



Student Appeal Regulations

Purpose of Policy

These are the University's Student Appeal Regulations and govern the University's student appeal procedures. The Regulations set the framework within which student appeals are handled.

Overview

The Student Appeal Regulations apply to student appeals against academic decisions; appeals against exclusion from studies; appeals against decisions of Student Fitness to Practise Committees; appeals against decisions under the Code of Student Conduct; and appeals against a decision taken by a University Support for Study Panel under the Support for Study Policy. The Student Appeal Regulations set out the specific grounds under which an appeal may be submitted. Students may not use an appeal to challenge academic judgment. The fact that a student believes that they deserve a different outcome cannot constitute by itself a ground for appeal.

Scope: Mandatory Regulations

These regulations apply to all students or recent students of the University who wish to submit an appeal as outlined in the overview above, and to all staff who deal with or respond to student appeals.

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Document control

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Approving authority

Academic Policy and Regulations Committee (APRC) on behalf of Senatus Academicus

Consultation undertaken

APRC, Student Appeal Committee, Edinburgh University Students' Association, Colleges

Section responsible for policy maintenance & review

Academic Services

Related policies, procedures, guidelines & regulations

Exceptional Circumstance Policy, Boards of Examiners Guidance, Code of Student Conduct <https://www.ed.ac.uk/academic-services/staff/assessment>
<https://www.ed.ac.uk/academic-services/staff/discipline>
<https://www.ed.ac.uk/academic-services/students/assessment/special-circumstances>
<https://www.ed.ac.uk/academic-services/staff/assessment/boards-examiners>
 Academic Misconduct Investigation Procedures:
<https://www.ed.ac.uk/academic-services/students/conduct/academic-misconduct/academic-misconduct-procedure>
 College Fitness to Practise guidance:
<http://www.ed.ac.uk/arts-humanities-soc-sci/taught-students/student-conduct/fitness-to-practise>
 Withdrawal and Exclusion from Studies Procedure:
<https://www.ed.ac.uk/academic-services/students/code-of-practice/absences-concessions/exclusion>
 Support for Study Policy: <https://www.ed.ac.uk/academic-services/staff/discipline/support-for-study>

UK Quality Code

UK Quality Code – Concerns, Complaints and Appeals
<https://www.qaa.ac.uk/quality-code/advice-and-guidance/concerns-complaints-and-appeals>

Policies superseded by this policy

The 2020 version of the University Student Appeal Regulations

Alternative format

If you require this document in an alternative format, please email Academic.Services@ed.ac.uk

Keywords

Academic Appeal, Appeal, Discipline, Conduct, Marks, Degree, Exclusion



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The Student Appeal Regulations detail the scope, appeal grounds, process, deadlines and outcomes open to students who wish to request a reconsideration of a decision made by the University.

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Section A: Scope

1. An appeal is a request for reconsideration of a decision that has been taken in relation to the following:
 - Academic decisions, e.g., degree awards and classification, course results, progression outcomes, academic misconduct mark penalties
 - Exclusion from studies (except on the basis of non-matriculation)
 - Outcomes under the Code of Student Conduct
 - Decisions of Student Fitness to Practise Committees
 - Outcomes under the Support for Study policy Stage 3
2. The following cannot be considered under these regulations:
 - Decisions related to applications to study at the University of Edinburgh
 - Decisions on degree transfers and course change requests
 - Exclusion from studies due to non-matriculation
 - Information included on transcripts
 - Decisions related to fees or funding
 - Concession request decisions, including authorised interruption of study requests
 - Challenges to academic or professional judgment from a decision-making body or officer
3. Decisions taken in relation to the areas listed under Regulation 1 are made in compliance with the relevant University policy, regulation, or procedure, and decisions are made by the responsible person or persons identified. This is considered the proper exercise of academic or professional judgment by the appropriate decision-making body or officer.
4. If a decision has been made in compliance with the relevant policy, regulation or procedure, a student may not appeal simply on the basis that they disagree with the decision. A student's disagreement or belief that they deserve a different outcome cannot constitute a ground for appeal.
5. Students cannot use the appeal regulations to challenge academic judgment when this judgment has been applied according to established policy, regulation or procedure. For academic appeals, it is accepted that the academic staff who mark students' assessed work make a judgment about the quality of the work against an agreed marking scheme and the final mark is taken to be a reasonable judgment by an academic expert.
6. An academic appeal can only be lodged when the decision has been ratified by the relevant Board of Examiners. For other decisions, an appeal can only be lodged when the decision in question is finalised by the relevant Committee or Panel and the outcome has been communicated to the student.
7. For the purposes of these regulations the term 'assessment' will be taken to include any summative written or practical examination, dissertation or final project, take home examination, continuously assessed coursework, electronic and online assessment, oral assessment, peer and self-assessment that counts towards the final outcome or decision.
8. The consideration of an appeal does not include remarking academic assessments for academic appeals or re-investigating cases relating to exclusion from studies, Student Fitness to Practise, Support for Study Stage 3, Academic Misconduct or Code of Student Conduct cases.



