

# EDA COLLEGE



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## ACADEMIC APPEALS POLICY<sup>1</sup>

### Version Control/History

<b>Policy Reference</b>	EDA-POL-AAP-001
<b>Version</b>	1.0
<b>Status</b>	Approved
<b>Approved by</b>	Academic Board
<b>Approval Date</b>	August 2025
<b>Effective Date</b>	August 2025
<b>Policy Owner</b>	Principal (Academic)
<b>Policy Custodian</b>	Academic Registrar
<b>Next Review Date</b>	August 2026
<b>Applies To</b>	All current and former students of EDA College Ltd

### ACADEMIC APPEALS — AT A GLANCE

<p><b>🕒 DEADLINE</b></p> <ul style="list-style-type: none"> <li>Submit within 10 working days of the decision being appealed</li> </ul>	<p><b>✅ VALID GROUNDS</b></p> <ul style="list-style-type: none"> <li>Procedural irregularity</li> <li>Extenuating circumstances</li> <li>Prejudice or bias</li> </ul>	<p><b>❌ NOT VALID</b></p> <ul style="list-style-type: none"> <li>Disagreement with mark</li> <li>Disappointment with result</li> <li>Poor exam performance</li> </ul>	<p><b>🏛️ OIA ROUTE</b></p> <ul style="list-style-type: none"> <li>After internal process: refer to OIA at <a href="http://oiahe.org.uk">oiahe.org.uk</a> within 12 months of COP Letter</li> </ul>
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<sup>1</sup> In accordance with the OIA Good Practice Framework: Handling Student Complaints and Appeals (2022) and OfS Condition C1

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## 1. Introduction and Purpose

EDA College Ltd (“the College”) is committed to making fair, consistent and robust academic decisions and to providing students with a transparent and accessible route to challenge academic decisions they believe to be incorrect or procedurally flawed.

This Academic Appeals Policy sets out the procedure by which a student may appeal against an academic decision made by or on behalf of the College, including decisions of Assessment Boards, Examination Boards and Extenuating Circumstances Panels. It provides a structured three-stage process that is fair, impartial and aligned with the OIA Good Practice Framework for Handling Student Complaints and Appeals (2022).

EDA College takes academic appeals seriously. We regard them as an important quality assurance mechanism that helps ensure that academic decisions are sound, fair and properly made. At the same time, we recognise that academic judgement exercised properly by qualified assessors is not normally subject to review on its merits — the grounds for appeal are specific and are set out in this policy.

“EDA College is committed to ensuring that every student who believes an academic decision has been made incorrectly or unfairly has access to a fair, transparent and independent review. We will always treat appeals seriously and respond promptly.”

## 2. Legislative and Regulatory Framework

Framework / Legislation	Relevance
<b>OIA Good Practice Framework: Handling Student Complaints and Appeals (2022)</b>	Sets out the standards expected of higher education providers when managing academic appeals; EDA College aligns this policy to the OIA Framework
<b>Higher Education and Research Act 2017</b>	Establishes the OIA as the designated higher education complaints and appeals body; students of registered providers have access to the OIA after internal procedures are exhausted
<b>OfS Regulatory Framework — Condition C1</b>	Requires registered providers to have an accessible and fair procedure for handling student academic appeals
<b>Consumer Rights Act 2015 / CMA Guidance</b>	Academic decisions and appeals procedures form part of the student contract; the procedure must be fair and transparent
<b>Natural Justice / Principles of Procedural Fairness</b>	Academic appeals must comply with the requirements of natural justice: the right to know the case against you, the right to respond, and the right to an impartial decision-maker
<b>Human Rights Act 1998 / ECHR Article 6</b>	Right to a fair hearing applies to academic decisions with significant consequences for students
<b>UK GDPR / Data Protection Act 2018</b>	Personal data processed in connection with academic appeals will be handled in accordance with EDA College’s Data Protection and Privacy Policy
<b>Equality Act 2010</b>	All stages of the appeals procedure must be applied consistently and without discrimination; reasonable adjustments will be made for disabled students

## 3. Scope: What This Policy Covers

This policy covers appeals against the following types of academic decision:

