



FE Academic Appeals Policy

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QO	01.11.17	Links on References updated
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1. Purpose

This policy, together with its associated procedures, provides an appeals procedure to ensure that Argyll College UHI policies and procedures are applied appropriately, fairly and consistently to all students. The procedure allows the student to raise an appeal at an informal level and, if the outcome of this is not satisfactory, to use the formal procedure. Students may appeal against an assessment decision or against a decision about progress between levels.

2. Scope

These procedures aim to provide a fair, accessible and timely process for students to request a review of an assessment decision made within Argyll College UHI. This policy and procedure relates to all levels up to and including SCQF level 6, i.e. FE based study only, leading to qualifications from SQA and other awarding bodies.

For students studying at SCQF level 7 or above at Argyll College UHI, the University of the Highlands and Islands Policy and procedure will be applied. This can be found within the UHI Academic Standards and Quality Regulations, under the section Assessment Appeals. These regulations are updated annually and can be accessed via the UHI website or by contacting the Argyll College UHI Quality Officer.

A student may wish to appeal against a result notified to him / her by a member of the teaching staff of Argyll College UHI, or against a decision of a programme progression board that has been set up to consider the progress of students and the progression of students between levels. Without prejudice to the outcome of the appeal, a student may continue to attend classes and make use of the facilities of Argyll College UHI whilst their appeal is being heard. A student should not be disadvantaged in any way or prevented from progressing to the next level of their programme while their appeal is being considered.

Students, having completed their studies, who have grounds for an appeal and have submitted a request for a review of an assessment result by a tutor or programme progression board, will be unable to receive their award until the matter has been fully resolved.

All students will be provided with information about the appeals procedure at induction.

This policy does not cover student complaints. Complaints should be made following the Argyll College UHI Complaints Handling and Suggestions for Improvements procedure, which is located on the Argyll College UHI Website – www.argyll.uhi.ac.uk

3. Grounds for Appeal

Appeals against an assessment decision will normally only be considered on one or more of the following grounds:

- 3.1** That a student's performance in the assessment was adversely affected by illness or other factors. In these cases, the appeal must be accompanied by documentary evidence acceptable to the Head of Curriculum, who considers the appeal in the first instance.
- 3.2** Evidence of college academic assessment administrative error or that an assessment was not conducted in accordance with the college's specific assessment procedures.
- 3.3** That evidence is produced that some other material irregularity has occurred.

Appeals that question the academic judgement of a member of staff or an academic assessment body will not be considered.

Appeals will not normally be accepted from third parties.

A judgment will be provided in writing, normally within four weeks.

Students undertaking non-regulated qualifications (NQs), have no further right of appeal against internal assessment decisions. The final decision rests with Argyll College UHI. SQA will not accept internal assessment appeals.

4. Internal assessment appeals procedure

4.1 Stage 1 - Informal Procedure

- The student should discuss his/her situation with the Assessor, their Personal Academic Tutor (PAT) or any member of the centre management team. This should be done within 5 working days of receiving the result of any assessment. This initial discussion will not affect the student's right to follow the Formal Procedure detailed below but will represent an early opportunity for ambiguities to be resolved and circumstances to be taken into account.
- The Argyll College UHI member of staff dealing with the student must make them aware that the details of the discussion will be recorded on the Argyll College UHI Internal Assessment Appeals Form (Appendix B). This is available from the Quality Officer and within Sharepoint.
- If the student has approached their PAT or a member of the college centre management team, the member of staff will liaise with the assessor to try to resolve the appeal at this stage.
- If the Appeal remains informal, and has been resolved at this stage with no further action to be taken, the Argyll College UHI member of staff completes the **Stage 1 – Informal Procedure/meeting notes** section of the form. The completed form should be emailed to the Quality Officer (who is also the SQA Co-ordinator), within 5 working days of the informal meeting. The Quality Officer will file it in accordance with the Argyll College UHI Secure Storage and Retention policies. The Quality Officer will send a copy of the completed Informal Procedure/meeting notes to the student.

