

## **ADMINISTRATIVE APPEAL (ATTENDANCE) PROCEDURE**

### **1. Appeal Procedure in Respect of Decisions Relating to Attendance Monitoring of international Tier 4 students**

#### **1.1 Definitions**

(1) With regard to these Appeals the following definitions are used:

‘Appeal’ – a request for the review of a decision by the University that has implications for a student’s enrolment status.

‘Student’ – any person enrolled or registered to follow a Programme of Study or module(s) offered by the University.

#### **1.2 Grounds for Appeal**

(1) A student, who is affected by a decision resulting from excessive periods of unauthorised absences from their programme of study, is entitled to submit an appeal based on one or more of the following:

- a. that there has been an arithmetical or other factual error in the data used by the University to calculate the levels of attendance that determine its decision;
- b. that evidence, which was not available and could not reasonably have been provided by the student at the time, has become available. This evidence would have led to the approval of absences previously noted as unauthorised;
- c. that there were defects or irregularities in the conduct of the assessment of attendance or in written advice from the University which had an adverse effect on the calculation of their attendance data.

(2) Appeals that are not supported by new evidence, or by a reasoned, factual re-interpretation of evidence previously provided, shall not be admissible.

#### **1.3 Submitting an Appeal**

(1) Any appeal, which must be submitted using the University’s Appendix AP4 Administrative Appeal (Attendance) form, shall be sent to the University at the address detailed on Appendix AP4 not later than 5 clear working days after that notification. Simple notice of appeal given in writing by the student within the above deadline shall not be deemed to constitute an appeal and shall not be accepted.

(2) The appeal will be forwarded to the student’s Dean of Faculty or nominee and the University’s Authorising Officer or nominee within 2 clear working days to consider the validity of the appeal.

#### **1.4 Consideration of the Appeal**

(1) The Dean of Faculty or nominee with responsibility for attendance monitoring shall ensure that the facts of the case are verified and upon completion of his/her enquiries shall provide a written

summary to the University's Authorising Officer or nominee within 3 clear working days, setting out the full circumstances of the case and confirming his/her findings. This should take the form of a chronology of communications / actions between the student and the university, and include copies of evidence provided.

- (2) The University's Authorising Officer or nominee will uphold the appeal and rescind the original decision if the report indicates that:
  - a. there was an arithmetical or other factual error in the data or calculation of data used by the University that, when corrected, produces an attendance level that meets the University's attendance requirements;
  - b. the Faculty accepts evidence related to attendance assessment which could not reasonably have been provided during the decision-making processes and that, when considered, results in the approval of absences previously noted as unauthorised and consequently produces an attendance level that meets the University's attendance requirements.
  - c. there were defects or irregularities in the conduct of the assessment of attendance or in written advice from the University which had an adverse effect on the calculation of their attendance data.
- (3) The University's Authorising Officer or nominee will reject the appeal if the new evidence provided by the student or the reasoned, factual re-interpretation of the evidence previously provided doesn't result in the approval of absences previously noted as unauthorised and fails to produce an attendance level that meets the University's attendance requirements.
- (4) In the consideration of the appeal, either the Dean of Faculty or nominee, or the University's Authorising Officer or nominee, may invite the student to attend an interview to clarify or explain any aspect of the appeal that might assist them in their deliberations. In such cases the student can request to be accompanied by a companion.
- (5) The Authorising Officer or nominee will notify the student of their decision within 2 working days.

### **1.5 Status of students who have submitted an appeal**

- (1) Upon identifying that a student appears to be in violation of the University's attendance requirements, the Faculty in question will notify the University Registry.
- (2) Upon receipt of an attendance appeal, the Authorising Officer or nominee will notify the student in writing that an appeal has been received and that the University will conduct an investigation into the validity of the claim.
- (3) During this time the student will be entitled to continue their studies until a decision is reached by the Authorising Officer or nominee.
- (4) If the Authorising Officer or nominee rejects the appeal the student will be withdrawn; he or she will be informed in writing that his or her right to study has been revoked and UKVI will be informed.