

# Hibernia College Quality Framework

## Procedure for Appealing a College Decision



HIBERNIA  
COLLEGE

## 1 Introduction

### 1.1 Purpose and Parent Policy

This procedure sets out the steps for an appeal of a decision of a decision-making body under the *Policy for Appeals* as specified in paragraph 3.2.a.

#### *a. Right to challenge a decision*

##### i. Right of appeal

Students can appeal:

- Decisions on summative assessment outcomes ratified by a Board of Examiners
- Outcomes from a review process
- The decision of a Disciplinary Committee
- The decision of a Complaints Committee
- A decision about recognition of prior learning

As indicated in the *Policy for Appeals*, learners may choose from one of the two following options when seeking to challenge a decision specified in paragraph 3.2.a. of the *Policy for Appeals*. **This Procedure for Appealing a College Decision describes the process for an appeal to a committee – the second of these options.**

A **review** is an appeal where a learner formally requests the maker of a formal decision, or a person acting on their behalf, to review that decision, i.e. reconsider it in the light of concerns expressed by the appellant under one or more of the three grounds of appeal.

An **appeal** is where a learner formally requests that the decision or judgement of a lower authority is referred to a higher authority, that is, the Appeals Committee, for the reconsideration of the decision or judgement in the light of concerns expressed by the appellant under one or more of the three grounds of appeal.

### 1.2 Responsibilities

#### *a. Student responsibilities*

- i. The student is responsible for initiating the procedure within the defined timeframe and providing all relevant evidence.

#### *b. Staff responsibilities*

- i. All decision-makers are required to implement their decisions with timeliness and clarity.
- ii. Students must receive clear communications from the relevant staff members.

## 2 Procedure

### 2.1 Procedure for Appeal of a College Decision

#### a. *Submitting an appeal*

- i. The student submits an appeal to the Office of the Registrar using the appropriate form.
- ii. A valid application includes:
  - The completed application form
  - Verifiable supporting evidence which addresses the appeal criteria
  - Payment of the relevant fee, where appropriate.
- iii. The appeal application must be submitted within five working days of the communication of the decision by the decision-making body.
- iv. The student may seek to present to an appeals committee and provide a rationale for so doing. The Academic Dean shall decide if there is merit in a student attending.

#### b. *Assessment of the validity of the appeal*

- i. The Academic Dean assesses the appeal to establish if it meets the grounds for a valid appeal.
- ii. Where required, the Academic Dean seeks an investigation of the factual accuracy of the appellant's assertions, which includes input from the original decision-making body.
- iii. If the appeal submission is complete and the Academic Dean deems that the grounds are valid, a meeting of the Appeals Committee is convened.
- iv. If the appeal submission is complete and the Academic Dean deems that there are no valid grounds, the appeal is rejected.

#### c. *Notification to the student*

- i. The Academic Dean notifies the student in writing of the decision and the rationale for it.
- ii. Where the student has requested that they attend the meeting, the decision of the Academic Dean whether to grant this request or not is also communicated to the student.
- iii. Where an Appeal Committee meeting is convened, the student:
  - Is notified five working days in advance of the Appeal Committee meeting
  - May submit an additional statement in writing to the Appeal Committee
  - May seek to make representation in person to the Appeals Committee – the purpose of this is to provide clarification of any evidence provided to the committee. New evidence cannot be introduced during the Appeal Committee Meeting
  - Is provided with a copy of all material provided to the Appeals Committee.

#### d. *Remit of the Appeals Committee*

- i. The Appeals Committee comprises three persons drawn from the panel established by the Academic Board for this purpose, as specified in the *Policy for Appeals*.
- ii. The Appeals Committee meets to agree the findings and to determine a fair resolution.
- iii. The Appeals Committee considers the case based on the grounds for appeal as set out by the student in their application for an appeal and no other criteria.
- iv. The Appeals Committee, at its sole discretion, may invite any person who may have evidence or information to support the Committee in reaching a decision to attend.

#### e. *Right to information*

- i. The student is advised of any persons the Appeal Committee meets and is entitled to receive any information or evidence provided by that party which is to be considered by the Appeals Committee.
- ii. The student and any other party to an appeal has the right to receive any reports provided to the Appeals Committee generated as part of an investigatory process or decision-making process.

*f. Possible outcomes*

- i. The possible outcomes are:
  - The appeal is upheld
  - The appeal is denied.
- ii. Where an appeal is upheld, due consideration should be given to any practical implications and appropriate communications with staff and students relating to the upholding of this appeal.
- iii. If necessary, an Appeals Committee may adjourn any hearing to consult with the Academic Dean or take legal advice where required.

*g. Decision-making*

- i. Ideally, the decision of the Appeals Committee should be unanimous but, at a minimum, it should be a majority of one.
- ii. A formal record of the decision, the rationale for the decision, and evidence used to support the decision is maintained.

