

### GUIDE FOR STUDENTS YOUR QUESTIONS ANSWERED

Please note that this process is administered by your School and Student and Library Services and should only be followed if you wish appeal the decision of the Stage 2 Support to Study Panel.

This document is a walk-through process to assist you in understanding the Appeal process of the University's Support to Study Policy and Procedure ('Procedure'). **You are strongly encouraged to read this guide, together with the Procedure, prior to completing your Appeal Application Form.**

A copy of the Procedure can be located at [www.tees.ac.uk/studentregulations](http://www.tees.ac.uk/studentregulations), and further information on submitting your Appeal to the Student Casework Office can be found in this guide.

#### 1. What is a Support to Study Appeal?

When submitting an Appeal, you are requesting the University's Nominee to review the decision of the Stage 2 Support to Study Panel.

There is a flowchart at the back of this guide to assist you with this process.

#### 2. Where can I get advice?

**The Student Casework Office** can assist you with the process:

Email: [sco@tees.ac.uk](mailto:sco@tees.ac.uk)

The **Students' Union** can provide you with free, independent advice and guidance on your individual circumstances.

Email: [suss@tees-su.org.uk](mailto:suss@tees-su.org.uk)

For additional support you can contact the University's **Student and Library Services** who offer a wide range of services, including welfare advice, counselling and disability services.

Email: [studentlife@tees.ac.uk](mailto:studentlife@tees.ac.uk)

#### 3. Important questions to ask yourself before submitting an Appeal:

##### 3.1 Has the decision of the Stage 2 Support to Study Panel been published?

You will **not** be able to submit an Appeal until the Stage 2 Support to Study Panel has published its decision. You should receive the decision in writing and it should include details of the outcome(s) imposed.

If you have not yet received the decision please contact, in the first instance, the Secretary of the Stage 2 Support to Study Panel.

### 3.2 Am I within the timescales to make an Appeal?

Your Appeal must be submitted to the Student Casework Office within **7 days** of the publication of the decision of the Stage 2 Support to Study Panel.

### 3.3 What if I am outside the 7-day deadline?

An Appeal received after the 7-day deadline can only be considered under **very** exceptional circumstances,

If you submit an Appeal outside of these timescales, you must enclose with your Application a separate written statement explaining why it has been submitted late. The University's Nominee will then consider your written statement and determine whether to accept your Appeal for consideration.

### 3.4 What information must I include?

You **must** identify the grounds and reasons for your Appeal.

If the relevant information is not provided, the Student Casework Office will return your Appeal to you asking you to provide the necessary information.

It is also important that you include any relevant documentation to support your case and list the documentation you are including under the relevant ground. Where the submission of supporting documentary evidence is not possible at the time of the submission of your Appeal, due to circumstances outside your control, your Appeal should be submitted prior to the deadline date with a clear statement that the evidence will follow. If no subsequent supporting evidence is received, the Student Casework Office will process your Appeal based on the available documentation.

You are strongly advised to keep a copy of your Appeal and any supporting documentation. Documents submitted as part of your Appeal will **not** normally be returned. Where photocopies of documents are submitted, you may be required to provide the Student Casework Office with sight of the original documents in order to verify their authenticity. If evidence is provided in a language other than English, it is your responsibility to have it independently translated.

### 3.5 Do I fall within the grounds for an Appeal?

The ground(s) under which you can request an Appeal are:

- i) That the decision of the Stage 2 Support to Study Panel was inconsistent with and/or unsupported by evidence.
- ii) That there was a material procedural irregularity by the Stage 2 Support to Study Panel which has prejudiced the student's case.
- iii) That additional material information has come to light since the decision of the Stage 2 Support to Study Panel, which could not reasonably have been expected to have been produced at the time of the consideration of case by the Stage 2 Support to Study Panel.

Your Appeal should include a clear statement explaining why you believe the ground(s) to be relevant to your case.

**An Appeal will not be considered under any other grounds.**

### 3.6 What are **NOT** acceptable grounds for an Appeal?

Your Appeal will only be considered on the ground(s) set out in paragraph 3.5 above.

### 3.7 Why could my Appeal be rejected?

Examples include, but are not limited to, the following:

- The Stage 2 Support to Study Panel has not published their decision.
- Your Appeal was not submitted within the timescales stated in the Support to Study Policy and Procedure and was deemed out of time.
- Your Appeal was incomplete, frivolous, or vexatious.
- It was felt that your Appeal was unsubstantiated under the grounds set out in paragraph 3.5 above.

## 4. What if I am unsure whether my case falls within the Appeal Stage?

You should contact an Adviser from your Students' Union or the Student Casework Office, who will be able to assist you.

## 5. How do I complete the Appeal?

Before completing your Application Form we recommend that you seek advice from an Adviser in your Students' Union. A copy of the Application Form can be located at [www.tees.ac.uk/studentregulations](http://www.tees.ac.uk/studentregulations).

The Application Form is divided into sections, and it is important that you complete all relevant sections, as any omissions may result in a delay with your Appeal being processed.

The sections identified below **must** be completed:

**Section 1: Personal details**

**Section 2: Course information**

**Section 3: Support to Study information**

**Section 4: Your preferred outcome**

**Section 5: The involvement of an Adviser**

As mentioned above, you are encouraged to seek advice from your Students' Union on completing your Appeal.