- A decision of an Assessment Board or Examination Board in relation to a student’s result, mark or grade for a module or programme, including a decision to refer, fail, require a resit, or require repetition of a year
- A decision of an Assessment Board regarding a student’s eligibility to progress to the next level of study
- A decision of an Assessment Board to exclude a student from the programme on academic grounds
- A decision of an Extenuating Circumstances Panel in relation to a student’s application for extenuating circumstances
- A decision regarding the classification of a degree or other academic award

- A decision to withhold, withdraw or modify an academic award
- A decision to require a student to repeat a year or to repeat specific modules
- A decision regarding the outcome of a reassessment (resit) attempt

## 4. What This Policy Does Not Cover

The following matters are dealt with under separate procedures and are not covered by this policy:

Matter	Appropriate Procedure
<b>General complaints about teaching quality, staff conduct, or services</b>	Student Complaints and Academic Appeals Procedure — Part A (Complaints)
<b>Complaints about academic misconduct decisions (plagiarism, collusion etc.) made against the student</b>	Academic Misconduct and Plagiarism Policy — Appeals Procedure
<b>Complaints about student disciplinary decisions</b>	Student Disciplinary Procedure — Appeal Stage
<b>Fitness to Practise decisions</b>	Fitness to Practise Policy — Appeals Procedure (see also Section 20 of this policy)
<b>Complaints about freedom of speech</b>	Freedom of Speech and Academic Freedom Policy — Complaints Procedure
<b>Staff grievances about academic decisions affecting them</b>	Staff Disciplinary and Grievance Procedure
<b>Complaints about fees or financial matters</b>	Tuition Fee and Refund Policy; Student Complaints Procedure

If you are unsure which procedure applies to your concern, contact the Academic Registrar who will direct you to the appropriate route. Raising a concern under the wrong procedure will not disadvantage you and your concern will be redirected appropriately.

## 5. Definitions

Term	Definition
<b>Academic appeal</b>	A formal request by a student for a review of an academic decision, on the specific grounds set out in this policy
<b>Assessment Board / Examination Board</b>	A formal body of academic staff convened to make decisions about student assessment results, progression, classification and awards
<b>Extenuating Circumstances Panel</b>	A panel convened to consider applications from students who wish to have personal circumstances taken into account in relation to their assessment performance
<b>Academic judgement</b>	The professional judgement of a qualified academic assessor on the academic quality or standard of a piece of work. Academic judgement exercised properly by qualified assessors is not normally subject to review on appeal.
<b>Procedural irregularity</b>	A failure to follow the published rules, regulations or procedures governing assessment or decision-making that was sufficiently serious to have affected the outcome
<b>Extenuating circumstances</b>	Personal circumstances beyond a student's control (e.g. illness, bereavement, significant personal crisis) that affected their performance in an assessment
<b>Prejudice</b>	Actual bias or unfairness that affected the outcome of an assessment or decision, demonstrated by clear evidence
<b>Appellant</b>	The student who submits an academic appeal

<b>Respondent</b>	EDA College, represented by the Academic Registrar and the relevant academic decision-making body
<b>Appeal Panel</b>	The independent panel convened to hear a Stage 2 academic appeal
<b>Completion of Procedures Letter (COP Letter)</b>	A letter issued by EDA College confirming that all internal stages of the academic appeals procedure have been exhausted; enables access to the OIA
<b>OIA</b>	The Office of the Independent Adjudicator for Higher Education; the independent external body that reviews unresolved academic appeals from students at registered higher education providers
<b>Working day</b>	A day on which EDA College is open for business, excluding weekends, public holidays and College closure days

## 6. Key Principles

EDA College's academic appeals procedure is underpinned by the following principles:

Principle	What It Means in Practice
<b>Fairness and impartiality</b>	All appeals are considered objectively by staff who have had no prior involvement in the original decision and who have no personal interest in the outcome. Panel members must declare any conflict of interest.
<b>Accessibility</b>	This procedure is clearly published, written in plain English, free of charge and accessible to all students, including those with disabilities. Support is available to students who need it.
<b>Timeliness</b>	Appeals will be acknowledged and responded to within the timescales set out in this policy. Where delays occur, the student will be informed in writing with an explanation and revised timescale.
<b>Respect for academic judgement</b>	The procedure does not exist to second-guess the academic judgement of qualified assessors where that judgement has been exercised properly. Appeals must be based on the specific permitted grounds.
<b>Confidentiality</b>	Information shared in connection with an appeal will be treated as confidential and shared only with those who need to know in order to consider the appeal.
<b>No detriment</b>	A student who submits an academic appeal in good faith will not be penalised, disadvantaged or treated less favourably as a result. See Section 23.
<b>Independence</b>	Where a decision cannot be reviewed internally, students have access to the independent review of the OIA. This right cannot be waived or restricted by EDA College.
<b>Learning and improvement</b>	The College will use academic appeals data to identify systemic issues and to improve its academic processes and procedures.