If the student indicates that they are dissatisfied with the response from the Informal Process, they then have the right to initiate the Formal Appeal Procedure

4.2 Stage 2 - Formal Procedure

- All formal appeals should be in writing.
- Students can request help with writing an appeal from Centre staff.
- If the matter is not resolved through the informal procedure, a student who wishes to follow Stage 2 Formal Procedure on the Argyll College Internal Assessment Appeals Proforma, outlining out the reasons for the appeal.
- This should be forwarded to the Quality Officer (who is also the SQA Co-ordinator) within 15 working days of having received notification of any internal assessment result.
- On receipt of a Formal Appeal the Quality Officer will acknowledge the appeal and indicate to the student the timeframe for a response.
- The Quality Officer will forward the appeal to the relevant Head of Curriculum, who will investigate the appeal, normally within ten working days of receipt of the appeal submission.
 - The investigation could involve interviews with the assessor, the internal verifier, the Curriculum Lead, the student's PAT, centre management staff and the student.

- Following the investigation, the decision of the Head of Curriculum will be confirmed in writing to the student within five working days of the investigation being concluded, together with information on how the appeal has been investigated.
- The result of the appeal will also be submitted to the Quality Officer, assessor, internal verifier and Curriculum Lead if appropriate. The Quality Officer will contact the Assessor/Internal Verifier/Head of Curriculum /Student Services Manager and Registry staff to inform them the result of the assessment/unit/course is on HOLD, until the assessment appeal process has been finalised.
- If the student is dissatisfied with the decision made by the Head of Curriculum they may appeal directly to the Depute Principal. The Depute Principal will, in the first instance, determine if the grounds for appeal sufficiently meet the criteria shown within Section 3 of this policy. The decision of the Depute Principal is final in this respect.

The Quality Officer will report to the Quality Committee on an annual basis outlining the number and nature of appeals to help inform College quality improvement and enhancement plans.

4.3 Stage 3 - Appeals Panel

If the Depute Principal feels there are grounds for appeal on the decision made by the Head of Curriculum at Stage 2, an appeals panel will be convened. The panel will consist of:

- the Depute Principal (Chair)
- the Quality Officer (who is also the SQA Co-ordinator)
- the Head of Student Services
- a Head of Curriculum not involved in this appeal. .

The Quality Officer will provide the student with written notice of the date and place of the appeals panel hearing and their rights under this procedure (shown in section 5 of this policy), at least ten working days prior to the hearing. The student must acknowledge receipt of this notification, in writing, before the hearing will take place.

The Quality Officer will provide the following documentation at least five working days before the date of the hearing:

- the student's appeal proforma, together with supporting documentary evidence
- the results of the initial investigation carried out by the Head of Curriculum
- the unit or programme assessment requirements
- the results of all the students taking the particular assessment
- and any other relevant documents

Evidence submitted on the day of the hearing will not normally be considered.

The chair of the appeals panel will inform the student in writing of the outcome of the hearing no later than five working days after the hearing has taken place. The chair of the appeals panel will be responsible for ensuring that the action recommended by the panel is satisfactorily implemented.

4.3.1 Procedure at the Hearing

The procedure to be followed at a hearing shall be determined by the chair in consultation with other members of the appeals panel at the commencement of the hearing. According to the circumstances, the parties to the appeal may be seen separately (in whatever order is deemed appropriate) or together. The appeals panel will normally ask the student, the relevant staff member(s) involved, and all witnesses to leave before considering the evidence and reaching a decision.

Once the appeals panel has determined an outcome, the student, and any other relevant parties, should be provided with a verbal decision which then be followed up by a 'completion of procedures letter'. The letter will include a clear written statement confirming that the internal procedures have reached completion and the outcome that has been reached.

The letter should also advise the student of any relevant external procedures to which they may have recourse if they remain dissatisfied with the final outcome or response to their appeal. Further information, such as how and when any remedy will be implemented, might also be included.

