



Royal College of Art

Postgraduate Art & Design

Academic Appeals Policy: MA/MSc Global Innovation Design & MA/MSc Innovation Design Engineering

Introduction

1. Both the Royal College of Art (“RCA”) and Imperial College (“Imperial”) are committed to a transparent and fair approach to dealing with academic appeals. An appeal is defined as “a request for a review of a decision of an academic body charged with making decisions on student progress, assessment and awards”.
2. This Policy codifies the treatment of appeals made by students on the MA / MSc Global Innovation Design and MA / MSc Innovation Design Engineering, delivered jointly by the RCA and Imperial. It applies to students on those programmes only; appeals from students on other programmes delivered solely by RCA or Imperial shall be considered in accordance with the academic appeals policies of those institutions.
3. For each appeal submitted by a registered student, the Colleges will review the basis of the appeal in detail. Where an appeal is partially or fully upheld, the Colleges will seek to implement a solution that is fair and proportionate while ensuring the continuing maintenance of academic standards. Where an appeal is not upheld, the Colleges will explain the decision clearly, and guide the appellant through the process and, ultimately, to the Office of the Independent Adjudicator should the appellant remain unsatisfied. No student will be disadvantaged by virtue of having made an appeal.
4. The principles of this Policy are that the Policy is fair, efficient and transparent. The Policy provides for two stages. These are:

- (a) Stage One: Formal, detailed consideration of the appeal;
- (b) Stage Two: Review of the decision made at Stage One and confirmation of the final decision of the Colleges.

5. Any appeal must be made by the student themselves; this Policy is not intended for use by a third party to make an appeal on behalf of a student or students.

Scope of the Policy

6. This policy applies for all students who are currently registered on either the MA / MSc Global Innovation Design or the MA / MSc Innovation Design Engineering. This includes students on an approved leave of absence. It does not include students whose registration has been terminated, or has completed, unless an appeal is submitted within 28 days of the formal date of termination / completion or 28 days of the notification of the decision under review (whichever is the earlier).
7. This Policy can be used for appeals against the following decisions:
 - (a) A decision of a non-awarding board not to pass a student in an element of assessment;
 - (b) A decision of a Transfer Examination Board not to permit a student to upgrade their registration;
 - (c) A decision of an Independent Research Project board not to pass a student in an independent research project;
 - (d) A decision of ABCD to fail a student and require the termination of their award, on academic grounds
8. This Policy may not be used to appeal against decisions taken under either College's complaints or misconduct policies; these policies contain their own provisions for appeals.

9. Appeals against decisions made by assessment boards for parts of a programme delivered by collaborative partners should be addressed in the first instance via the appeals policy of the partner organisation. In such instances, students have the ultimate right of appeal to the RCA / Imperial via this Policy.
10. If an academic appeal and complaint relating substantially to the same issue are submitted, the appeal will not be dealt with until the complaint outcome has been determined. The complaint outcome will inform consideration of the appeal.

Confidentiality and Record Keeping

11. Once a student has made an appeal, records will not be held on the student file, but kept securely in a separate appeals file held within the RCA Registry. Records will be retained until the end of the academic year following the academic year in which the appeal is submitted. This is to ensure that the College can make an informed response to any request to the Office for the Independent Adjudicator (OIA) for a review of the decision (the OIA may consider any request for review received within 12 months of the decision).

Timescales

12. This Policy outlines timescales within which the Colleges aim to work, including the timescales by which formal appeals must be submitted. Appeals will only be accepted outside of these timescales if there is a good reason for the delay; such complaints will be accepted only at the discretion of the RCA Registrar.
13. The Colleges shall endeavour to respond to appeals within the timescales outlined. On occasion it may be necessary to extend these deadlines; it is not possible to gauge, for all cases, how long an investigation into the issues may take, and on occasion there may be circumstances beyond the Colleges' control that prevent the appeal

being considered in accordance with the stated timescales. In such cases, revised deadlines will be communicated clearly to all parties.

14. Appeals should be submitted within 28 days of the decision that is the subject of the appeal, in accordance with Stage One of this Policy. Requests for a review of a decision of an Appeal Panel submitted in accordance with Stage Two of this Policy should be submitted within 20 days of completion of Stage One.
15. If a student initiates legal proceedings against the Colleges, any procedures provided for under this Policy will be paused until legal proceedings have been completed.