*It is important that you understand that by ticking the box you are giving your consent for the Student Casework Office to communicate with your Adviser regarding your case.*

**Section 6: Grounds for Appeal**

It is essential that you identify the ground(s) on which you wish to apply, answer all related questions, and provide documentary evidence to support your Appeal.

**Section 7: Privacy Notice and Declaration**

It is important you understand that by signing the Application Form or emailing it to [sco@tees.ac.uk](mailto:sco@tees.ac.uk), you are verifying that the information contained therein, together with any accompanying documentation is true. You are also thereby agreeing to the Student Casework Office processing your personal data for the purposes of logging, coordinating, progressing and facilitating resolution of the matter(s). The Student Casework Office will only process your personal data (which may include requesting or sharing personal data with staff and or Panels within Schools/Departments/Partner Institutions) for these express purposes. The Student Casework Office will obtain your express consent to process any special category data which includes e.g. health records. Any personal data, including special category data, will only be processed to the extent necessary in order to properly administer your case, and appropriate safeguards are in place to ensure security of your personal data.

**Third Party Data:**

Please note that third party data will normally only be accepted with the written consent of the person concerned. If you plan to submit third party data without the consent of the individual, please ensure that it is anonymised (for example, names

and any other personal data is redacted). Anonymising personal data may detract from the use or purpose of the information provided and consent is therefore preferable to ensure that the matter is properly considered. The University may refuse to accept documents, which include third party data without consent and which have not been anonymised and you may be asked to resubmit such evidence once consent is obtained or anonymisation has taken place. Where non-anonymised third party personal data has been accepted in error, the University reserves the right to redact the personal data. Processing of personal data in this way will be under the lawful basis of legitimate interest and in the public interest.

### **Disability or Specific Learning Disability:**

Please ensure that you have identified on your Application Form whether you have a disability or specific learning difficulty and require any adjustments in order that the University can provide you with appropriate support to access this process. If you have difficulty submitting your Application Form via email, wish for it in a different format, or you wish to discuss your requirements please contact the Student Casework Office.

### **Please check before submitting your Appeal that:**

- you are submitting your Appeal within **7 days** of the publication of the Stage 2 Support to Study Panel's decision.
- you have completed all the relevant fields on this Application Form.
- you have identified whether you have any specific requirements relating to a disability or specific learning difficulty (should you wish to discuss your requirements please contact the Student Casework Office).
- you have clearly labelled any accompanying sheets.
- where you have submitted Personal Data regarding a third party you have obtained written consent from that individual to share their Personal Data and have provided this with your Application, or you have anonymised the Personal Data;
- you have included all relevant documentary evidence to support your Appeal.
- you have read and understood the Support to Study Policy and Procedure.
- you have taken a copy of your Appeal for your own records.

### **6. What if I would like somebody else to act on my behalf?**

It is not permissible for the University to communicate with external third parties regarding your case without your written consent. This includes a representative from your Students' Union, legal representative, parent, guardian or spouse. Therefore, if you wish the University to discuss your case with a third party, you will need to confirm this in your Appeal.

### **7. How do I submit my completed Appeal?**

Email: [sco@tees.ac.uk](mailto:sco@tees.ac.uk)

## 8. How long will it take to process my Appeal?

The length of time depends on the complexity of your case. However, the Student Casework Office will ensure that your Appeal is processed as quickly as possible.

## 9. What should I expect following submission of my Appeal?

You will receive written acknowledgement of your Appeal from the Student Casework Office.

The Student Casework Office will conduct an initial screening of your Appeal to assess whether it complies with the criteria set out in paragraph 9.3 of the Procedure. If your Appeal does not meet the criteria stipulated in the Procedure or is considered incomplete, frivolous or vexatious, the Student Casework Office will forward your Appeal to the University's Nominee who may dismiss your Appeal.

If your Appeal complies with the relevant criteria, the Student Casework Office will request that the Chair of the Stage 2 Support to Study Panel for information.

Where you submit your application under ground 9.1 c), the Chair will be asked whether they wish to consider the additional information presented. If the Chair believes there is a case for the decision of the Stage 2 Support to Study Panel to be reviewed, a Stage 2 Panel Support to Study may be convened to consider the case. The Chair will inform you, in writing, of such decision and a copy will be sent to the Student Casework Office. The Chair will advise you of your right to continue to pursue your case through the appeal process, and to contact the Student Casework Office if you remain dissatisfied with the decision. If no such request is received within 5 days, your case will be closed.

Where it appears to the Chair that there is no reason for the decision of the Stage 2 Support to Study Panel to be reviewed, they must inform the Student Casework Office who will gather any relevant information and submit the case to the University's nominee, not previously involved in the case, for their consideration.

The University's Nominee may:

- Reject your Appeal.
- Ask the Stage 2 Support to Study Panel to be reconvened.
- Impose an alternative sanction or action.

## 10. How will I know when the process is complete?

At the conclusion of the University's internal process you will normally be issued with a 'Completion of Procedures' letter concluding internal proceedings in the manner prescribed by the Office of the Independent Adjudicator for Higher Education ('OIA').

### 11. What is the Office of the Independent Adjudicator (OIA)?

The OIA operates an independent student complaints scheme. It will only consider cases that have completed the University's internal procedures.

More information on its rules can be found at [www.oiahe.org.uk](http://www.oiahe.org.uk).