4.3.2 Powers and terms of reference of an appeals panel

An appeals panel considers and determines requests for a review of the Stage 3 Formal Procedure decision made by a Head of Curriculum. An appeals panel does not have powers to deal with appeals arising from disciplinary matters or from allegations of academic misconduct (please see Argyll College UHI Malpractice and Maladministration Policies).

An appeals panel has the power to require the attendance of any member of staff providing a reasonable period of notice is given for such attendance, and shall be given access to any records and documents which it regards as crucial to its operation.

If the appeals panel decides to uphold the student's appeal, the tutor concerned will be notified and must reconsider their decision. The tutor, in undertaking such reconsideration, shall have regard to the report of the appeals panel, and to the recommendations contained therein.

If, after reconsideration, the tutor confirms their original decision, the appeals panel may be reconvened at the request of the student or the chair of the appeals panel to consider further the position of the student. In such an event the appeals panel shall meet in private and, if it is the panel's opinion that due and proper account has not been taken of its decision and / or recommendations, it shall have the power to annul the whole assessment, or any part of it, in relation to the student concerned.

Any such amendment of an assessment will give the student the right to be assessed again in the whole assessment, or any part thereof. This further assessment shall be conducted as though the cancelled assessment had not taken place.

Whenever there is no unanimous agreement, decisions of the appeals panel shall be by majority vote.

4.3.3 Reporting procedure and confidentiality of hearing

The proceedings of appeals hearings shall be confidential to the parties involved. A report of the decision shall be communicated to the Quality Assurance committee, together with any specific recommendations or observations that the appeals panel decides to make.

A report of the hearing shall be made available to the members of the appeals panel, the student concerned, and to all relevant parties involved. The report shall be confidential to those persons to whom it is circulated.

If the report recommends the appeal be dismissed, the student may have a further right of appeal through the appropriate awarding body appeals procedure.

4.4 Stage 4 - Further Appeals

If the matter is not resolved through the internal Formal Procedure, the student can submit an appeal in writing to SQA or the relevant awarding body (e.g. BCS).

Students of regulated qualifications (including all SVQs) have further routes of appeal against internal assessment results. This **does not** apply to candidates on non-regulated qualifications.

If a student has gone through all the stages of the Argyll College UHI internal assessment appeals procedure and remains dissatisfied with the outcome or the way in which the college handled the appeal, they can:

- **appeal to SQA or the relevant awarding body**
- **appeal to SQA Accreditation (or Ofqual or Qualification Wales if relevant) if the student feels the centre and/or SQA (or other awarding body) has not dealt with the appeal appropriately.**

SQA Accreditation (or Ofqual or Qualification Wales if relevant) cannot overturn assessment decisions or academic judgements but may investigate the effectiveness of the centre and/or SQA's appeals process and require corrective action.

The appeal must include a written account of why the student thinks that the centres decision is wrong and must include the student's evidence to support their case.

Students should appeal within 15 working days (20 working days in the case of BCS) of receiving written notification from the outcome of their Appeal Panel.

SQA may consider appeals lodged outside this timescale if there are legitimate reasons for the delay. The letter should be clearly marked as an appeal and sent to:

Corporate Office

SQA
The Optima Building
58 Robertson Street
Glasgow
G2 8DQ

4.5 Stage 5 - (External Assessment for Vocational Qualifications subject to statutory regulation by SQA Accreditation or Ofqual or Qualification Wales) – Formal

The Head of Centre (who is the college Principal) can appeal on behalf of a candidate against a decision in an external assessment where this forms part of a sector skills councils' assessment strategy. Argyll College UHI can appeal by requesting a review of the decision, providing that SQA awarding body is solely responsible for this external assessment.

The following process will be undertaken:

- The Head of Curriculum responsible for the curriculum area under discussion should contact the manager responsible for the VQ within SQA within 10 working days, to agree a time to discuss the matter. If, after this discussion, the member of staff is not satisfied, the Head of Centre can raise an appeal.