Stage One: Formal Consideration

16. Students are advised to seek the support of the Students' Union and/or RCA / Imperial Student Support, who can advise on the procedures and support students through the process.
17. Students submitting a request for a review in accordance with Stage One of this Policy should submit their appeal in writing to the RCA Registrar within 28 days of notification of the decision that the student wishes to be reviewed.
18. The only grounds on which a request for a review may be considered are:
 - (a) That the student's performance in the assessment was affected by illness or other factors which they were unable, or for valid reasons unwilling, to divulge before the decision was reached;
 - (b) That there was an internal administrative error;
 - (c) That the assessment was not conducted in accordance with the regulations for the programme;
 - (d) That some other material irregularity relevant to the examination occurred.

Disagreement with the academic judgement of a board does not constitute grounds for review.

19. The RCA Registrar will review the request and may refer the appeal back to the student with a request for more evidence before proceeding. If there are no grounds for the review that accord with paragraph 18 of this Policy then the request shall be rejected; the appellant shall be directed to the provisions for a review of the Registrar's decision under Stage Two of this Policy in such cases.
20. Where an arguable case in accordance with the grounds specified in paragraph 18 is established by the appellant, the Registrar shall refer the request to the Chair of the relevant assessment board. The Chair may at that point:
 - (a) Recommend to the Academic Board for Concessions & Discipline ("ABCD") that the request be upheld, and that the decision should be amended;
 - (b) Confirm the original decision of the Board, on the basis that the case and / or evidence are not sufficient to warrant a revised decision.

The Chair shall report their decision to the RCA Registrar, who shall arrange for consideration of any recommendation by ABCD.

21. The Chair may request further evidence from the student, and may also consult with other members of the assessment board, before reaching their decision. Any decision to revise the outcome of a final examination must be approved by the relevant external examiner
22. The Chair shall report their final decision, with reasons, to the Registrar, within 20 working days of receipt of the appeal.

23. Where a request is made on the basis that the student's performance in the assessment was affected by illness or other factors which they were unable, or for valid reasons unwilling, to divulge before the decision was reached, and the request is upheld, then marks or pass/fail decisions will not normally be amended. The student shall instead normally be permitted a further attempt at the assessment(s) in question in such circumstances.
24. Any decision to amend the student's overall award pass/fail decision or award classification must be approved by an external examiner for the programme.
25. A student who wishes to appeal against a decision made at Stage One of this Policy should proceed in accordance with the provisions of Stage Two, outlined below.
26. Following receipt of the Chair's decision, the appellant may choose to proceed with their appeal by confirming this intention to the Registrar, within 20 working days.
27. If the appellant chooses to proceed with their appeal then the Registrar shall convene a Panel to hear the appeal. The Panel shall consist of:
 - (a) An academic member of staff who is a member of the RCA Academic Board for Concessions & Discipline in the Chair;
 - (b) One further academic staff member of the RCA at tutor grade or above;
 - (c) One further academic staff member of Imperial at lecturer, or senior teaching fellow, grade or above, to be nominated by the Imperial Academic Registrar or their nominee.

No members of the panel shall be drawn from the School(s) with responsibility for delivering the programme to which the appellant is registered.

28. The Registrar will appoint a Secretary to the panel, normally chosen from staff of the Registry, Student Support or the Academic Development Office.
29. The Hearing shall be convened no fewer than 10, and no more than 20, working days from receipt of the request to proceed with the appeal. The appellant shall be offered at least two different times for a meeting, which shall be between 9.30 – 5.30, between Monday – Friday on days when the College is open, and shall take place either on the College premises, or via remote technology.
30. The panel will receive the appeal submitted to the Registrar. In addition, parties to the appeal shall be invited to submit additional documentation, for circulation to the panel and parties to the complaint no later than 5 working days before the date of the Hearing.
31. The appellant and the Chair of the relevant assessment board shall normally be expected to attend the hearing to give evidence; the chair of the relevant assessment board may delegate attendance to another member of the relevant board. Any other persons may be asked to attend the Hearing to give evidence, at the discretion of the Chair.
32. The appellant may be accompanied by another student, member of staff of either of the Colleges or RCASU / Imperial Students' Union representative, but that person will only be permitted to speak on the appellant's behalf at the discretion of the Chair. The appellant must notify the Secretary to the Hearing no later than 5 working days before the Hearing, of the identify of any person accompanying them to the Hearing.