*h. Notification of decision*

- i. The Academic Dean notifies the following parties in writing of the Appeals Committee decision and the rationale for the decision:
  - The student
  - The Registrar.
- ii. The Academic Dean will also notify all relevant departments to ensure all records are amended to reflect the committee's decision.

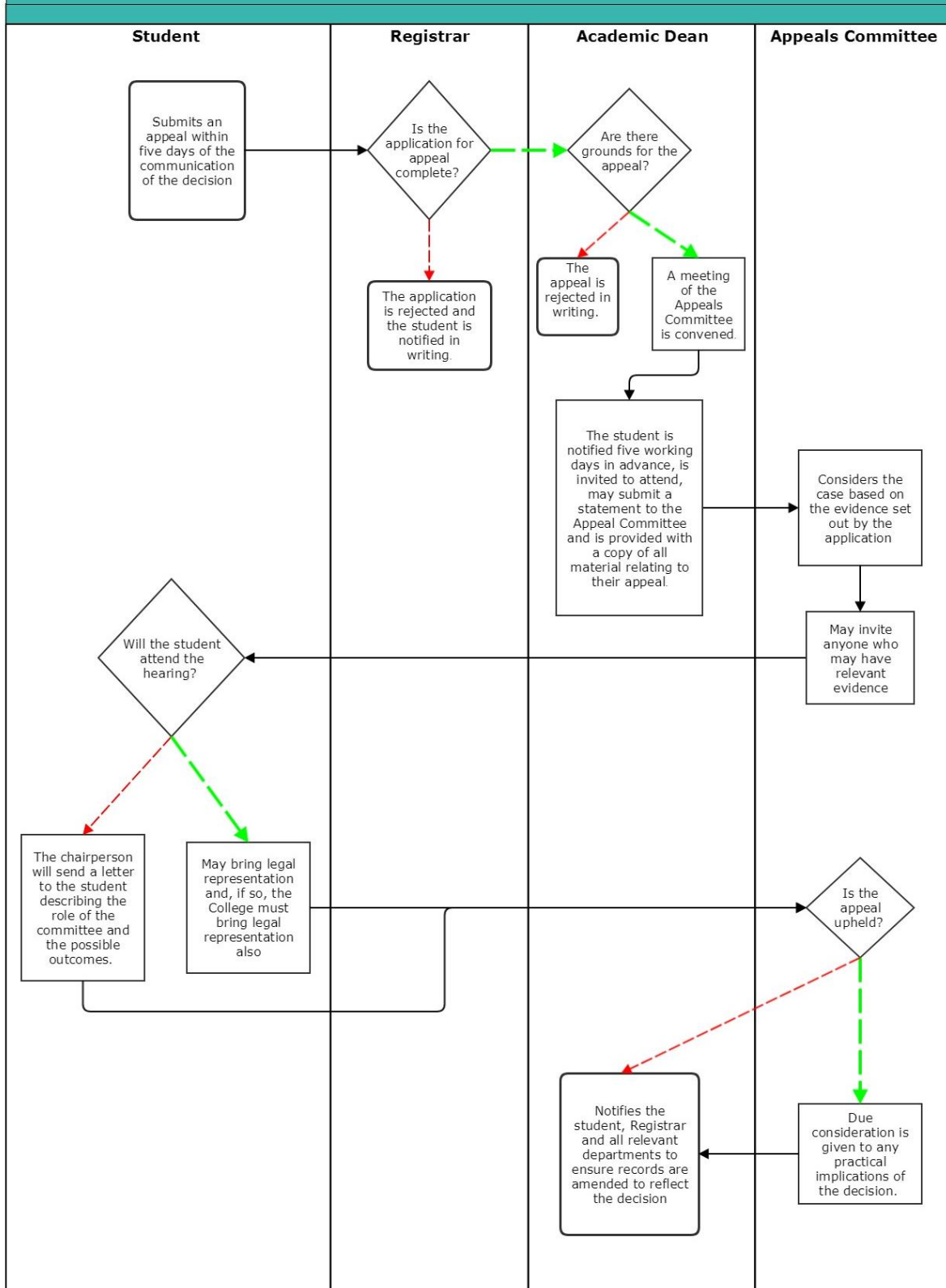
*i. Conclusion of the process*

- i. There is no further appeals process available. The process concludes at this point.

# Simplified: Appealing a College Decision



HIBERNIA  
COLLEGE



### 3 Document Control

Document Title	Procedure for Appealing a College Decision		
Author	QA Officer		
Version	V.1	Adoption Date	20/09/2018
Expected Review Date	June 2019		
Related Policies	<a href="#">Policy for Appeals</a>		
Related Procedures	<a href="#">Procedure for Appeals of Decisions on Evidence Excusing Non-Engagement</a>		
Related Resources	<a href="#">Application for an Appeal</a>		