- The appeal must include a detailed written account of why the Head of Centre thinks that SQA's decision is wrong. The appeal should include the reasons given by SQA and must include the candidates' evidence for other relevant Units. Any other evidence that is submitted in support of the appeal must be relevant to the case being made.
- The letter should be sent to the Corporate Office at SQA's Glasgow office and should be clearly marked as an appeal.
- The SQA Director considering the appeal may seek additional information to assist their review of the case. They may consult experienced subject specialists who were not involved in the original decision when considering appeals against assessment judgement to help review the evidence
- The SQA Director will inform the Head of Centre in writing of the decision within 15 working days of receiving the written appeal and will give the reasons for the decision.
- The above process will encompass any other Awarding Body requirements where Argyll College UHI is approved to deliver qualifications.

Details of the appeal will be recorded on the student appeal form as detailed in Appendix B.

5. Rights and Position of Students

In advance of an appeals hearing, the student will receive all papers circulated to members of the appeals panel, except any documents deemed by the chair to be confidential to the appeals panel.

The Academic Appeals Policy will be sent to the student with the notice of the hearing.

The student has the right to be accompanied to the appeal hearing by a friend. Under this procedure the definition of 'friend' does not include members of the legal profession engaged to act in their professional capacity.

The student and any other person(s) cited in the appeal, has the right to appear before and be heard by the appeals panel.

While the appeal remains unresolved, the student has the right to proceed to the next part or stage of their course, or to recommence the part or stage of the course on which they were last enrolled as appropriate to the particular case. A student should also not be disadvantaged in any way or prevented from progressing to the next level of their programme.

However, students having completed their studies, who have grounds for an appeal and have submitted a request for a review of an assessment result by a tutor, will be unable to graduate until the matter has been fully resolved.

Students' privacy and confidentiality will be respected, wherever possible. However, unless specifically stated otherwise, it will be assumed that students have given permission to disclose as necessary any information provided. If students wish any matter to remain confidential they must state that when lodging their formal appeal. In such cases, it may not be possible to fully consider the appeal.

- A student who is dissatisfied with the outcome of the Appeal Panels (4.3) may appeal in writing to the Principal, but only on the grounds of administrative irregularity. This should normally be done within 10 working days from the receipt of the Appeal Panels response.

- The Principal or his/her nominee will determine if the appeal is valid. The decision of the Principal or his/her nominee is final in this respect.

6. Rights of Teaching Staff/Assessors

An assessor whose decision is being appealed against has the right to be represented at the hearing of an appeals panel.

7. SQA External Assessment Appeals Procedure

Students undertaking external assessments have recourse to the following SQA services:

7.1 Exceptional Circumstances: this service will assist candidates who could not sit an exam or who has sat an exam but their performance suffered because of exceptional circumstances. This service can only be requested if a tutor has send a valid Estimate or final result to the Quality Officer (SQA Co-ordinator).

7.2 Post-Results Services: This service will run after all SQA candidates have received their results in August of every Calendar year. Information on this includes:

If a tutor or student has concerns about their grade for National 5, Higher or Advanced Higher qualifications, based on materials marked by SQA can request a clerical check or marking review through the College SQA Co-ordinator.

The student must initially contact the tutor to speak to discuss their situation, and the tutor will the contact the Quality Officer, who will make a decision in consultation with the Head of Curriculum and teaching staff. Information to be taken into consideration could be:

- Course component marks
- Students grading level
- Student attendance record
- Or a variety of other information for staff to make an informed decision.

Final approval for Post-Result Service requests will be by the Depute Principal.

SQA cannot accept requests directly from any staff other than the Quality Officer (SQA Co-ordinator).

7.2.1 What is a Clerical check?

A Clerical check makes sure that:

- all parts of the materials have been marked
- the marks given for each answer have been totalled correctly

7.2.1 What is a Marking Review?

A marking review makes sure that:

- all parts of the materials have been marked
- the marking is in line with the national standard
- the marks given for each answer have been totalled correctly
- the correct result has been entered

A priority marking review can be requested if the candidate requires a result to secure a conditional place at university or college.