## 7. Grounds for Academic Appeal

A student may only appeal an academic decision on one or more of the following three specific grounds. An appeal that does not meet at least one of these grounds will be rejected at the admissibility stage without a full review. It is therefore important that students read these grounds carefully before submitting an appeal.

### STAGE G1 — Procedural Irregularity

The assessment or academic decision-making process was not conducted in accordance with EDA College's published Academic Regulations, procedures or the requirements of Birmingham Newman University as Awarding Body, AND this error was sufficiently serious that it may have materially affected the outcome.

#### Examples of procedural irregularity:

- The wrong marking criteria or grade descriptors were applied to the student's work
- The Assessment Board did not have the required quorum to make a valid decision
- The student was not given the required notice of the assessment or submission deadline
- A submitted extenuating circumstances application was not considered by the Panel
- The student's work was lost or not submitted to the examiner due to an administrative error
- The assessment was not moderated in accordance with the published moderation procedure
- An external examiner's recommendation was not properly considered

#### What this ground does NOT include:

- Minor administrative errors that did not affect the outcome of the assessment or decision
- Errors that the student was aware of at the time but failed to raise
- Disagreement with the academic judgement of the marker where the correct procedure was followed

### STAGE G2 — Extenuating Circumstances Not Previously Considered

The student has evidence of personal circumstances that affected their performance in an assessment or that made it impossible for them to perform to the best of their ability, AND those circumstances were not considered in the original decision because the student was unable to disclose them at the time through no fault of their own.

#### Examples of extenuating circumstances:

- Serious illness (physical or mental health) that occurred before, during or shortly before an assessment, which the student could not disclose at the time
- Bereavement of a close family member or significant person in the student's life, which the student was unable to disclose at the time
- A significant traumatic event (e.g. serious accident, domestic abuse incident, natural disaster) that the student was unable to disclose at the time
- A previously undiagnosed medical condition that has now been diagnosed and which explains the student's underperformance

#### What this ground does NOT include:

- Circumstances that the student chose not to disclose at the time, where there was no barrier to disclosure
- Circumstances that were already taken into account by the Extenuating Circumstances Panel in the original decision
- General stress related solely to the pressure of examinations or assessments

- Circumstances that the student was aware of but decided not to mention because they thought they could manage

All extenuating circumstances claims must be supported by independent, verifiable evidence (e.g. a letter from a GP or healthcare provider, a death certificate, police report, or equivalent). Self-certification alone is not normally sufficient for an appeal on this ground.

### STAGE G3 — Prejudice or Bias

There is clear, demonstrable evidence that the assessment or academic decision was affected by prejudice, bias, or other improper conduct on the part of an assessor, panel member, or other person involved in the decision-making process, AND this affected the outcome.

#### Examples of prejudice or bias:

- Written or verbal evidence that an assessor made discriminatory remarks about the student or their work
- A demonstrable and unexplained inconsistency in marking that cannot be accounted for by legitimate academic differences in the quality of the work
- Evidence that an assessor had a prior personal conflict or relationship with the student that was not declared and that affected the assessment
- Evidence that an Assessment Board member had a conflict of interest that was not declared

#### What this ground does NOT include:

- A belief or feeling that the marker does not like the student, without any concrete evidence
- Disagreement with a marker’s academic judgement or feedback
- A lower mark than the student expected or than marks achieved in other modules
- Differences in feedback style between different markers

Allegations of bias or prejudice are serious and will be investigated carefully. Making a false or unsupported allegation of bias against a member of staff may itself constitute a disciplinary matter.

