will be advised whether your appeal meets the requirements in point (8.4.2)) above and has been accepted, and if not, why it has not. If your appeal has not been accepted, you will be given a further opportunity to resubmit your appeal within 28 working days of the decision letter or 10 working days of the acknowledgement of your request by the Appeals Panel, whichever is longer.

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**8.4.4.** If your appeal is accepted for consideration, you will be advised this has been referred to OCA's Appeals Panel and when a full response can be expected. In most cases this should be no more than 28 working days from the date of the acknowledgement; however, you will be advised if a time extension is required and the reasons why.

**8.4.5.** OCA's Appeals Panel will investigate your appeal. They will take into account your grounds for appeal and any evidence you have submitted in support of your appeal, review your student record and refer to College policies, procedures and regulations as appropriate.

**8.4.6.** Once your appeal has been fully investigated you will be sent a Decision Letter. The Decision Letter will set out the matters of complaint, a timeline of events, details of the information or evidence which was taken into consideration and the outcome of the complaint. Where evidence not previously available to you has been considered by OCA's Appeals Panel, this will be provided to you as long as this would not constitute a breach of the General Data Protection Regulations.

a) If your appeal is not upheld you will be informed of the reasons for its rejection.

b) If your appeal is upheld, or partly upheld, you will be informed of the actions being taken to implement the decision and, where appropriate, what OCA will do to prevent a recurrence of an incorrect decision in the future.

c) In the event of an appeal being upheld or partly upheld OCA's Appeals Panel may also make recommendations in respect of quality assurance procedures or policies. These recommendations will be reported to you, for information, to any relevant areas of OCA and to OCA's Curriculum & Quality Committee to ensure their implementation.

## **8.5. Stage 3 Requesting a Formal Review:**

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**8.5.1.** You must ensure that you have exhausted the appropriate internal procedures at OCA before approaching The Open University

**8.5.2.** The [Academic Regulations for Subsidiary Institutions of The Open University](#) require subsidiary institutions of The Open University offering programmes awarded by The Open University, to have their own procedures by which student appeals can be heard. The Open University approves these procedures during the Institutional Quality Review and monitors them through annual reporting and periodic institutional review. The Open University is therefore confident that appropriate appeals procedures are in place in all its subsidiary institutions, which is why there is no right of appeal or complaint to The Open University in the first instance.

**8.5.3.** When requesting a review of your appeal, you are entitled to:

- Be dealt with impartially and in accordance with The Open University's equality and diversity strategy
- Guidance from OCA and The Open University on the procedure to follow to request a review of your appeal or complaint by The Open University
- Claim from OCA any reasonable and proportionate incidental expenses that you have necessarily incurred, if your appeal or complaint is upheld by The Open University
- Access information held about you, both in OCA and in The Open University, and to be kept informed of progress in relation to your appeal or complaint.
- Withdraw an appeal or complaint without prejudice at any time during the procedure

**8.5.4.** If you wish to withdraw an appeal, you must inform The Open University in writing. Any decision made by The Open University or the institution at the previous stage in the procedure will then be upheld and become the final outcome.

**8.5.5.** When requesting a review of your appeal, you must:

- Ensure that you have exhausted all OCA's own internal appeals and complaints processes within the specified timescale, and explain how or why the

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institution's processes failed to satisfy you, beyond a simple disagreement with the outcome

- Ensure that you provide The Open University with all the information necessary for dealing with your appeal, including supporting evidence. You must respond promptly to requests for further information or clarification
- Your appeal must establish that there are relevant grounds for The Open University to review your appeal
- Not attempt to use The Open University's appeals procedures to bring frivolous or vexatious matters to The Open University's attention.

#### 8.5.6. How to request a Stage 3 Review

Details of how to request a Stage 3 Review are provided below in 8.7 – 8.8..

### 8.6. Legal action

**8.6.1.** These complaints and appeals procedures are designed to help us to resolve problems and difficulties as quickly and easily as possible. We recommend that you do not take legal action against The Open University until these procedures have been completed. This includes, where eligible, taking your complaint or appeal to the [Office of the Independent Adjudicator under the Scheme of Independent Adjudication for Higher Education](#) established by [the Higher Education Act 2004](#).

**8.6.2.** If you do take legal action against The Open University or the Open College of the Arts before those procedures are completed, we will ask you to stay your action until they are completed in accordance with civil procedure rules which encourage the parties to try to resolve issues without court proceedings wherever possible.

