

## D Code of Procedure for Academic Appeals

### 1 Introduction

- 1.1 This section outlines the procedure a student should follow when seeking to submit an academic appeal. It outlines the procedure for Appeals to the Academic Board Appeal Committee and the Board of Governors Appeal Panel for all Programmes of Study validated by the Royal Conservatoire of Scotland. The Academic Board is responsible for all assessments that contribute to awards of the Conservatoire.
- 1.2 The Board of Governors and the Academic Board have approved this Code to deal with appeals by students against decisions taken by Boards of Examiners relating to assessment and progress.
- 1.3 The Conservatoire's Academic Appeals process is benchmarked against the QAA UK Quality Code for Higher Education, Managing Academic Appeals and Student Complaints, the RUK Office for Independent Adjudication Good Practice in Handling Complaints and Academic Appeals Framework.
- 1.4 This Code is designed to provide a process that is fair, accessible, and timely and its operation will reflect those principles.
  - 1.4.1 The **Deputy Registrar** (or alternate) is available to offer procedural advice on the operation of this Code via [academicappeals@rcs.ac.uk](mailto:academicappeals@rcs.ac.uk).
  - 1.4.2 Students are reminded that the Office Bearers of the Students' Union can also be consulted for advice and assistance.
- 1.5 An academic appeal is normally made by a student when they wish to challenge or request a reconsideration of a decision/ outcome made by one of the Conservatoire's Board of Examiners and/or Progress Board of Examiners.
  - 1.5.1 An appeal is not the same as a complaint;
  - 1.5.2 An academic appeal follows a similar process to a complaint, but it is not the same as a complaint. The difference between an academic appeal and a complaint is that an academic appeal relates to an assessment outcome (an academic judgement) and a complaint relates to concerns about service provision. There are occasions when an appeal might also include a complaint. In those cases, the processes are usually implemented separately.
- 1.6 Key to submitting an academic appeal is:
  - 1.6.1 Understanding the difference between (1) procedural and/or administrative errors associated with assessments and their effect on outcomes and (2) permissible forms of academic judgement (see 1.7.1)
  - 1.6.2 Checking an appeal is not a complaint (see 1.5.2)
  - 1.6.3 Meeting grounds for an appeal (see 1.12)
  - 1.6.4 Articulating a clear case
  - 1.6.5 Supplying supporting evidence
- 1.7 An academic appeal is required to focus on **procedural errors** rather than on a challenge to academic judgement.
  - 1.7.1 **Academic judgement** includes, but is not limited to:
    - marks awarded and ratified by the Exam Board;
    - a decision regarding award or degree classification;
    - a decision on progression, or the offer of a repeat year (or other appropriate opportunity);

- a judgment that it is necessary to pass a certain module, or combination of modules, in order to progress to the next stage;
- a decision on whether the academic performance of a student who is within a borderline zone is sufficient to warrant their classification being raised;
- a judgment relating to whether the relevant professional standards required by a given profession have been met (including judgements via the Conservatoire's Fitness to Practice procedures as well as progression and exam boards' outcomes);
- a judgment by a misconduct panel, school investigating officer or other academic regarding whether an item submitted for assessment contains plagiarised material, and the extent of the plagiarism;
- a judgment by a student progress committee on whether you should be required to withdraw or withdraw temporarily from the Conservatoire;
- in relation to a recommendation of temporary withdrawal, a judgment regarding at which point during the year you should be required to restart the teaching, or if you're required to repeat the stage as a whole.

1.8 This means appeals **can only be made** in the following circumstances:

1.8.1 The grounds for the appeal are permissible (see 1.12)

1.8.2 After the outcome has been finalised by the relevant Board of Examiners and the student has received the outcome via their Student Records System Student Contract page (either for progression or completion).

1.8.3 The student has not graduated from the programme they wish to appeal.

1.9 No student who has an academic appeal pending may graduate.

1.10 No student will be disadvantaged as a consequence of lodging an appeal in good faith.

1.11 The Academic Appeal Committee **membership** is:

1.11.1 The Convenor is the Deputy Principal (Where they are unavailable, the Committee shall elect one of its own number who is a member of the Academic Board to be Convenor).