The service opens on results day – **in August of each calendar year.**

Marking review, Priority Marking Review and clerical check requests must be submitted by certain dates every year, and the Quality Officer will notify staff of these dates.

Information will be posted on our website and Social Media pages to notify students of the relevant dates.

Results for Post-results Services requests will be sent electronically to the SQA Co-ordinator who will disseminate to the relevant students and staff.

8. SQA Accreditation (for qualifications regulated by SQA Accreditation)

In the event that the Head of Centre is unhappy with the outcome of SQA's appeals process, they can write to SQA Accreditation and ask for a review of the appeals process applied to reach the appeal decision. The Quality Officer (SQA Co-ordinator) is the first point of contact for this request and can provide further details as required.

Additionally, in those cases where a head of centre believes there has been procedural irregularity by SQA (awarding body) in any aspect of an appeal against these internal processes, the head of centre has a right to raise this matter with SQA Accreditation. The head of centre's letter must be submitted to SQA Accreditation within **10 working days** of receiving the written notification of SQA's (awarding body) final decision on the outcome of the appeal.

9. Qualifications regulated by Ofqual or Qualification Wales

If a Head of Centre believes there has been procedural irregularity by SQA (awarding body) in any aspect of an appeals process, the Head of Centre has a right to raise this matter with Ofqual or Qualification Wales.

10. Qualifications regulated by BCS Awarding Body

10.1 Student Appeals

Argyll College has a Learner Appeals Procedure (Appendix B) that is located in each testing room at Argyll College centres. In cases of BCS Approved remote testing (as conducted during the COVID-19 restrictions), the Learner Appeals Procedure will be passed to each student (via email) prior to testing.

11. Responsibilities

All members of staff and students are responsible for the effective operation of this policy.

The Quality Officer (SQA Co-ordinator) and the Depute Principal are responsible for monitoring the effectiveness of this policy

The Head of Student Services is responsible for providing advice and support for student appeals.

12. Retention

Any student work that is the subject of an assessment appeal, or other procedural or legal challenge, and other records relating to the appeal, will be retained in accordance with the relevant awarding

body guidelines. **Please refer to the FE Academic Records Management and Retention Policy and procedures** (SCQF level 6 and below) for detailed guidance.

This policy can be accessed via this [link](#) on SharePoint.

13. Review

Every 5 years or sooner if changes in linking policies or awarding bodies requirements necessitate amendments.

14. References

[OfQual](#)

[UHI](#)

BCS

Contact BCS Centre Manager — jen.mcfadyen@uhi.ac.uk

[Argyll College UHI Student Malpractice Policy](#)

[Student Disciplinary Procedures](#)

[Student Handbook](#)

[Argyll College UHI Complaints Handling Procedures](#)

15. Appendix A – Student Internal Assessment Appeal Form



University of the
Highlands and Islands
Argyll College

Oilthigh na Gàidhealtachd
agus nan Eilean
Colaiste Earra-Ghàidheil

Student Internal Assessment Appeal Form

Please Note: This form is to be returned to the Quality Officer – jen.mcfadyen@uhi.ac.uk

Name:									
Student Number:									
Course / Centre:									
Student Contact address:									
*Student Email address: *Please note that, where possible, email communication will be used to correspond with you during the appeals process.									
Student Contact telephone no:									
Stage 1 – Informal Procedure: Ensure student is informed that notes will be taken at this meeting.									
Assessor/PAT/Centre Management Name:									
Stage 1 meeting notes: (to be completed by the assessor/PAT/centre management staff)									
Stage 1 outcome:									

Assessor/PAT/ Centre Management signature	Date:
Progress to Stage 2 – Formal Procedure	YES/NO
Stage 2 – Formal Procedure The student should provide answers to section 1-4 in as much detail as possible.	
Please note: If you wish any matter to remain confidential you must state this when lodging your formal appeal	
Section 1 I wish to appeal against the following academic decision:	

Section 2.

I base my appeal on the following grounds:

Section 3.

I feel that I have been disadvantageded as a consequence of the academic decision indicated in 1 above: (if this applies to you)

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Section 4.