### 8.7. Step 1 - Can I request a review of my appeal by The Open University?

**8.7.1.** You can only request that The Open University reviews your academic appeal if all of the following are true:

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- Your academic appeal is against an institutional body, such as an assessment board, or admissions board, and the decision related to one or more of the following:
  - Your final award
  - Your progression from one academic stage or level of the programme to the next
  - Your assessment on the programme
  - Your admission to the programme and
  - You can demonstrate that you have exhausted all appropriate internal procedures open to you at OCA

and

- You have grounds to believe that the partner institution's internal procedures and regulations for dealing with appeals were not interpreted or implemented correctly or fairly.

**8.7.2.** Disagreement with the academic judgement of an institutional body - an assessment board, or an admissions board - cannot of itself constitute grounds for an appeal. Reconsideration of decisions may only take place if:

- You produce documentary evidence that performance was affected by factors which you were unable, or for valid reasons unwilling, to divulge before the institutional body made its decision or
- You produce evidence that there has been a material administrative error, or that the assessments were not conducted in accordance with the current regulations for the programme, or that some other material irregularity has occurred.
- If the matter that concerns you does not meet these conditions, it may be possible to request further consideration by requesting that The Open University review a complaint about the matter.

## **8.8. Step 2 - How do I request that The Open University reviews my academic appeal?**

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**8.8.1.** If you have exhausted all the appropriate internal procedures open to you at OCA and you believe that you have met all the conditions outlined in Step 1 above, you may submit a request that your academic appeal be reviewed by The Open University.

**8.8.2. How do I submit a request for review of my academic appeal?**

You must submit the request for your academic appeal to be reviewed in writing and your letter must include the following information:

- Your contact address and telephone number
- The name of the institution at which you are studying
- The name of the programme on which you are studying
- The specific decision you are appealing against
- Documentary evidence that you have exhausted OCA's own internal procedures including copies of written correspondence between yourself and OCA concerning the decision you are appealing against, and a copy of the letter from OCA notifying you of the final outcome of its internal appeals procedure
- A clear statement explaining why you are appealing and how your appeal meets the conditions specified in Step 1
- Documentary evidence to support the grounds on which you are appealing. If you fail to provide all of the above, your appeal will be delayed and may eventually be dismissed.

**8.8.3. Important: please read carefully:**

**The Open University will make every attempt to respect your privacy and confidentiality when dealing with your appeal. However, unless you specifically state otherwise, The Open University will assume that you have given permission to disclose as necessary any of the information you provide. If you wish any matter to remain private or confidential, you must state so clearly in your letter. If you do not wish The Open University to disclose information, it may not be possible to consider your appeal appropriately.**

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#### **8.8.4. When can I submit an academic appeal?**

It is important that The Open University receives your appeal within 28 days of receipt of the Decision Letter from OCA. Furthermore, The Open University and OCA may be unable to investigate fully appeals received after a significant time lag.

#### **8.8.5. Where should I submit the academic appeal?**

Appeals must be sent to:  
The Vice-Chancellor's Delegate,  
Academic Services,  
Student Casework Office,  
The Open University,  
Walton Hall,  
Milton Keynes,  
MK7 6AA,  
United Kingdom.

SCO-Admin@open.ac.uk

### **8.9. Step 3 - What will The Open University do next?**

**8.9.1.** When The Open University receives your appeal, a formal acknowledgement of receipt will be sent to you.

**8.9.2.** Your letter will then be checked to ensure that all the necessary information has been provided as listed in Step 2.

**8.9.3.** If the request for review is not accepted, we will advise you of the reasons for that decision and issue you a "Completion of Procedures letter" (please see section D "Methods of appeal" for details of escalation to the Office of the Independent Adjudicator).

*or*

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If you have provided all the necessary information, your appeal will proceed to Initial Evaluation.

### **8.10. Initial evaluation of the grounds of your academic appeal:**

**8.10.1.** \_\_\_\_\_ Once you have provided all the necessary information, your appeal will be considered against the conditions listed in Step 1.

**8.10.2.** If your appeal does not meet the conditions listed in Step 1 or is considered to be frivolous or vexatious, it will not be considered further and will be dismissed. This decision will be final, and you will be informed of this in writing by The Open University, giving the reasons.

or

If it is clear that your appeal meets the conditions listed in Step 1, your appeal will proceed to Investigation.

### **8.11. Investigation:**

**8.11.1.** The Open University will normally write in confidence to an appropriate senior member of OCA asking for comments on specific issues that appear to require investigation or response. It will determine these issues from your letter and supporting evidence. The Open University will need to pass information provided by you on to OCA in order to address your academic appeal. If you do not wish The Open University to disclose any private or confidential information, it is your responsibility to specify this in writing. Please note that disclosure is normally necessary to progress your appeal. The Open University will expect OCA to investigate the matter urgently and will provide a deadline to the institution.

