Academic Appeals Policy and Procedures

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1 Purpose and objectives

1.1 The purpose of this policy is to set out the framework for handling academic appeals, ensuring that such appeals are managed promptly, fairly, impartially, and effectively to achieve timely resolution. The document explains the reasons and grounds for appeals that are acceptable, followed by a description of the steps to follow in the informal and formal resolution of students' appeals.

1.2 This policy aims to set down the principles, expectations and responsibilities of students, as well as ECT staff, in dealing with students' appeals relating to academic matters.

1.3 ECT recognises that effective communication is of paramount importance when attempting to resolve appeals. Therefore, ECT is committed to a culture of openness, fairness and continuous improvement, which includes being open to criticism. All parties will be treated fairly, equitably and with dignity.

2 Scope

2.1 This policy applies to all ECT students, irrespective of mode or location of study. ECT will advise students where a concern appears to fall under more than one procedure and will ensure that cases are managed in a coordinated manner to avoid duplication.

2.2 The policy applies only to students' appeals relating to academic matters. Students' complaints relating to the quality of learning opportunities and non-academic matters are dealt with in ECT's ***Student Complaints Policy and Procedures*.**

2.3 An academic appeal is a request by a student for a review of an academic decision affecting their continuation, assessment outcome or award, made on specified grounds under this policy.

2.4 The policy also applies to ECT staff involved in managing the academic appeals from students, particularly those serving on the Academic Appeals Panel.

3 Principles

3.1 Information about the Academic Appeals process will be provided on the ECT public web site. Reasonable adjustments and alternative formats are provided where required to ensure accessibility.

3.2 All appeals will be acknowledged and treated promptly and fairly, with an acknowledgement of receipt provided to the student within two working days.

3.3 The appeals against academic decisions will be resolved in a timely, consistent, fair manner.

3.4 If a student chooses to lodge an appeal, the student's enrolment will be maintained while the appeals process is ongoing.

3.5 Students may withdraw an appeal at any time during the appeals process.

3.6 No student is penalised or suffers detriment as a result of submitting an appeal in good faith.

3.7 Appeals based on false allegations or evidence, and vexatious appeals will not be considered and may result in disciplinary action in accordance with ECT's ***Student Disciplinary Policy.*** or Staff Disciplinary Policy, as appropriate.

3.8 All parties must be considerate, cordial and treat one another with respect, and threatening behaviour will not be tolerated. Unacceptable behaviour is managed in in line with ECT policies.

3.9 Informal resolution of appeals should be the first priority, and is encouraged where appropriate, to achieve a prompt and fair outcome, without preventing access to formal processes.

3.10 Appeals should be addressed as close to the source of concern as possible.

3.11 Staff should be appropriately trained to ensure adherence to this policy and or associated procedures.

3.12 There should be no actual or perceived conflict of interest with the staff that are designated to deal with a specific appeal.

3.13 The principles of natural justice (procedural fairness), including impartial decision making, the opportunity for relevant parties to be heard, and decisions based only on relevant evidence will be afforded to all parties.

3.14 All parties should commit to the full communication of relevant information and gaining an understanding of all the issues.

3.15 All parties to the appeal should be regularly notified as to the progress of the process by the Learning Support Officer.

3.16 All exchanges of information should rely on the utmost level of confidentiality, except where the release of information is required by law, or where consent to share may not necessarily apply.

3.17 Any party may be accompanied by a support person, who is not normally a legal representative, when attending interviews and hearings. ECT reserves the right to reschedule meetings or hearings should Counsel need to be appointed.

3.18 Legal representation is not considered to be necessary or appropriate during the appeals process as academic appeals are dealt with internally and do not have the same degree of formality or standard of proof as a court of law. The judgement will be made on the basis of a balance of probabilities rather than 'beyond all reasonable doubt'.

3.19 Once a decision has been reached, all parties should be informed as soon as possible and in writing about the outcome of the appeal. This should provide clear explanation and written in plain language.

3.20 The decision on an assessment with an outstanding appeal will stand until the appeal has been fully considered and an outcome sent to the student. Students are expected to prepare for and complete any scheduled assessments, including resits, while waiting for the outcome of the appeal.

4 Reasons for appeals

4.1 It is important for a student to understand how an appeal differs from a complaint or a request for the recognition of mitigating circumstances. ECT operates a complaints policy and a separate system for considering mitigating circumstances. If a student wishes to raise a quality of learning opportunities or a non-academic complaint or if they request consideration of mitigating circumstances, these need to be made prior

to a decision at an Assessment Board. Matters must be brought to ECT's attention before a specified deadline immediately preceding the relevant Board.