1.11.2 The Academic Board's member from another Academic Institution or their nominee;

1.11.3 A Director of School or Academic Unit of which the Appellant is not a student, or a senior member of staff of that School/Academic Unit in the event of the Director being unavailable or inappropriate due to absence, illness or other good cause;

1.11.4 An elected member of Academic Board from the School in which the Appellant is not a student;

1.11.5 A member of the Students' Union Executive, nominated by the President of the Students' Union.

1.11.6 The Academic Appeal Committee secretary is the Deputy Registrar.

### **Grounds for an academic appeal**

1.12 The grounds and basic evidence required for an Academic Appeal are as follows:

1.12.1 **Adverse circumstances previously unknown to the examiners:** Illness, either immediately before or during the assessment, or other personal circumstances which the student claims have negatively affected their performance in the assessment, which it was not reasonably practicable for the

student to disclose or fully disclose before the Board of Examiners met to reach its decision.

1.12.2 **Improper procedures:** If the student considers that the assessment in question was improperly conducted or that the Board of Examiners was improperly constituted. This includes:

1.12.2.1 Marking and/or moderation processes were not conducted in accordance with current approved policies and procedures, or other irregularity concerned with the assessment process.

1.12.2.2 There has been a material and significant error in the recording and/or processing of assessments/results.

1.12.2.3 There has been a procedural error in the calculation of the award/progression decision.

1.12.2.4 There is evidence of bias or conflict of interest on the part of the exam board.

### **Principles behind Academic Appeals**

#### 1.13 Fairness

1.13.1 Decision-makers within the procedures should not have been previously involved in matters being considered in a student's appeal.

1.13.2 The composition of the Academic Appeal Committee is constituted to minimise conflicts of interest. In the event of any member of the Committee declaring a conflict of interest in a particular case, the Principal or Academic Registrar and Secretary to Academic Board shall identify another appropriate and disinterested senior member of staff from the School not attended by the Appellant to participate in the Committee's consideration of that particular case.

1.13.3 Students have a right to be supported, advised, or represented by an officer from the Student Union. That person cannot also be the student member of the Academic Appeals Committee for the specific case.

1.13.4 Students are not disadvantaged because they have made a complaint or challenged a decision made by the Conservatoire (see 1.10).

#### 1.14 Confidentiality

1.14.1 As well as the general principle of reasonable confidentiality, where a student makes an academic appeal based on very sensitive personal circumstances that information can be shared exclusively with the Convenor of the Academic Appeals Committee.

1.14.2 On those occasions, the Convenor may explain to the Appeal Committee that the student's circumstances were severe and applied to a particular time.

1.14.3 The Appeal Committee then considers the academic profile of the appellant without needing to hear the detailed circumstances behind the appeal.

#### 1.15 Up-holding academic judgement

Where a student feels that their performance and/or coursework was deserving of a better mark/outcome than the one they received from the exam board or that a different decision in response to a special circumstances' application should have been made, this is **not** grounds for an appeal.

#### 1.16. Timeliness

1.16.1 There are clear time limits for each stage of the processes related to academic appeals (see 2).

1.16.2 The completion of the whole appeals process (all internal stages) will normally be no more than 90 calendar days. Where this proves impossible, a formal

explanation is required on the part of the party which requires the extended period.

## 2. The stages of academic appeal

2.1 In cases where a student is not satisfied with the outcome of an assessment process (as agreed by an exam board or one of its subsidiaries), there are normally two actions a student should complete prior to an academic appeal, potentially four internal stages of the academic appeal process, and one external process that can only be used by a student following completion of all four internal stages detailed in the table below:

