



Equality Impact Assessment

<p>A. Policy/Practice (name or brief description): Student Appeal Regulations and associated guidance</p>
<p>B. Reason for Equality Impact Assessment (Mark yes against the applicable reason):</p> <ul style="list-style-type: none"> • Undertaking a review of an existing policy/practice
<p>C. Person responsible for the policy area or practice:</p> <p>Name: Amy Willis</p> <p>Job title: Academic Policy Officer (Appeals Manager)</p> <p>School/service/unit: Academic Services, Registry Services</p>
<p>D. An Impact Assessment should be carried out if any of the following apply to the policy/practice, if it:</p> <ul style="list-style-type: none"> • affects primary or high level functions of the University - Yes • is relevant to the promotion of equality (in terms of the Public Sector Equality Duty 'needs' as set out in the Policy and Guidance)? - No • It is one which interested parties could reasonably expect the University to have carried out an EqlA? - Yes
<p>E. Equality Groups</p> <p>To which equality groups is the policy/practice relevant and why? (add notes against the following applicable equality group/s)</p> <ul style="list-style-type: none"> • age • disability • race (including ethnicity and nationality) • religion or belief • sex • sexual orientation • gender reassignment • pregnancy and maternity • marriage or civil partnership¹ <p>The Student Appeal Regulations and associated guidance govern the University's appeal process and will apply to all students. Any member of the student population could be included in one of these equality groups.</p>

¹ Note: only the duty to eliminate discrimination applies to marriage and civil partnership. There is no need to have regard to advancing equality or opportunity or fostering good relations in this respect.

Add notes against the following applicable statements:

- **On any available information about the needs of relevant equality groups:**

The scope of the Student Appeal Regulations includes decisions in relation to academic decisions, exclusion from studies, decisions of Student Fitness to Practise Committees, and outcomes of conduct investigations and the Support for Study policy. The Student Appeal Regulations apply equally to all students, but it can be reasonably expected that students who have been subject to review or investigation under any of the policies or regulations that come under the scope of appeals are more likely to submit an appeal. It is not however within the scope of this impact assessment to determine the impact on students of these associated policies and regulations.

The annual appeal report presents an analysis of the data on student appeals and is reviewed by the Senate Quality Assurance Committee. The report for 2022/23 indicates that:

- The proportion of male/female appellants is similar to the proportion of male/female students across the University. In 2021/22 there had been a higher proportion of male appellants. The data for 2022/23 shows a more equal gender distribution.
- 17.7% of appellants had a declared disability. This is a smaller percentage than in 2021/22, in which 25% of appellants had a declared disability. The most frequent categories of disability were mental health conditions, learning differences or multiple disability categories.
- Although the report does not include data on age of appellants, it does show that a higher proportion of PG students submit appeals, relative to UG students. Since PG students will, on average, be older than UG students, this suggests that students who are older are more likely to submit an appeal.

- **Any gaps in evidence/insufficient information to properly assess the policy, and how this be will be addressed:**

- It is possible for students to submit more than one appeal, which may slightly skew the data.
- The data for 2022/23 on appellants with a declared disability (17.7%) mentioned above cannot yet be considered in relation to the University population, as the EDMARC EDI Data Student Report for 2022/23 is not yet available on the University's website.
- The data for 2022/23 does not include the age of appellants, and limited inferences can be made from the data on appeals by level of study (UG/PGT/PGR). Age information is not gathered as part of the appeal process.
- The data on student appeals does not include information on the following characteristics:
 - race (including ethnicity and nationality)
 - religion or belief
 - sexual orientation
 - gender reassignment
 - pregnancy and maternity
 - marriage or civil partnership

This impact assessment considers that the policy as amended should not have a negative impact on any of the equality groups, and that the gaps in evidence do not preclude the fair assessment of the policy.