4.2 Academic appeals are only valid in respect of Assessment Board decisions already made. Therefore, the appeals procedure must be followed once a Board has taken a decision and students have received their confirmed results. Note that it is only through the appeals process that issues relating to a Board decision can be resolved.

4.3 Academic appeals are not valid where they relate to academic judgement. Appeals are only valid based on procedural irregularity, evidence of bias or the Assessment Board not having full information available when it reached their decision.

4.4 Only enrolled students may submit an appeal. The acceptance of an award certificate at graduation implies acceptance of the award and the closure of any action/appeal within ECT's procedures. Students must submit a formal academic appeal within 10 working days from the date on which the relevant decision (for example, assessment outcome, progression decision or award classification) is published or communicated to them. In exceptional circumstances, ECT may consider an appeal submitted after this deadline where the student provides evidence of good reason for the delay.

4.5 A number of reasons may be valid grounds for appealing an outcome of an academic decision, including but not limited to:

- Procedural irregularity or administrative error
- Bias or perceived bias
- New evidence of serious illness or personal circumstances that couldn't be disclosed in time for the Assessment Board to consider
- Additional relevant information that wasn't available when mitigating circumstances were first submitted
- Disproportionate impact of disciplinary action

4.6 ECT may discontinue an appeal if it is deemed frivolous, repetitive, or pursued in a disruptive or abusive manner. This includes cases where the grounds have already been addressed, or the student engages in unacceptable behaviour such as aggression, offensive language, or unreasonable persistence after the case has been concluded.

4.7 In cases where ECT has decided to stop the consideration of an academic appeal, students will be provided with a written explanation of the decision. Students will be informed of their right to request a review of this decision under Stage Three: Review of the appeal.

4.8 Students may withdraw an appeal at any point during the procedure, for example if the matter has been resolved through an informal resolution process or the student has decided against continuing with the appeal. In the case of the withdrawal by the student, the matter will be deemed to have been resolved and recorded as such.

5 Procedures for resolving academic appeals

5.1 The four stages of the appeals procedures are described in detail below. At the end of each stage, the student will be informed in writing of the outcome of the appeal, i.e. whether it was upheld, partially upheld or not upheld, with an explanation of the basis on which the decision was made.

5.2 The maximum time for completing the four stages is 90 calendar days. The

complexities of a case may warrant extended scrutiny, in which case the student and others involved will be informed in writing about the timeframe and reasons for extension.

5.3 The evidence submitted with an appeal must be provided in English or if in another language, it must be accompanied by an independent professional, certified translation. ECT reserves the right to verify the evidence submitted and may request additional evidence.

5.4 The personal data of students will be protected during the handling of such data during appeals processes, in accordance with the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

5.5 Appeals cannot be made anonymously, but students may request for a specific element/s of their appeal to remain confidential at the point of submitting the appeal.

5.6 Appeals cannot be made by a third party on behalf of a student. This includes ECT staff, relatives, lawyers/solicitors.

5.7 All participants in an appeals procedure should keep confidential notes of their discussions with other parties, and copies of such notes and associated findings must be made available for inclusion in the student's file and other ECT files, as relevant. To ensure that they can be represented as an accurate record of the procedure, the parties attending should confirm in writing that the author has truthfully and accurately recorded the proceedings.

Stage One: Informal resolution

5.8 Students' academic appeals may be addressed through an informal resolution appeals procedure to ensure the prompt resolution of the matter. However, students are not required to pursue informal resolution before submitting a formal appeal. Where early resolution is not possible, not satisfactory or not preferred by the student, the formal Stage Two appeals process should be initiated within the specified deadline.

5.9 Students who select to follow the informal resolution procedure, should approach the Learning Support Officer or engage directly with the Programme Leader concerned. The error could be rectified promptly or the matter explained to the student's satisfaction so that no further appeal is necessary. Matters resolved at this stage do not form part of a formal process and is a preliminary step to the formal appeals process. However, all instances of informal resolution appeals and their outcomes should be recorded and made available to the Assessment Board.

Stage 2: Formal Appeal and Investigation

5.10 The student must submit the appeal in writing to the Learning Support Officer via the prescribed online form with supporting evidence, within 10 working days of receiving the decision they wish to appeal. Appeals submitted after this period may be considered if the delay was due to circumstances beyond the student's control.

5.11 A group of students affected by the same set of circumstances may make a collective appeal through a single spokesperson with agreement of all members of the group.

5.12 The student must describe the grounds for making the appeal and explain how the evidence submitted with the appeal supports the grounds. Students can appeal against more than one decision and will not need to submit separate appeals for

appealing different decisions.

5.13 Before a decision has been made on the appeal, the student must assume that the original decision of the relevant Assessment Board is correct and still valid.