33. Each party's evidence or statement(s) will be given in the presence of the other parties involved in the dispute. Cross-examining by the parties is not permitted, but questions may be permitted through the Chair, at the Chair's discretion.
34. All parties shall be permitted to view all evidence considered by the panel, and to attend all sessions held as part of the Hearing, with the exception of the introductory meeting and final discussion of the outcome. Neither the appellant nor the Chair of the assessment board shall attend either of these latter sessions. Under no circumstances shall the appellant or subject view or hear evidence or statements taken as part of the Hearing without the other party having an opportunity to see, and comment upon this evidence or these statements.
35. The panel may either:
 - (a) Uphold the appeal
 - (b) Partially uphold the appeal
 - (c) Reject the appeal.
36. If the panel either upholds, or partially upholds the appeal then it may:
 - (a) Refer the decision back to the relevant assessment board, with guidance;
 - (b) Exceptionally, make a recommendation to the Academic Board for Concessions and Discipline to annul the decision of the relevant assessment board.
37. The panel may make recommendations following consideration of an appeal, even where the appeal is rejected. Recommendations shall be considered by the appropriate School, who shall submit their response to the Registrar.
38. Panels shall normally advise parties verbally of the outcome of their consideration on the day of the Hearing. A full, written, report of the

Hearing will be drafted within 10 working days of the Hearing, and submitted to the parties to the complaint, who will be asked to check for factual accuracy. Any suggested amendments from the parties will be considered by the Chair, who will retain the right to reject these amendments. A final report will be submitted to all parties within 20 working days of the Hearing.

39. If, following receipt of the final report of the Hearing, the appellant remains unsatisfied, they may submit a request for a review of the decision to the Chair of the Academic Board for Concessions & Discipline (“ABCD”), in accordance with Stage Two of this Policy.

Stage Two – Review

40. Students submitting a request to review a decision taken at Stage One of this Policy should submit their request in writing (via email) to the RCA Registrar. The Registrar shall arrange for the request to be reviewed by the Chair of the RCA ABCD.
41. Any request for review at Stage Two may only be made on one or more of the following grounds:
 - (a) That the provisions of this Policy were not correctly applied;
 - (b) That the final outcome cannot be sustained given the evidence;
 - (c) That evidence has become available that could not reasonably have been presented at Stage One of the process, and that may arguably have led to a different outcome;

And must be received by the Registrar within 20 days of issue of the final report of the Stage One Hearing.

42. It should be noted, in respect of the provision to review a decision on the basis that the final outcome cannot reasonably be sustained, that a case must be made that the decision is manifestly unjust, rather than simply that the appellant disagrees with the outcome.

43. The Chair of the RCA ABCD will consider the case made by the appellant, and may seek additional evidence, either from the parties to the appeal or from any other source. The Chair of the ABCD will not normally interview parties to the appeal personally.
44. The Chair of the RCA ABCD may either uphold or reject the request to review. If the request is upheld the Chair of the RCA ABCD may either:
 - (a) Refer the appeal back to the original Panel, with guidance, to be heard in accordance with Stage One of this Policy;
 - (b) Require the Registrar convene a new Panel to hear the complaint, to be heard in accordance with Stage One of this Policy;
45. The Chair of the RCA ABCD's decision shall be the final decision on behalf of the Colleges.

Students with Disabilities

46. The Colleges are committed to fulfilling their obligations under the 2010 Equalities Act. The Colleges are committed to taking positive steps to ensuring that students with disabilities are treated no less favourably than other students within its processes. Reasonable adjustments shall be made throughout the processes to support students with disabilities. These may, for example, include permitting representatives to speak on behalf of students or extending timescales for submitting complaints. Any reasonable adjustment will be proportionate and relevant to the disability, and shall be considered by the RCA Registrar.

Office of the Independent Adjudicator

47. Once the Colleges' decision has been taken, any appeal that is not referred back to Stage One of the Policy shall be considered completed by the College, and a Completion of Procedures letter shall be issued. This letter shall confirm the outcome of the process, with any appropriate explanation. The letter shall also give guidance on

steps that the student may take to refer the matter to the OIA a body independent of the College established to review unresolved complaints from students in higher education, should they remain unsatisfied. Further information on the OIA can be viewed at their website: www.oiahe.org.uk.

RCA Senate

June 2018

Updates proposed Trevor Pearce

July 2022