I am submitting the documentary evidence listed below to support my appeal:

[this may include any additional Statement of Appeal and any evidence of medical or personal circumstances, where appropriate]

Student Signature (Please print and sign)		Date:	
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Head of Curriculum name:				Date:			
Head of Curriculum signature:							
Progress to Stage 3 – Appeals Panel				YES/NO			
Name:							
Student Number:							

Staff use only:

Stage 3 – Appeals Panel outcome: (if applicable)

(please attach Appeals Panel Minutes and all supporting/related documents)

Date Student notified of result:									
Appeal Panel Chair name:					Date:				
Appeal Panel Chair signature:									
Name:									
Student Number:									
Staff use only:									
Stage 4 – Further Appeals: (if applicable)									
If the matter has not been resolved through the Internal Formal and Appeals Procedures, does the student require to submit an appeal in writing to SQA or another awarding body?							YES/NO		
Has the student been advised of the process, and that assistance with writing the procedure is available on request?							YES/NO		
Date Stage 4 Appeal submitted to SQA or other awarding body:							_____		
Appeal results received back from SQA or other awarding body: (please attach details)							YES/NO		
Date Student notified of result:									

Staff use only:									
Stage 5 – Further Appeals – Head of Centre appeal against External Assessment results for Vocational qualifications subject to statutory regulation by SQA Accreditation or Ofqual or Qualification Wales									
Stage 5 Appeal requested?							YES/NO		
If YES – please attach all Stage 5 Appeal documentation									
Date Student notified of result:									

16. Appendix B – BCS Student Appeals Procedure

Student Appeals Procedure – ECDL Testing

- Students who are unhappy with any aspect of the testing process should first discuss the problem with their local Learning Centre Manager. The student must make the reasons clear at this time.
- If the student is unhappy with the outcome of these discussions, the student must write to the ECDL Test Centre Manager (Jen McFadyen, Argyll College, Glenshellach Business Park, Oban, PA34 4RY – jen.mcfadyen@uhi.ac.uk) within 5 working days of receipt of their test result. The Test Centre Manager will fully review the complaint and attempt to find a solution.
- If Argyll College is not able to resolve an appeal, then the student has the right to submit an appeal directly to BCS. Student appeals must be made within 20 days of the date of the assessment and will incur a fee of £10. This fee will be refunded if the Student's result improves following the appeal. Learner Appeal to be sent to BCS should be forwarded to centresupport@bcs.uk
- Once an appeal has been reviewed by BCS they will write to the appellant with details of their decision to either:
 - Amend the decision considering the rationale or any new evidence put forward
 - Confirm BCS stand by the original decision.
- The Learner will then have the right to seek an independent review. This will be carried out by someone who is not employed by, or otherwise connected to, BCS.
- If the student is not satisfied with outcome of the BCS Appeal, they have the right to seek an independent review. This will be carried out by someone who is not an employee of ours or otherwise connected to BCS.
- The complete BCS Appeals Policy can be requested through Argyll College UHI Centre staff.

When can an ECDL student appeal to BCS?

- If a student believes that BCS did not apply procedures properly, fairly or consistently in relation to the assessment decision;
- If a student disagrees with the BCS decision on the allocation of reasonable adjustments or special consideration;
- If a student disagrees with the action taken against them following an investigation into malpractice;
- If a student believes there were errors with the question paper that impacted the result;

- Please note that BCS will **not** accept appeals if the only grounds are that the student is unhappy or disappointed with their result. In these circumstances, the student should speak to their tutor to get feedback on areas where they could improve.
- If the student is looking for their mark to be reviewed, due to sickness or other extenuating circumstances that took place at the time of the examination, please see the **Access Arrangements, Reasonable Adjustments and Special Considerations Policy**.
- Re-mark requests will not be accepted for any multiple-choice examinations as these are marked electronically.
- If the student would like Argyll College to act on their behalf, please ensure that the College (ECDL Test Centre Manager) has been given written permission to do so.