5.14 The Learning Support Officer will acknowledge receipt of the appeal within two working days and respond in writing to the student within twenty working days, confirming the outcome of the appeal.

5.15 The Compliance and Risk Manager will appoint an Investigator, usually a Programme Leader from a different programme of study not involved in the original decision and has no conflict of interest. to investigate the case and to seek additional evidence or testimony from relevant staff members, where necessary. The investigator may also request the student to submit additional evidence or clarification on the evidence provided.

5.16 The investigator will submit a written report to the Compliance and Risk Manager within 10 working days after completing the investigation, describing the outcome of the appeal. Four courses of action can be taken following consideration of an appeal by a student:

a. the appeal is upheld, and the Assessment Board is required to review or revise its decision or process where the grounds for appeal is found to have had material impact on the performance or progression of the student

b. the appeal is partially upheld, and the Assessment Board is required to reconsider or revise its decision because new information came to light during the investigation

c. the appeal is not upheld, and cannot be resolved at Stage Two

d. the appeal is terminated due to not meeting the grounds for appeal, is out of time, lacks evidence, or is deemed frivolous, vexatious, or includes abusive or threatening language or behaviour. Any such decision will be based on clear evidence, approved by an appropriate senior member of staff and communicated to the student in writing with reasons and information about their options, including the possibility of external review where applicable. The decision is final, and no further action will be taken.

5.17 The complaints process may be followed where concerns arise about the process followed in reaching a decision. A student may wish to refer the matter to the Office of the Independent Adjudicator at any time. A completion of process letter will be provided by ECT.

5.18 The student will be informed of the outcome of the appeal no later than twenty working days after the formal appeal was submitted. If the investigation was not completed within this time, the student and others involved will be informed in writing about the new timeframe and reasons for the extension.

5.19 If the student is satisfied with the outcome, no further action is required, and the appeal will be closed and recorded as such. If the student is not satisfied with the outcome of the appeal, they can continue to Stage Three.

Stage 3: Review of the Appeal

5.20 If a student is dissatisfied with the formal outcomes of the appeal, they can request an internal review within ten working days of receiving the decision. In such cases, the students should submit a written request for the review of the outcome using the online form. The appeal will be reviewed by the Academic Appeals Panel, comprised

of members independent of the original decision and stage 2. This normally includes a senior academic member and at least one member not involved directly in the programme. A student representative and a member of the Academic Board may form part of the panel. An independent external member may also be appointed.

5.21 The student will need to provide a statement explaining why they believe the outcome of the formal appeal to be incorrect, unreasonable, or that there may be new evidence that should be considered.

5.22 The Academic Appeals Panel will review the student's submission, the outcome of the Stage Two formal procedure and any additional evidence and make a final decision, with one of the following outcomes;

a. the Stage Three appeal is upheld, and the Assessment Board is required to review or revise its decision or process where the grounds for appeal is found to have had material impact on the performance or progression of the student

b. the Stage Three appeal is partially upheld, and while the review confirms the fairness of the previous Stage Two investigation, new information came to light during the investigation

c. the Stage Three appeal is not upheld, and the review supports the previous Stage Two outcome, with no changes to the Assessment Board's decision.

5.23 The Academic Appeals Panel will inform the student in writing of the outcome of Stage Three within ninety calendar days of the date of the original appeal submission. If the student wishes to challenge the outcome of the Academic Appeal Panel's decision, they can move to Stage Four of the process.

External Review (Office of the Independent Adjudicator)

5.24 Students who are not satisfied with the outcome of Stage Three of the appeals procedure will be advised of their right to submit a complaint in writing to the Office of the Independent Adjudicator for Higher Education (OIA) within twelve months of the conclusion of ECT's procedures. The OIA is the independent ombudsman, and students will be referred to the information and eligibility rules available on the website: https://www.oiahe.org.uk.

5.25 Following completion of the internal procedure, ECT will issue a Completion of Procedures Letter. This confirms that internal processes are exhausted and explains the student's right to request an external review by the Office of the Independent Adjudicator for Higher Education (OIA) within the timescale specified by the OIA. Students will be provided with a 'Completion of Procedures' letter as soon as possible, and no later than twenty-eight days after the final internal decision, to submit to the OIA. This will include a summary of the appeal, a copy of the policy applied, and the conclusion that was reached.