**8.11.2.** In some cases, further correspondence might be needed, particularly if the appeal is complex. It is also possible that The Open University will contact you to ask for further clarification or information. The Open University will keep you informed of progress and of any delays.

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**8.11.3.** Any person identified in a complaint or involved in the decision being appealed will be given details of the complaint or appeal and have the right to respond as part of the investigation.

## **9. Step 4 - How might my academic appeal be resolved?**

**9.1.** The Open University will seek to resolve your appeal within forty working days of receiving your complete appeal letter. It will base its decision on the information provided by you and the institution in response to its investigation.

**9.2.** There are three possible outcomes:

- The Open University may inform you and OCA that there is no case for any further action and may therefore dismiss your appeal. The Open University may reach this decision if on investigation it finds no evidence to support your appeal on the grounds you stated. This decision is final.

or

- The Open University may inform you and OCA that you have legitimate grounds for an appeal. The Open University will then refer the appeal back to OCA advising on the necessary action required to reach a satisfactory conclusion. The action required might be for your appeal to be reconsidered through the institution's own internal procedures, or for the body that made the decision to reconsider. The Open University will follow up this decision by requiring the institution to report on what action has been taken to resolve the matter by an agreed deadline. The Open University reserves the right, in exceptional circumstances, subsequently to refer the matter to an Appeals Panel as in 5.5 below. OCA will also be expected to meet any reasonable expenses you have incurred as a result of submitting an appeal to The Open University for review.

or

- If The Open University considers the appeal to be too complex to be resolved by correspondence within the time scale of forty working days, the matter will be referred to an Appeal Panel.

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**9.3.** You and OCA will be informed of the outcome in writing.

## **10. Step 5 - Attending an Appeal Panel**

**10.1.** If The Open University considers that your appeal should be investigated further, a specially convened Appeal Panel may be established to consider your appeal on behalf of The Open University. The Open University will seek to convene the panel within forty working days of receiving the decision as indicated in Step 4. This is the last Step of the academic appeals procedure and the panel's decision will be final.

### **10.2. Appeal Panel Membership**

An Appeal Panel will consist of:

- The Chair of The Open University Curriculum Partnerships Committee or a nominee as Chair
- Another member of The Open University Curriculum Partnerships Committee, external to The Open University, with appropriate knowledge and experience
- The Vice-Chancellor's Delegate or the Head of the Open University Validation Partnerships (OUVP), or their nominee
- A member of a recognised student group.

**10.3.** Appeal Panel members must participate impartially. Therefore, no member of the Appeal Panel may act in any matter in which they have a material interest or in which any conflict of interest might arise.

### **10.4. Attendance**

You will be expected to attend to speak to the panel and may be questioned. You may bring a witness. You may also be accompanied by someone, such as a student advisor, who may attend and speak on your behalf, or support you. You must inform the OU of the attendance, name and status of any person representing you at least ten working days in advance of the panel.

The following will also attend:

- The academic registrar or equivalent of OCA, or nominee

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- The Chair of OCA's body against whose decision you are appealing, or their nominee
- Any relevant witnesses required by OCA
- Any further relevant parties required by The Open University
- A SCO or OUVF Officer as secretary.

## **11. Responsibilities**

### **11.1. The Open University will be responsible for:**

- Convening the panel and attendees
- Organising a venue and necessary catering
- Producing a draft agenda
- Informing all parties of the time and venue
- Disseminating documentation to all parties
- Reporting the outcome of the panel to all parties and producing the final report.

### **11.2. You will be responsible for:**

- Providing The Open University with information regarding your availability so that a panel may be convened
- Informing The Open University of any relevant witnesses you wish to attend
- Informing The Open University of any person you wish to attend to support you
- Providing The Open University with any further information that the panel requires
- Attending the panel in order to present your case and answer any questions
- You may decide not to attend the panel in person, if so, you may appoint a representative. You must inform The Open University of this at least ten working days before the panel.

### **11.3. If you find you are unable to attend the panel after a date has been agreed, you must inform The Open University at least 48 hours in advance. If possible, the panel may be reconvened at a more suitable time. If you do not give at least 48**

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hours' notice, the panel will meet without you, unless you can provide prior evidence that your non-attendance is outside your control.

**11.4.** OCA will be responsible for:

- Ensuring that the academic registrar or equivalent, or nominee is in attendance to present OCAs case
- Ensuring that the Chair of the institutional body making the decision appealed against, or their nominee, is in attendance to answer questions
- Providing The Open University with the availability of those to attend so that a panel may be convened
- Informing The Open University of any relevant witnesses it wishes to be invited to attend
- Providing The Open University with any further information that the panel requires.