<p><b>Two actions</b></p>	<p>1. Student checks the outcome of the Exam /Progress Board in SRS Student Contract page.</p> <p>2. The student checks with the <b>Assistant Registrar (Secretariat)</b> via <a href="mailto:academicappeals@rcs.ac.uk">academicappeals@rcs.ac.uk</a> whether there are grounds for academic appeal and/or whether what they describe is a complaint.</p> <p>Where either elements of or the entirety of the student's claims fit within the conditions of complaints rather than academic appeals, the student should be forwarded to the complaints process. At this stage the <b>Assistant Registrar (Secretariat)</b> will refer the appeal to the <b>Student Community Conduct Officer</b>.</p>
<p><b>Four internal stages</b></p>	<p>1. <b>Local Informal Resolution Stage</b>          If there appear to be grounds for appeal, the student should approach the Head of Programme/Department, Director of the School, or the Deputy Registrar so that they can assess whether an appeal can be resolved informally.</p> <p>This stage should be completed within <b>7 calendar days</b> of the student receiving the exam board result in the SRS.</p> <p>Outcomes here can be one of the following:</p> <ul style="list-style-type: none"> <li>- Appeal is upheld and appropriate steps taken (resolution – normally a simple error)</li> <li>- Appeal is referred back to the Board of Examiners (conciliation)</li> <li>- Appeal is refuted</li> </ul> <p>The outcome of this stage should be recorded via <a href="mailto:academicappeals@rcs.ac.uk">academicappeals@rcs.ac.uk</a> by the relevant member of staff</p> <p>2. <b>Academic Appeal Committee Conciliation Stage</b>          Where a local appeal is refuted (ie cannot come to a mutually agreed resolution) and the student does not agree with the outcome, the student should <b>submit [lodge] a formal appeal</b> (see to the Academic Board Appeal Committee via the formal academic appeal form to the Assistant Registrar (Secretariat) via <a href="mailto:academicappeals@rcs.ac.uk">academicappeals@rcs.ac.uk</a> within <b>14 calendar days</b> of</p>

receiving the exam board outcome (see **2.6** for more details).

A student who submits/lodges an appeal is referred to as the 'appellant'.

The **Assistant Registrar (Secretariat)** will ensure that relevant assessment and exam board documentation is collated from the relevant School/Directorate regarding the specific appeal on receipt of the appellant's submission.

Where additional statements are required, the **Assistant Registrar (Secretariat)** will liaise with the **Student Community Conduct Officer**, to initiate an investigation.

This application goes forward to Academic Appeals Committee Conciliation which is undertaken by the Convenor of the Academic Appeals Committee (Deputy Principal) and one other member of the Academic Appeals Committee not in the School or Directorate of the student making the appeal.

Conciliation outcomes are:

- Appeal is upheld and appropriate steps taken (resolution)
- Appeal is referred back to the Board of Examiners (conciliation)
- Appeal is refuted (This is referred to as dismissal at conciliation stage) and student may request an Academic Appeals Committee Hearing

The outcome of this stage should be recorded via [academicappeals@rcs.ac.uk](mailto:academicappeals@rcs.ac.uk) by the **Deputy Registrar**

### **3. Academic Appeal Committee Hearing and Disposal Stage**

Where the appeal is refuted or not referred back to the exam board at the conciliation stage, it will be directly referred to an Academic Appeal Committee Hearing.

The Convenor will ensure that such a Hearing can be undertaken as quickly as practicable and normally within **30 calendar days** of completion of the conciliation stage.

Outcomes here are referred to as the disposal and, simply put, normally fall into one of the following categories:

- Appeal is upheld and appropriate steps taken (resolution)
- Appeal is referred back to the Board of Examiners (conciliation)
- Appeal is dismissed (dismissal).

However, the process of disposal follows specific procedures which are more fully outlined in paragraph 4

	<p>The outcome of this stage should be recorded via <a href="mailto:academicappeals@rcs.ac.uk">academicappeals@rcs.ac.uk</a> by the Deputy Registrar</p> <p><b>4. Board of Governors' Appeal Panel Stage</b>  Where an Academic Board Appeal does not come to an outcome acceptable to the student, then the student should appeal to the Board of Governors' Appeal Panel via submission of an appeal form to the Academic Registrar and Secretary within <b>7 calendar days</b> of receiving the outcome from the Academic Board Appeal Committee.</p> <p>Outcomes here can be one of the following:</p> <ul style="list-style-type: none"> <li>- Appeal is upheld and appropriate steps taken (resolution)</li> <li>- Appeal is referred back to the Board of Examiners (conciliation)</li> <li>- Appeal is dismissed (dismissal)</li> </ul> <p>The outcome of this stage should be recorded via <a href="mailto:academicappeals@rcs.ac.uk">academicappeals@rcs.ac.uk</a> by the Academic Registrar and Secretary</p>
<p><b>One external stage: Referral to the SPSO</b></p>	<p>Where a student remains dissatisfied with the way their appeal has been dealt with by the Conservatoire has the right to complain to the Scottish Public Services Ombudsman (SPSO).</p>

2.2 Appeals relating to **progression**: Decisions regarding progress can also be subject to the Academic Appeals process.

2.2.1 Any appeal against the application of the programme of study's Progress Regulations shall be heard by the Committee.