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Section B: Grounds for Appeal

Academic Appeals

9. Academic appeals are appeals against the decision of a Board of Examiners, Progression Board or Special Circumstances Committee, and decisions by the Exceptional Circumstances team, taken under the Exceptional Circumstances Policy www.ed.ac.uk/schools-departments/academic-services/staff/assessment/boards-examiners www.ed.ac.uk/files/atoms/files/special_circumstances.pdf
10. If an appeal against a penalty from an academic misconduct investigation is upheld, the Board of Examiners that ratified the penalty will consider whether the information in the upheld appeal requires the academic misconduct officer to also review the decision.
11. For academic decisions relating to postgraduate research students the relevant Board of Examiners will be deemed to be the College committee which is responsible for overseeing postgraduate research studies within the relevant College.
12. There are two grounds under which an academic appeal can be lodged. These are:
 - Ground A: **Substantial information directly relevant** to the quality of performance in the assessment which for **good reason** was not available to the examiners when their decision was taken.
 - Ground B: **Evidence** of irregular procedure or improper conduct in the conduct of an assessment or in the process of decision-making by the Board of Examiners or another relevant body or Officer.
13. Ignorance of the requirement set out in the Exceptional Circumstances Policy to report timeously any exceptional circumstances adversely affecting performance, or failure to report exceptional circumstances because the student did not anticipate an unsatisfactory result in the assessment, can never by themselves constitute the good reason to fulfil the requirement described in Ground A.
14. For appeals against mark penalties following an academic misconduct investigation, it is not within the remit of the academic misconduct officer to take account of exceptional circumstances in reaching a decision. Therefore, an appeal submission made solely on this basis would not constitute a ground for appeal.
15. For appeals against decisions taken by the Exceptional Circumstances (EC) team, the term "examiners" in Ground A refers to members of the EC team. Appeals under Ground B should relate to evidence of irregular procedure or improper conduct of the EC team. The function of the EC team is set out in the Exceptional Circumstances Policy.

Appeals against Exclusion from Studies

16. Appeals against exclusion from studies are appeals against the decisions of the Head of College, or their delegate, or other authorised officer following the Withdrawal and Exclusion from Studies procedure. www.ed.ac.uk/files/atoms/files/withdrawal_exclusion_from_study.pdf
17. For appeals against exclusion from studies, there are two grounds of appeal:
 - Ground A: **Substantial information directly relevant** to the decision to exclude the student



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which **for good reason** was not available to the Head of College, or their delegate, or other authorised officer when their decision was taken.

- Ground B: **Evidence** of irregular procedure or improper conduct of the Procedure for Withdrawal and Exclusion from Studies.

Student Fitness to Practise Appeals

18. Fitness to Practise Appeals are appeals against the decision of a College Student Fitness to Practise Committee.
19. For Student Fitness to Practise Appeals, there are two grounds of appeal:
 - Ground A: **Substantial information directly relevant** to the student's case which for **good reason** was not available to the College Fitness to Practise Committee when its decision was taken.
 - Ground B: **Evidence** of irregular procedure or improper conduct of the College procedure for assessing Fitness to Practise.

Conduct Appeals

20. Conduct appeals are appeals against the decision of a Student Discipline Officer and the Student Discipline Committee. Code of Student Conduct: <https://www.ed.ac.uk/academic-services/staff/discipline/code-discipline> Academic Misconduct Investigation Procedures: <https://www.ed.ac.uk/academic-services/staff/discipline/academic-misconduct>
21. For conduct appeals, there are two grounds of appeal:
 - Ground A: **Substantial information directly relevant** to the investigation of a student discipline case which for **good reason** was not available to the Student Discipline Officer, or the Student Discipline Committee when their decision was taken.
 - Ground B: **Evidence of** irregular procedure or improper conduct of an investigation or disciplinary action. This includes conduct of a meeting of the Student Discipline Committee or academic misconduct investigation.
22. Where a student does not engage in the processes in place to investigate or consider their case, or to make any decision about penalties, this alone will not constitute a "good reason" under Ground A. This includes:
 - Not attending any meeting, interview or hearing with a School or College Academic Misconduct Officer, Conduct Investigator, Student Discipline Officer or Student Discipline Committee, where the student was given due notice to appear;
 - Not providing written representations, evidence or names of witnesses, when invited to do so;
 - Not providing a statement in explanation or extenuation of misconduct; or in mitigation of any possible penalty, when invited to do so.