**11.5.** If OCA's representatives find that they are unable to attend the panel after a date has been agreed, they must inform The Open University at least 48 hours in advance. If possible, the panel may be reconvened at a more suitable time. If OCA does not give at least 48 hours' notice, the panel will meet without them, unless they can provide prior evidence that their non-attendance is outside their control.

**11.6.** Your rights

**11.6.1.** Both parties will be given at least ten working days' notice of the date and place of the Appeal Panel. The Appeal Panel may take place remotely through telephone/video participation.

**11.6.2.** Both parties will be provided with copies of the documentation received by the Appeal Panel at least four working days before it convenes.

**11.6.3.** If the Appeal Panel is not being held remotely, both parties are entitled to separate rooms at the venue in which to wait and prepare for the Appeal Panel.

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**11.6.4.** Both parties will be allowed the opportunity to present their case to the Appeal Panel.

**11.6.5.** The student has the right to be accompanied at the Appeal Panel. The person accompanying the student has the right to be heard. The Open University must be informed about the person who is to accompany the student at least ten working days before the Appeal Panel convenes.

**11.6.6.** Both parties will be entitled to call witnesses relevant to the appeal. Any witness must be notified to The Open University at least ten working days before the Appeal Panel. Both parties will be allowed the opportunity to question the other party and their witnesses.

**11.6.7.** The Appeal Panel will need to meet in private at times to discuss outstanding issues or to agree their conclusions. Neither party will be entitled to be present during any private meeting of the Appeal Panel.

**11.6.8.** Both parties will be informed of the outcome of the Appeal Panel within 24 hours. Written confirmation of the outcome will be posted within 24 hours and the full confirmed report will be sent within ten working days.

### **11.7. What might the outcome of the Appeal Panel be?**

**11.7.1.** Possible outcomes are:

- The Open University may inform you and OCA that there is no case for any further action and may therefore dismiss your academic appeal. The Open University may reach this decision if, on investigation, it finds no evidence to support your appeal on the grounds you have stated.
- The Open University may inform you and OCA that you have legitimate grounds for an academic appeal. The Open University will then refer the appeal back to OCA advising on the necessary action required to reach a satisfactory conclusion.

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**11.7.2.** The Appeal Panel's decision is final and at this point a Completion of Procedures (COP) letter will be issued by The Open University. A COP Letter is a letter which a provider sends to a student when they have reached the end of the provider's internal processes, whenever there is no further avenue for the student internally. Normally a student can't complain to the Office of the Independent Adjudicator for Higher Education without a COP letter.

## **12. The Office of the Independent Adjudicator for Higher Education**

**12.1.** Once a student has completed all the internal procedures if they are still dissatisfied with the outcome, they may be able to apply for a review of the matter to the Office of the Independent Adjudicator for Higher Education (OIA).

**12.2.** The OIA was set up under the Higher Education Act 2004 to provide 'an independent student complaints scheme'. All HEIs in England and Wales are required to comply with the scheme, which is free to students. Under the rules, a student who has exhausted the full complaints, appeals or disciplinary procedure available to them within The Open University, must be informed, via a 'Completion of Procedures' letter of their right to a review by the OIA.

**12.3.** Further details are available at: [Office of the Independent Adjudicator](#)

## **13. Where to get further help and guidance**

**13.1.** You can contact The Open University for advice and guidance on The Open University's Appeals and Complaints Procedures. Please contact the SCO in one of the following ways:

Contact SCO by email: [SCO-VC-Delegate@open.ac.uk](mailto:SCO-VC-Delegate@open.ac.uk)

Contact SCO by phone: +44 (0)1908 659535

Address:

The Vice-Chancellor's Delegate,

The Open University,

Academic Services,

Student Casework Office,

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Walton Hall,  
Milton Keynes,  
MK7 6AA,  
United Kingdom.

- 13.2.** For further support and advice, please contact the student representative body in OCA, and where appropriate the NUS.

## **14. Implementing the policy and procedures**

- 14.1.** OCA will ensure this document is easily available to OCA students and applicants by making it available on both OCA's public facing website and, on the student, VLE. Number of appeals will be recorded and reported annually as part of OCA's annual academic monitoring.

## **15. Support for the policy**

- 15.1.** If you are a disabled student and you would like to receive this procedure in an alternative format please contact the OCA's [Learner Support team](#). You should also contact the Learner Support team if you wish to discuss any reasonable adjustments to these procedures to take into account your disability and any additional support you may need in raising and pursuing your complaint or appeal due to your disability.
- 15.2.** If you live in Wales and require this policy in the Welsh language then please contact the [Learner Support team](#) [learnersupport@oca.ac.uk](mailto:learnersupport@oca.ac.uk)
- 15.3.** Whilst the Open College of the Arts Students Association can provide some peer support, they are unable to provide advocacy support for individual student academic appeals.