2.2.2 An Appellant may present relevant evidence which was not presented to the relevant Board of Examiners or one of its subsidiary Committees provided that evidence could not, in the opinion of the Committee, have been reasonably available for the relevant Board of Examiners or subsidiary Committee.

2.2.3 An Appellant will be required to explain why any new evidence was not previously presented to the Board of Examiners.

2.2.4 Outcomes for progression related appeals normally fall into three categories:

- Appeal is upheld and appropriate steps taken
- Appeal is referred back to the Board of Examiners
- Appeal is dismissed.

**Outcomes: explanations**

2.3 The specific outcomes of formal appeals (ie not those resolved at a local informal stage) are always on a case-by-case basis. However, outcomes tend to fall into three categories:

Outcome	Description
Upholding of an appeal	1. Where there is an acknowledged procedural breach of the regulations or where such a breach is, on the balance of probability,

	<p>considered likely, the Convenor of the Academic Appeals Committee can refer back to the Board of Examiners.</p> <p>2. In order to arrive at a decision, the Convenor will send copies of the appeal and evidence to the Convenor of the appropriate Board of Examiners with a request for a response (form for response given in Appendix 2).</p>
Referral to an exam board	<p>1. Where it is clear that the Board of Examiners was unaware of the full or any medical or personal circumstances detailed in the appeal, the Convenor of the Academic Appeals Committee can refer the matter back to the Board of Examiners for further consideration.</p> <p>2. The Convenor may make a recommendation to the Board of Examiners, based on circumstances disclosed by the Appellant.</p>
Dismissal of an appeal	<p>On receipt of an appeal submission, the Convenor of the Committee, after consultation with <b>all</b> the other members of the Committee, may only dismiss the appeal at stage 2 because:</p> <ul style="list-style-type: none"> <li>• No competent grounds have been stated or;</li> <li>• The appeal is out of time or;</li> <li>• The appeal is deemed to be vexatious or frivolous or in bad faith.</li> </ul>

#### **When simple errors have been made: local and/or informal resolutions**

- 2.4 In cases where a simple error has been made, this will normally be resolved by the Convenor of the Board of Examiners, after having secured the agreement of the Board of Examiners and in consultation with the **Deputy Registrar**, taking the appropriate action, without the need for the student to make a formal Academic Appeal.
- 2.5 If a simple error is found to have affected more than one student, the Convenor of the Board of Examiners, after having secured the agreement of the Board of Examiners and in consultation with the **Deputy Registrar**, will take the appropriate action to resolve all issues in respect of those students who have been affected, whether or not they have engaged in this procedure.
- 2.6 The Convenor of the Board of Examiners will report any cases of simple errors to the Convenor of the Academic Board as soon as they become apparent. A full report, including action(s) taken in response to an acknowledged simple error(s) will be made to the next meeting of the Academic Board by the Convenor of the Board of Examiners.

*(If any member of a Board of Examiners, or any other member of staff, becomes aware of an error made by a Board of Examiners, that individual should follow the process detailed in the Conservatoire's Regulations, Codes of Procedure and General Rules: Board of Examiners.)*

### **Submitting/Lodging an Appeal**

- 2.7 A student who wishes to appeal (“the Appellant”) must do so by sending a written statement of appeal to the Deputy Principal (as Convenor of the Academic Board Appeal Committee) via the academic appeals’ email: [academicappeals@rcs.ac.uk](mailto:academicappeals@rcs.ac.uk) at the latest **within 14 days** of the publication of the decision appealed against. This period may be extended if the Appellant satisfies the Committee that it was not reasonably practicable to lodge the appeal in time.
- 2.8 The form to be used in the submission of an appeal is given in Appendix 1. The form requires the Appellant to provide:
- 2.8.1 All grounds on which the Appellant wishes to rely (no other grounds will be admissible in the disposal of the appeal);
  - 2.8.2 The outcome which the Appellant seeks;
  - 2.8.3 The Appellant’s intention, if any, to make oral representations at any hearing which may be held and details of any witnesses that the Appellant would wish to have called to the hearing;
  - 2.8.4 An appropriate report if the Appellant wishes to appeal on medical grounds. Any medical report upon which an Appellant intends to rely should be obtained as expeditiously as possible. This should be submitted, if possible, with the form detailing the appeal, or as soon as available and, in any event, no later than the commencement of any hearing;
  - 2.8.5 Any other written evidence which the Appellant considers relevant to her or his case.