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Support for Study Appeals

23. Support for Study appeals are appeals against a decision of the University Support for Study Panel to require a student to take an authorised interruption of study under Stage 3 of the Support for Study Policy.
24. For Support for Study appeals, there are two grounds of appeal:
 - Ground A: **Substantial information directly relevant** to the Support for Study decision which for **good reason** was not available to the Support for Study Panel when their decision was taken.
 - Ground B: **Evidence** of irregular procedure or improper conduct of a case under the Support for Study Policy. This includes conduct of a hearing of the Support for Study Panel.
25. Failure to attend a Support for Study Panel hearing, or to provide written representations when invited to do so, this alone will not constitute the good reason to fulfil the requirement described in Ground A.

Section C: Student Responsibility

26. It is the student's responsibility to have read and be familiar with the content of any relevant University policies, procedures, regulations, codes of practice, and course and programme handbooks, including all sections relating to marking schemes, assessment and moderation of work. For postgraduate research students, this includes the University's *Code of Practice for Supervisors and Research Students*, which students are directed to upon acceptance or registration. Ignorance of the content of this information cannot constitute a ground for appeal.
27. It is the student's responsibility to submit a piece of work which is capable of satisfying the relevant examiners. Students should be aware that they are ultimately solely responsible for the academic quality of work they submit for assessment, including dissertations, final projects and theses. Students should also be aware that approval or absence of criticism by a Dissertation/Project supervisor, Research supervisor or member of teaching staff and following the advice and guidance of a supervisor or member of teaching staff carries no guarantee of success in an assessment. Any such comments, or their absence cannot constitute a ground for appeal.
28. It is the student's responsibility to provide any relevant evidence in support of their application to appeal. Whilst Student Appeal Committees may request further information under these regulations, it is not the responsibility of the Student Appeal Committee to gather evidence on the student's behalf that the student wishes to rely upon in their appeal.
29. It is the student's responsibility to respond to any queries or requests for further information from the administrative caseworker or Academic Services staff. Students who do not respond to contact from a caseworker or member of Academic Services staff, without good reason, may have their appeal withdrawn and the case closed.

Section D: Deadlines

30. There are strict deadlines governing the submission of academic appeals. These are as



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follows:

For undergraduate students:

Final Year: within 30 working days of being informed of the decision. All others: within 10 working days of being informed of the decision.

For postgraduate students:

All: within 30 working days of being informed of the decision.

31. Appeals against exclusion from studies must be submitted within 10 working days of the decision being issued.
32. Appeals against Student Fitness to Practise Committee decisions must be submitted within 10 working days of the decision being issued.
33. Student conduct appeals must be submitted within 10 working days of the decision being issued.
34. Support for Study appeals must be submitted within 10 working days of the decision being issued.
35. Appeals which are received outside of the timescales stated above are regarded as late and will only be accepted for consideration if extraordinary circumstances are evidenced. The decision as to whether or not extraordinary circumstances exist will be taken by either the Student Appeal Committee or the Student Fitness to Practise Appeal Committee. Appeals which are two or more years late will not be accepted under any circumstances.

Section E: Appeal Committees

The Student Appeal Committee

36. Appeals are considered by the relevant Student Appeal Committee. This may be the Undergraduate or Postgraduate Student Appeal Committee. The Student Appeal Committee's remit will be to consider all appeals except Fitness to Practice cases. Membership of the Student Appeal Committee is approved annually by the Senate Academic Policy and Regulations Committee on behalf of University Senate and includes members with expertise in undergraduate and postgraduate matters. Conveners of Student Appeal Committees may serve for a term of five academic years. Conveners may return to committee membership following their term. Membership of the Student Appeal Committee itself does not carry a maximum term of service.
37. A Student Appeal Committee will be quorate to reach decisions on appeal cases with two members of the relevant Student Appeal Committee and an administrative caseworker, appointed by Academic Services, acting as the University Secretary's nominee.
38. In the event that a Student Appeal Committee are unable to reach an agreed decision, a third member may be asked to consider the case. In this circumstance, an outcome will be based on the majority decision.

The Student Fitness to Practise Appeal Committee

39. Student Fitness to Practise Appeals are considered by staff who are members of the relevant



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professional discipline. These staff form the Student Fitness to Practise Appeal Committee, the membership of which is approved annually by the Academic Policy and Regulations Committee on behalf of University Senate. Conveners of Student Fitness to Practise Appeal Committees may serve for a term of five academic years. Conveners may return to committee membership following their term. Membership of the Student Appeal Committee itself does not carry a maximum term of service. Members of the Fitness to Practise Committee for specific cases will never be the same individuals as those involved in the Fitness to Practise proceedings at the College stage.

40. The Student Fitness to Practise Appeal Committee will be quorate to reach decisions on appeal cases with two academic members of staff from the same professional discipline as the student, and an administrative caseworker, appointed by Academic Services, acting as the nominee of the University Secretary.
41. In the event of the Student Fitness to Practise Appeal Committee being unable to reach an agreed decision, an appropriate third committee member may be asked to consider the case. In this circumstance, an outcome will be based on the majority decision.

