

## Procedural Irregularity (Review Stage Appeal)

Requests for review on this basis must relate to a Procedural Irregularity **in the way in which your Formal Stage appeal was dealt with**. As a result you should set out in what way your Formal Stage appeal was not handled according to the published [Academic Appeals Procedures](#). You should explain:

- 1) Which of the *Academic Appeals Procedures* have been breached - you should quote from the Formal Stage outcome letter wherever possible, as well as quoting from the *Academic Appeals procedures*. You are not required to respond to every point on the Formal Stage outcome letter. It is better to focus on that part of the decision which you feel demonstrates a procedural irregularity has occurred.
- 2) Why this breach has materially affected the outcome of your appeal. If there is a minor breach of protocol which would not have had any impact on the outcome of your appeal, then your request for Review will not be upheld.

If, for example, you failed 6 modules and the Special Cases Committee (SCC) or Case Officer wrongly failed to notice that you might otherwise have had a resit opportunity in just one module, this would have no bearing on your appeal outcome since passing one module out of six would still result in the failure of your programme.

You should not re-state your Formal Stage appeal details here, since the Chair of SCC/Special Cases Officer/Special Cases Manager will have access to the content of your Formal Stage appeal.

Case Studies : Request for Review on the basis of Procedural Irregularity [not real cases]

### Case Study 1) – Unsuccessful request for Review:

T submitted a Formal Stage appeal against her degree classification on the basis of procedural irregularity. She had achieved an overall mark of 63 in her second year but had struggled academically in her final year and had been awarded a mark of 47. This left her with an overall programme mark of 53 and a lower-second class degree classification (2:2). T wanted to be awarded a 2:1-class degree as she felt that the degree classification rules were unfair and should use the marks from the best of the two years.

T's appeal was rejected as having no *prima facie* grounds for appeal by a Special Cases Officer, on the basis that the degree classification rules had been correctly applied in her case.

T submitted a request a Review Stage appeal against the outcome of her Formal Stage appeal on the basis that her appeal should have been fully investigated rather than being rejected at the *Prima Facie* stage.

The Chair of SCC/Special Cases Manager did not uphold Review Stage appeal since T had not established *Prima Facie* grounds for appeal, and there was no procedural irregularity in the manner in which her appeal had been considered at the Formal Stage.

#### Case Study 2) – Successful request for Review:

Y submitted a Formal Stage appeal against failure on the basis of procedural irregularity. She indicated that she had been granted only 2 hours for an examination but the rest of her cohort had been granted 3 hours, and that this was because of an error. She provided correspondence which showed that her academic Department and the Examinations Office agreed an error had occurred, and attached this to her appeal when she submitted it.

Y's Formal Stage appeal was rejected by the Special Cases Officer on the basis that no evidence had been provided with the appeal. Y then submitted a request for Review, forwarding on her original email as evidence to show that she had provided evidence with her Formal Stage appeal. The Chair of SCC upheld her Review Stage appeal on the basis that an error had occurred in handling her appeal at the Formal Appeal stage.

#### **Questions on the form:**

##### ***Procedural Irregularity - Evidence***

*What supporting evidence should I provide?*

***Evidence to support a procedural irregularity*** will vary depending on the nature of the alleged irregularity. It may be that you do not have any evidence to submit, but you should be specific about what procedure has been breached. For example, if you believe there has been a conflict of interest because the Appeals Chair/Special Cases Officer was involved in your case at a previous stage, you should note this breaches the *Academic Appeals procedures*.

You may also wish to refer to:

[Managing Assessment and Exams - Staff home, University of York](#)

and

<http://www.york.ac.uk/about/organisation/governance/governance-documents/ordinances-and-regulations/> .

If you are unsure what evidence might be appropriate you may contact YUSU Advice and Support Service or the GSA Advice and Support Centre for free, independent and confidential advice. YUSU can be contacted at [asc@yusu.org](mailto:asc@yusu.org). The GSA can be contacted at [advice@yorkgsa.org](mailto:advice@yorkgsa.org). The Special Cases team can also both be contacted by emailing [appeals@york.ac.uk](mailto:appeals@york.ac.uk).

### **Submitting your evidence**

To submit evidence, select the appropriate button(s) on the form. A box will open where you can list each item of evidence that you are submitting and when you intend to submit it. If you intend to provide some or all evidence later, explain when you will be providing it in this box. If you intend to provide evidence later, your appeal will be placed on hold whilst we wait for you to provide it.

Do not upload your evidence until you are completely ready to submit your form. If you click "Save and Resume later" any evidence you have uploaded will be deleted.

**It is your responsibility to obtain the evidence – this will not be done for you by the University.**

- You will not be chased for evidence if you fail to provide it;
- If you do not provide evidence with your appeal and do not explain why, your appeal will be rejected;
- Evidence must be submitted in English, or with an official English translation (i.e. from a translation service/company) Evidence translated by a student or a friend will not be accepted as being officially translated. If you cannot secure a translation within the 28 day appeal deadline, submit the evidence with the appeal and explain that the translation will be submitted by an estimated date.

### ***What remedy are you seeking?***

Use this box to say what you would like the outcome of your appeal to be. You should note that even if your appeal is upheld it will not always be possible to provide you with the outcome you seek.