### **Appeal Hearing**

- 3 An Appeal Hearing is where a case for an appeal is heard by the Academic Appeals Committee.
- 3.1 The Committee shall regulate its own procedure subject only to the rules of natural justice and the requirement to hear evidence from the Appellant or any relevant witness identified by the Appellant should the Appellant so desire.
- 3.2 In regulating its own procedure, the Committee may allow the Appellant (or their representative) to present their evidence, including any witness evidence, before inviting the Board of Examiners to respond, to which the Appellant (or their representative) may be invited to respond.
- 3.3 An Appellant may be accompanied by a person of their choice provided that the identity and status of such a representative is given in writing to the Deputy Principal (as Convenor of the Committee) at least **five calendar days prior** to any hearing.
- 3.3.1 The person accompanying the appellant can act as their ‘representative’ (see 3.3.3) or,
  - 3.3.2 The person accompanying the appellant can act as their ‘observer’.
  - 3.3.3 A ‘representative’ of the student may address the Committee to put and sum up the Appellant’s case, respond to any views expressed at the hearing, and discuss with the Appellant during the hearing.
  - 3.3.4 A representative of the student may not answer questions on behalf of the Appellant nor may they prevent any other party from presenting its case.
- 3.4 The Committee may be advised by a person of its choice.



- 3.4.1 In the case of an adviser of the Committee, they may act on behalf of the Committee in carrying out the advocacy at the hearing and they may advise the Committee.
  - 3.4.2 The Committee may instruct and/or consider an opinion of an expert, if relevant to the determination of the appeal.
- 3.5 Electronic recording of the hearing is forbidden, unless prior express consent of the Convenor of the Committee is given.

#### **Convenor Responsibilities**

- 3.6 The Convenor shall inform the Appellant and any witnesses which they wish to have called to the hearing in writing of the date, time and place of the hearing. The Appellant, and any witnesses, shall be given adequate notice of the date of the hearing having regard to the circumstances of the case.
- 3.7 Prior to the meeting of the Committee, the Convenor shall send copies of the Appellant's appeal and evidence to the Convenor of the appropriate Board of Examiners who will be requested to provide, **within 14 days**, a statement of the grounds on which the decision appealed against was reached, and also for such evidence and material as was available to justify the decision reached (form given in Appendix 2). A copy of this statement, together with any other papers circulated to the Committee, will be given to the Appellant forthwith.
- 3.8 The Convenor shall place before the Committee all evidence and material obtained by them as relevant to the appeal.

#### **Input from the Board of Examiners**

- 3.9 The Convenor of the Board of Examiners shall be required to identify any person from whom the Appeals Committee should take oral evidence in addition to any witnesses identified by the Appellant. The Convenor will advise the Appellant in writing of the identity of said person(s) forthwith.

#### **Disposal: The Final Academic Appeal Committee Decision**

- 4 The committee will come to a decision at the end of the hearing. This is referred to as disposal.
- 4.1 The Committee shall dispose of the appeal, notwithstanding the failure of any person concerned to appear, at the conclusion of the hearing or as soon as possible thereafter.
- 4.2 The Committee may dispose of the appeal by:
- 4.2.1 Dismissing the appeal;
  - 4.2.2 Upholding the appeal on the grounds of previously unknown adverse circumstances. This means the appeal is upheld to the extent of referring the matter back to the Board of Examiners for further consideration where the Committee is satisfied that there were adverse circumstances in which it was not reasonably practicable for the student to have brought to the attention of the Board of Examiners prior to its meeting. In such cases the Committee will identify to the Convenor of the Board of Examiners the adverse circumstances which it considers the Board of Examiners requires to take into account when it reconsiders its original decision;
  - 4.2.3 Upholding the appeal on the grounds of procedural irregularities. This means the appeal is upheld to the extent of referring the matter back to the Board of Examiners for further consideration where the Committee is satisfied that the