## 8. What Is NOT a Valid Ground for Appeal

EDA College receives requests for academic appeals that do not meet the permitted grounds. The following are explicitly NOT valid grounds for academic appeal under this policy, and appeals submitted solely on these bases will be rejected at the admissibility stage:

NOT a valid ground for appeal	Why not
<b>Disagreement with the marker’s academic judgement</b>	The College does not re-mark work simply because a student disagrees with the mark awarded. Academic judgement exercised properly by qualified assessors is not subject to review on appeal.
<b>Disappointment with a mark or grade</b>	Disappointment is understandable but is not a ground for appeal. If you believe the wrong procedure was followed, that is a different matter.
<b>General poor exam performance or lack of preparation</b>	Poor performance in an assessment is not a ground for appeal unless it was caused by circumstances that meet Ground 2.

<b>The student did not know the assessment regulations</b>	Published regulations are provided to all students at enrolment and are available on the College website. Ignorance of the regulations is not a ground for appeal.
<b>The student disagrees with the feedback received</b>	Disagreement with feedback is not a ground for appeal. If you believe the feedback was discriminatory, this may be a Ground 3 issue.
<b>The student believes they deserved a higher mark</b>	Belief that one deserved a higher mark is not evidence of procedural error or bias.
<b>The student had personal difficulties they chose not to disclose</b>	Choosing not to submit an extenuating circumstances claim is a matter for the student; the outcome cannot later be appealed on this basis unless there was a genuine barrier to disclosure.
<b>The student was unwell on the day of the assessment but did not seek medical advice</b>	Illness without medical evidence is not normally sufficient. Students are expected to report illness at the time, not retrospectively.

If you are unsure whether your situation meets a valid appeal ground, speak to the Academic Registrar before submitting your appeal form. Submitting an appeal without a valid ground wastes time for everyone and may delay any legitimate appeal you do have. The Academic Registrar can help you understand your options.

## 9. Who Can Appeal

The following individuals are entitled to submit an academic appeal under this policy:

- Any currently enrolled student of EDA College who has received a formal academic decision of the type described in Section 3
- Any student who has recently left the College, in respect of a decision made during their enrolment, provided the appeal is submitted within the time limit set out in Section 10
- Any student who has recently graduated, in respect of a decision about the classification or award of their degree, provided the appeal is submitted within the time limit in Section 10

Where a student is unable to submit an appeal themselves (e.g. due to serious illness or incapacity), they may nominate a representative to act on their behalf. The representative must be authorised in writing by the student and must be: a fellow student, a member of the Student Guild (when established), a family member (with the student's written consent), or a solicitor or licensed representative.

Third parties (including parents, employers and friends) may not submit an appeal on a student's behalf without the student's written authorisation. EDA College must be satisfied that the student themselves wishes to appeal and that the nominated representative is authorised to act.

## 10. Time Limits

**IMPORTANT:** Academic appeals must be submitted within 10 working days of the academic decision being formally communicated to the student. Missing this deadline may result in your appeal being rejected. If you believe you need more time, contact the Academic Registrar immediately and explain your reasons.

Situation	Time Limit	Counted From
<b>Stage 1 appeal submission</b>	10 working days	Date the formal decision is communicated to the student (e.g. date of results letter, Assessment Board notification, or EC Panel outcome letter)
<b>Stage 2 request (if Stage 1 unsuccessful)</b>	10 working days	Date of the Stage 1 outcome letter
<b>Stage 3 request (if Stage 2 unsuccessful)</b>	10 working days	Date of the Stage 2 Panel decision letter

<b>OIA referral (after COP Letter)</b>	12 months	Date of the Completion of Procedures (COP) Letter
<b>Late appeal (exceptional circumstances)</b>	At the Academic Registrar's discretion	Date the student became aware of the ground for appeal

### 10.1 Late Appeals

An appeal submitted outside the 10 working day deadline will normally be rejected as out of time. However, the Academic Registrar may, at their discretion, admit a late appeal where:

- The student can demonstrate that they could not reasonably have submitted the appeal within the deadline (e.g. due to serious illness or other emergency)
- The student submits the late appeal as soon as the delay is no longer applicable
- The student provides satisfactory evidence of the reason for the delay

Requests for an extension to the appeal deadline must be made in writing to the Academic Registrar before the deadline expires, wherever possible.