Stages of appeal table

Stage	**Purpose**	**Responsible Party**	**Expected Timeframe**
One: Informal Resolution	Resolve informally at local level	Programme Leader / Learning Support Officer supported by Compliance and Risk Manager	Within ten working days

Two: Formal Appeal and Investigation	Formal investigation of appeal	Learning Support Officer / Programme Leader for alternative programme / Compliance and Risk Manager	Typically within twenty working days
Three: Review of the Appeal	Check fairness of formal appeal process	Academic Appeals Panel: Normally: a senior academic member / at least one member not involved directly in the programme / member of Academic Board / student representative (optional) An independent external member may also be appointed.	Within ninety calendar days

6 Record Keeping and Reporting

6.1 Records of all appeals will be recorded in ECT's secure student files, together with the confidential notes of all discussions with the students and others involved in the appeals procedures.

6.2 All records of appeals must be stored securely for at least six years from the date of the conclusion of the procedure, during which time only parties to the appeals should have access. The records should otherwise remain confidential with restricted access.

6.3 The Head of Academics and Operations must report on appeals annually to the Academic Board, and the Governance Board thereafter. This will take the form of a high-level analysis and evaluation and will not include specific details of individual appeals.

7 Legal rights and obligations

7.1 This policy does not remove the right of students and potential students to take further action under the UK's consumer protection laws, nor does it prevent them from pursuing other legal remedies.

7.2 Students have the right to any redress options that are available to the students through the Office for Students (OfS) that would direct students to third parties, such as the Competition & Markets Authority (CMA), the Independent Adjudicator for students in higher education (OIA), Citizens Advice, etc.

7.3 This policy does not remove the obligation of ECT to adhere to any requirements applicable to providers in relation to UK's consumer protection laws or other laws relevant to the issues covered in this policy.

7.4 No prescript in this policy will supersede consumer protection and/or other UK laws or Regulations that apply to any issues related to the implementation of this policy.

8 Definitions

(Definitions from *The good practice framework: handling student complaints and academic appeals* of OIA informed the drafting of these definitions)

Academic appeal: A request by a student for a review of an academic decision affecting their continuation, assessment outcome or award, made on specified grounds under this policy.

Academic decision: A formal decision about a student's assessment result, progression, continuation, or final award made by an authorised body or officer of ECT.

Academic judgement: The professional judgement of academic staff about a matter where they have decision-making authority, such as assessment marks or degree classifications. Disagreement with academic judgement alone is not grounds for appeal.

Academic Appeals Panel: The body convened at Stage 3 to review eligible appeals, comprising members independent of the original decision and Stage 2 consideration.

Appeal outcome: The formal decision issued by ECT at the conclusion of a stage of the appeals process, including reasons and any remedies or actions.

Completion of Procedures Letter: The document issued to the student when ECT's internal procedures have been exhausted, confirming the final internal outcome and outlining the option to apply to the OIA.

Complaint: An expression of dissatisfaction by one or more students about the standard of service, action or lack of action by ECT or those acting on its behalf. Complaints are normally considered under the Student Complaints Policy.

Conflict of interest: A situation in which a person involved in considering an appeal has, or may reasonably be perceived to have, a personal, professional or financial interest that could influence their judgement.

Distance / online learner: A student who is studying wholly or mainly by distance or online learning and who may not routinely attend ECT premises.

Formal appeal: A written request submitted under Stage 2 of this policy, using the prescribed process and accompanied by supporting evidence.

Frivolous or vexatious appeal: An appeal that is manifestly without merit, pursued improperly or maliciously, or accompanied by abusive or unreasonable behaviour. Such cases are rare and must be clearly evidenced.

Group appeal: An appeal submitted jointly by two or more students who are affected in the same way by the same set of circumstances or decision.

Mitigating / extenuating circumstances: Serious and unforeseen circumstances beyond a student's control that may have had a significant impact on their academic performance, normally considered under the Mitigating/Extenuating Circumstances Policy.

Natural justice / procedural fairness: Principles that require impartiality, the opportunity for parties to be heard, decisions based on relevant evidence, and the absence of bias or perceived bias.

Office of the Independent Adjudicator for Higher Education (OIA): The independent body in England and Wales that reviews student complaints about higher education providers once internal procedures are completed.

Representative / support person: An individual chosen by the student to support or accompany them during the process, who is not normally a practicing solicitor or barrister.

Respondent: A person or body whose decision or actions are the subject of an appeal.

Student: An individual who is, or was recently, registered on an ECT programme at the time of the decision being appealed, including those temporarily suspended or who have withdrawn or completed, where the appeal concerns a decision made during their registration.

Working day: Any day on which ECT is officially open for business, excluding weekends, public holidays and any published closure periods.

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Revision History		
Version	**Date**	**Description of key changes**
1.1	May 2025	New document created with text from the previous Student Complaints, Grievances and Appeals Policy (doc 020)
2	January 2026	Updated document to define the stages of an appeal and the circumstances in which an appeal can be made