- examination was improperly conducted or that the Board of Examiners was improperly constituted and that the nature of the impropriety was such that it would be appropriate to refer the matter back to the Convenor of the Board of Examiners. In such cases, the Committee will identify to the Convenor of the Board of Examiners the specific grounds on which the appeal was upheld;
- 4.2.4 Otherwise upholding the appeal and taking such steps as seem to the Committee to be appropriate and practicable in the circumstances.
- 4.3 In cases determined under 4.2.4 or where it is impracticable to reconvene a Board of Examiners, the Committee will, unless it is inappropriate and/or impracticable in the particular circumstances of the case, refer the matter to the **Academic Board**. The Academic Board shall be responsible for putting in place such arrangements as are appropriate and practicable for the reassessment of the Appellant. The arrangements which the Academic Board put in place may include the appointment of new External Examiners and the establishment of an *ad hoc* sub-committee of the Board of Examiners.
- 4.4 Any members of the Board of Examiners who were directly responsible for the error or irregularity which has justified the appeal must not be included in such a sub-committee.
- 4.5 In the event that there has been an error or irregularity which has affected more than one student, the Academic Board shall have the power to annul the results of the assessment (or part of it) of all students who have participated in the assessment (whether or not they have appealed) (or, if appropriate, only those affected by the error or irregularity) and put in place such arrangements as are appropriate and practicable for the re-assessment of the students whose assessment results have been annulled.
- 4.6 Decisions of the Committee may be by a majority.
- 4.7 The Convenor of the Committee will inform the Appellant, the Convenor of the Board of Examiners and the Convenor of the Academic Board of its decision and the grounds for that decision, normally within **five working days**.
- 4.8 The Convenor of the Board of Examiners will inform the Appellant, the Convenor of the Committee and the Convenor of the Academic Board of its decision and the grounds for that decision regarding the reconsideration of the Appellant's case, normally within **five working days**.
- 4.9 The decision of the Board of Examiners on reconsideration is final, unless the Committee is satisfied that its decision has been perverse, in which event the Committee may annul the decision of the Board of Examiners and substitute its own decision, taking such advice as it considers appropriate in the circumstances.
- 4.9.1 A "perverse" decision would be one at which no reasonable Board of Examiners, properly advising itself, could arrive.
- 4.10 The Committee will report annually to the Academic Board and may wish to make general recommendations to the Academic Board arising from its consideration of individual appeals and any appeals against its decisions.

### **Appeal to the Board of Governors' Appeal Panel**

5 Where a student is not satisfied with the outcome of an appeal to the Academic Appeals Committee they may progress to a further appeal to the Board of Governors.

5.1 In cases where the Committee has dismissed an appeal, a further appeal may be made to the Board of Governors' Appeal Panel ("the Panel"). The request for such an appeal should be made in writing (using the form given in Appendix 3) by the Appellant to the Secretary to the Board (deputy or alternate) within seven days of being informed of the Committee's decision and must provide details of the grounds of appeal against the Committee's decision.

### **Grounds for an Appeal to the Board of Governors**

5.2 The only competent grounds of appeal by a student against the decision of the Committee are that:

5.2.1 New relevant evidence has emerged which could not reasonably have been available for the Committee;

5.2.2 The procedure adopted by the Committee was defective;

5.2.3 The disposal by the Committee was perverse.

5.3 The details of the grounds of appeal must specify what new evidence and why it was not produced to the Committee or in what way the disposal was perverse.

### **Panel membership**

5.4 The Panel shall consist of a minimum of two lay Governors and the Principal, unless inappropriate or prevented by illness, absence or other good cause, in which case there should be three lay Governors.

5.5 The Panel shall appoint one of its number to be Convenor, who in cases of an equality of votes, shall have a second or casting vote.

5.6 The Panel shall be bound, so far as appropriate, by the same Rules of Procedure as apply to the Committee and shall have the same powers as the Committee as are more fully set out in paragraphs 2, 3 and 4 hereof, substituting the word "Panel" for the word "Committee" and substituting other appropriate persons/bodies/committees, etc. where relevant.

### **Abuse of Process**

6 Should there be any abuse (e.g. false, vexatious or frivolous appeals) of this Code by a student, the Conservatoire may invoke disciplinary action under its Student Disciplinary Procedure.

### **Review of Code**

7 This Code will be reviewed by Academic Board every five years.

### **Complaints to the Scottish Public Services Ombudsman**

8 There are no internal appeal procedures beyond those detailed above. Any individual who is dissatisfied with the way their appeal has been dealt with by the Conservatoire has the right to complain to the Scottish Public Services Ombudsman (SPSO). The SPSO will consider the case and make a decision on whether or not to investigate. It is important to note that the SPSO can only investigate whether an appeal has been dealt with appropriately by the Conservatoire, it does not look again at the substance of the original appeal case. The SPSO can only consider cases when consideration is complete within the Conservatoire. Referral to the SPSO should take place within

12 months of receipt of the final decision arising from the Conservatoire's consideration of the appeal.