- **If application of this policy/practice leads to discrimination (direct or indirect), harassment, victimisation, less favourable treatment for particular equality groups:** There is no evidence to suggest that this is the case.
- **If the policy/practice contributes to advancing equality of opportunity²** All appeals are considered equally under the Student Appeal Regulations, regardless of who is making the appeal or the appeal category. Each individual appeal is handled in a way which appropriately considers any protected characteristics under the Equality Act, and considers whether or not other University policies and regulations have been correctly and fairly implemented.
- **If there is an opportunity in applying this policy/practice to foster good relations:** No
- **If the policy/practice create any barriers for any other groups?**
This impact assessment considers that the policy as amended does not introduce additional barriers for any student groups. Students can request adjustments or accessibility support in completing the form from the appeals team. The amendments to the policy aim to remove barriers by making the policy clearer, and therefore more accessible, by making the policy more comprehensive and by providing better governance mechanisms.
 1. Amendments to improve clarity and accessibility: This includes clarifying definitions, clearer use of language (e.g. replacing the term 'appellant' with 'student'), providing a list of decisions that are not open to appeal and clarifying students' responsibilities. It also includes the removal of unnecessary procedural complexity which did not bring any benefits to students (e.g. the outcome of 'partially upheld appeals' has been removed, and the two levels of full Appeal Committee and Appeal Sub-Committee have been simplified into a single Appeal Committee). These amendments have been made in response to students' lack of clarity or understanding of sections of the current regulations, as evidenced in appeal submissions and enquiries from students. This should have a positive impact on all students. Removal of any gendered language in the policy to ensure neutrality.
 2. Amendments to make the policy more comprehensive: Students will now be permitted to appeal Board of Examiners' decisions in relation to academic misconduct penalties. The current policy does not make it clear that these decisions are open to appeal. This should have a positive impact on all students, and in particular on any groups of students who are more likely to incur academic misconduct penalties, e.g. students for whom English is a second language.
 3. Amendments to provide better governance: The appeal regulations previously empowered the full Appeal Committee to alter academic decisions by overturning a decision following an upheld appeal and specifying a different outcome. This is no longer considered an appropriate outcome for an appeal as the Appeal Committee should not be able to override the authority of a Board of Examiners, or another relevant Committee, given that the Appeal Committee does not have the academic expertise to make final decisions about students' academic outcomes.

² This question does not apply to the protected characteristic of marriage or civil partnership

- **How the communication of the policy/practice is made accessible to all groups, if relevant?**

Academic Services will communicate the new Student Appeal Regulations in its annual update of new policies, and the policy will be accompanied by updated guidance and webpages with frequently asked questions (FAQ). Academic Services aims to work with Schools (including the key roles of Student Advisers) and The Advice Place to increase knowledge and share guidance on the updated appeal regulations, process and remit and the action Schools can take to resolve issues using the Taught Assessment Regulations. This will involve engaging with the relevant staff networks and providing supporting communications.

The policy can also be made available in different formats.

- **How equality groups or communities are involved in the development, review and/or monitoring of the policy or practice?**

The amendments to the policy have been developed through a wide consultation process, including a meeting with the Students' Association and The Advice Place, as well as feedback collected from staff in Colleges and Schools, the Conveners and Vice-Conveners of the Student Appeal Committee, the College and School Academic Misconduct Officers, and Legal Services.

The Student Appeal Regulations and Student Appeal Committee membership are considered and approved by the Senate Academic Policy and Regulations Committee (APRC). APRC membership includes representation of the Students' Association, The Advice Place, the three Colleges and Senate.

The data and trends on student appeals are reviewed annually by the Senate Quality Assurance Committee (SQAC) via an annual report. SQAC membership includes representation of the Students' Association, The Advice Place, the three Colleges, Senate, and an external representative from within the Scottish Higher Education system.

- **Any potential or actual impact of applying the policy or practice, with regard to the need to eliminate discrimination, advance equality and promote good relations:**

As detailed above, this impact assessment has identified no negative impact on any groups that would derive from the proposed amendments.

F. Equality Impact Assessment Outcome

Option 1: No change required – the assessment is that the policy/practice is/will be robust.

G. Action and Monitoring

- 1. Specify the actions required for implementing findings of this EqIA and how the policy or practice will be monitored in relation to its equality impact (or note where this is specified above).**

No change in current practice required. As mentioned above, the data and trends on student appeals are reviewed annually by the Senate Quality Assurance Committee (SQAC) via an annual report.

- 2. When will the policy/practice next be reviewed?** The expected date for the next review of the policy is 2027/28.

H. Publication of EqlA

Can this EqlA be published in full, now? Yes (once the policy is approved)

If No – please specify when it may be published or indicate restrictions that apply: n/a

I. Sign-off

EqlA undertaken by (name(s) and job title(s)): Cristina Matthews, Academic Policy Officer

Accepted by (name):

Academic Policy and Regulations Committee

Date: 21 March 2024

Retain a copy of this form for your own records and send a copy to
equalitydiversity@ed.ac.uk