Section F: Submission of an Appeal

42. Appeals must be written and submitted electronically to Academic Services at academic.appeals@ed.ac.uk. Students must ensure that in submitting an appeal, they have completed and attached the relevant appeal forms; and will be deemed to have read and understood all accompanying regulations and guidance. Appeal forms and relevant guidance are available from the Academic Services website. <https://www.ed.ac.uk/academic-services/students/appeals/submitting>
43. Students must specify the ground or grounds under which they wish to have their appeal considered. They must also specify the reasons as to why they believe the ground or grounds apply.
44. The written submission must contain all relevant arguments on the basis of which the appeal is being made, together with all supporting documentation the student wishes to be taken into account. It will not be possible to introduce new circumstances, evidence or documentation into the appeal at a later date.
45. Students must ensure that appeal information and documentation submitted is in a format that can be accessed by Academic Services staff, is readable and, if evidence is not in English, translations should be included.
46. Academic Services, the Student Appeal Committee and the Student Fitness to Practise Appeal Committee may request further information, if this is required. This can be in the form of further information from the student, or further information from members of University staff. If appropriate, previous communications between a student and Academic Services or relevant information included from previous appeal submissions may be considered.
47. Submission of an appeal does not alter a student's status, nor pause or prevent the application of any decision being appealed against. Therefore, the decision of a Board of Examiners, or other relevant Committee, remains unchanged while the appeal process is carried out. Any recent student appealing against exclusion from studies remains excluded during the appeal process. In relation to Fitness to Practise appeals, any decision of the College Student Fitness to Practise Committee remains in force during the appeal process. In relation to conduct



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appeals, any penalties imposed by the Student Discipline Officer, the Academic Misconduct Officer or the Student Discipline Committee will remain in force during the appeal process.

Section G: Consideration of an Appeal

Preliminary Screening

48. When an appeal is received, it is screened by staff in Academic Services to establish whether or not the documentation has been submitted correctly, and whether the appeal is eligible for consideration under these regulations. If Academic Services judge that the appeal is eligible for consideration under these regulations, and the submission is complete, then the appeal is submitted to the Student Appeal Committee or the Student Fitness to Practise Appeal Committee for consideration.

The Student Appeal Committee and Student Fitness to Practise Committee

49. An administrative caseworker, appointed by Academic Services, acting as the University Secretary's nominee, and two members of the Student Appeal Committee (who must not be from the same School as the student, or a member of their supervisory team) are empowered as the Student Appeal Committee to decide whether sufficient grounds have been established for an appeal case to be upheld or the case should be dismissed. In Fitness to Practise appeals, a member of staff from Academic Services, acting in the same capacity as described above, and two members of the Student Fitness to Practise Appeal Committee, are empowered to decide whether sufficient grounds have been established for an appeal case to be upheld or the case should be dismissed. Appeal Committee considerations normally take place electronically by correspondence. A Student Appeal Committee or Student Fitness to Practise Appeal Committee may make one of two decisions [(i), (ii)].
- (i) The appeal is **not upheld** as no grounds have been established. Appeal proceedings are concluded and the case is dismissed; or
 - (ii) The appeal is **upheld** as grounds have been established. The Appeal Committee instructs the relevant decision-making body or officer to re-consider the original decision in light of the upheld information. The relevant decision-making body or officer must record how they have given specific consideration to the information presented in the upheld appeal in reconsidering their original decision. The decision-making body or officer is responsible for informing the student of any outcome following a reconsidered decision.
50. The decisions of the Student Appeal Committee and the Student Fitness to Practise Appeal Committee are final. There will be no further opportunity for appeal against the decision within the University.

Section H: Ombudsman and Reporting

Scottish Public Services Ombudsman (SPSO)

51. Students who are dissatisfied with the way their appeal has been handled have the right to complain to the Scottish Public Services Ombudsman (SPSO). The SPSO will consider the case and make a decision on whether to investigate. It is important to note that the SPSO can only investigate whether an appeal has been handled appropriately by the University; it does not look again at the substance of the original appeal case. The SPSO can only consider cases when consideration is complete at University



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level. Information on how to complain to the SPSO will be provided to the student on completion of the appeal. Full information on the SPSO and on how it handles complaints can be found at the SPSO website: <https://www.spsso.org.uk/>

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52. If an appeal is upheld and referred back to the relevant decision-making body, that body is expected to keep record of the upheld appeal information being reconsidered and any decision that is communicated to the student regarding this.
53. The Student Appeal Committee and Student Fitness to Practise Committee reports annually to the Senate Quality Assurance Committee, detailing the volume and nature of the appeals dealt with in the previous academic session, and highlighting any issues of concern or significance.