SPSO contact details are:

**In person:** Scottish Public Services Ombudsman  
Bridgeside House, 99 McDonald Road  
Edinburgh  
EH7 4NS

**By post: Freepost SPSO** (this is all you need to write on the envelope, and you don't need to use a stamp)

Freephone: **0800 377 7330**

Online contact: **[www.spsso.org.uk/contact-us](http://www.spsso.org.uk/contact-us)**

Website: **[www.spsso.org.uk](http://www.spsso.org.uk)**

Mobile site: **<http://m.spsso.org.uk>**

## Form for Academic Appeals: submit to (Appeals email)

<b>Name:</b>	
<b>Programme:</b>	
<b>Year:</b>	
<b>Decision being appealed against:</b>	
<b>Grounds for appeal:</b>	<b>Tick <math>\checkmark</math> all that apply</b>
<b>(i) You consider that the assessment in question was improperly conducted or that the Board of Examiners was improperly constituted.</b>	
<b>(ii) Illness, either immediately before or during the assessment, or other personal circumstances which you claim has negatively affected your performance in the assessment in question.</b>	If ticked, please explain why it was not reasonably practicable for you to disclose or fully disclose this information before the Board of Examiners met to reach its decision.
<b>Details of appeal:</b> (Use an extra sheet if required)	

<b>If you are citing illness as a ground for appeal, you must normally attach medical evidence or a supporting statement substantiating your claims. If you have not, you must explain why.</b>	Have you attached medical evidence: Yes / No  If no, why not?
<b>If you wish to present any other written evidence in support of your appeal, you should detail that evidence here.</b>	Do you wish to submit written evidence other than medical evidence: Yes / No  Detail here and explain its relevance to your appeal.
<b>Outcome of appeal sought:</b>	
<b>Are you available to attend a hearing if required?</b>	Yes / No
<b>If applicable - list names and emails for any relevant witnesses:</b> (Use an extra sheet if required)	Name: Email:  Name: Email:  Name: Email:

## Form for Response to Appeal

<b>Name of Appellant:</b>	
<b>Programme:</b>	
<b>Year:</b>	
<b>Decision being appealed against:</b>	
<b>Grounds on which the Board of Examiners arrived at its decision. Include an extract from the minute of the Board of Examiners dealing with this case and any information that the Board used to inform its decision.</b>	
<b>Response to appeal:</b> Please respond individually and factually to each point raised in the appeal. Do not make a judgement on the validity of the appeal. (Use an extra sheet if required)	
<b>In the case of a hearing please provide the name(s) of any person(s) from whom the Committee should take oral evidence:</b>	

<b>Name and Signature of Convenor of Board of Examiners:</b>	
<b>Date:</b>	



## Form for Academic Appeals to the Board of Governors (submit to Academic Registrar and Secretary)

<b>Name:</b>	
<b>Programme:</b>	
<b>Year:</b>	
<b>Decision being Appealed:</b>	
<b>Grounds for Appeal:</b>	<b>Tick <math>\checkmark</math> all that apply</b>
<b>(i) New relevant evidence has emerged which could not reasonably have been available for the Committee.</b>	If ticked, please attached new evidence and state why it was not provided to the Appeals Committee.
<b>(ii) The procedure adopted by the Committee was defective.</b>	If ticked, please outline in which way the procedure was defective.
<b>(iii) The disposal by the Committee was perverse.</b>	If ticked, please outline in which way the disposal was perverse.
<b>Details of appeal:</b> (Use an extra sheet if required)	

<p><b>If you are citing illness as a ground for appeal, you must normally attach medical evidence or a supporting statement substantiating your claims. If you have not, you must explain why.</b></p>	<p>Yes / No</p>
<p><b>If you wish to present any other written evidence in support of your appeal, you should detail that evidence here.</b></p>	<p>Do you wish to submit written evidence other than medical evidence: Yes / No</p> <p>Detail here and explain its relevance to your appeal.</p>
<p><b>Outcome of appeal sought:</b></p>	
<p><b>Are you available to attend a hearing if required?</b></p>	<p>Yes / No</p>
<p><b>If applicable - list names and emails for any relevant witnesses:</b> (Use an extra sheet if required)</p>	<p>Name: Email:</p> <p>Name: Email:</p> <p>Name: Email:</p>