## 11. Support Available to Students

EDA College is committed to ensuring that all students can access the academic appeals procedure regardless of their background, confidence level or personal circumstances. The following support is available:

Support	How to Access	Lead
<b>Advice on whether your situation meets appeal grounds</b>	Contact the Academic Registrar in person, by phone or by email; appointments available	Academic Registrar
<b>Help completing the Academic Appeal Submission Form</b>	The Academic Registrar can assist; the form is available in accessible formats on request	Academic Registrar
<b>Emotional and pastoral support during the appeal</b>	Contact the Student Services; referral to wellbeing services if required	Designated Safeguarding Lead / Student Engagement Lead
<b>Student Guild representation (from 2027/28)</b>	The Student Guild will be trained to provide peer support and may accompany students to hearings	Student Guild (when established)
<b>Disability-related adjustments</b>	Extended deadlines or alternative format submissions available; contact the relevant Programme Leader	Programme Leader
<b>Translation support</b>	Appeals must be submitted in English; where a student's first language is not English, assistance in understanding the procedure is available	Academic Registrar / Registry Lead
<b>Independent legal advice</b>	Students may seek independent legal advice at their own expense; legal representatives may not attend Panel hearings but may assist with written submissions	Student's own arrangement

## 12. Overview: The Three-Stage Appeals Process

EDA College's academic appeals procedure has three stages. Students must complete each stage before progressing to the next. After all internal stages are exhausted, students may refer their appeal to the OIA.

Stage	Process	Decision Maker	Timescale
<b>Stage 1 Initial Review</b>	Appellant submits the Academic Appeal Form. The Academic Registrar conducts an admissibility check (grounds + timescale). A senior academic not involved in the original decision conducts a paper-based review.	Academic Registrar (admissibility) + Senior Academic Reviewer	Outcome within 15 working days of receipt
<b>Stage 2 Appeal Panel</b>	Where Stage 1 is not resolved in the student's favour, the student may request an Appeal Panel. The Panel hears the appeal, considers evidence and may invite parties to present. An oral hearing is normally held.	Appeal Panel: Chair (senior independent academic) + 2 panel members, including at least 1 independent governor	Outcome within 20 working days of Stage 2 request
<b>Stage 3 Final Review</b>	Where Stage 2 is not resolved in the student's favour, the student may request a Final Review by the Principal. This is the last internal stage. A COP Letter is issued if the appeal is not upheld.	Principal (or nominated independent senior person)	Outcome within 15 working days of Stage 3 request
<b>OIA (External)</b>	After receipt of COP Letter, the student may refer to the OIA within 12 months. The OIA is an independent body, and its review is free of charge to the student.	Office of the Independent Adjudicator (OIA)	OIA determines its own timeline

## 13. Stage 1 — Initial Appeal Request

### STAGE 1 — Initial Appeal Request — Paper-Based Review

#### 13.1 Submitting Your Appeal

To submit a Stage 1 appeal, complete the Academic Appeal Submission Form (Appendix A) and send it to the Academic Registrar by email or in person. The form must:

- Be submitted within 10 working days of the formal academic decision being communicated to you
- State clearly which academic decision you are appealing and the date it was communicated
- Identify the specific ground(s) for appeal (Ground 1, 2 or 3)
- Set out the basis for your appeal in full, with reference to the specific ground(s) identified
- Be accompanied by all supporting evidence you wish to rely on (medical certificates, correspondence, etc.)
- State clearly the outcome you are seeking

#### 13.2 Acknowledgement

The Academic Registrar will acknowledge receipt of your appeal in writing within 3 working days. The acknowledgement will confirm the date received and the reference number for your appeal.

#### 13.3 Admissibility Check

The Academic Registrar will conduct an admissibility check within 5 working days of receipt to assess:

- Whether the appeal was submitted within the 10 working day deadline (or whether a valid reason for late submission has been provided)
- Whether the appeal identifies at least one of the permitted grounds for appeal
- Whether the appeal relates to a type of decision covered by this policy

Where the appeal is found to be inadmissible, the student will be notified in writing within 5 working days, with an explanation of the reason. The student may request a review of the inadmissibility decision by the Vice Principal (Academic) within 5 working days.

### 13.4 Stage 1 Review

Where the appeal is admissible, the Academic Registrar will appoint a Senior Academic Reviewer — a senior member of academic staff who was not involved in the original decision and has no conflict of interest — to conduct a paper-based review of the appeal.

The Senior Academic Reviewer will:

- Review the student's appeal form and all supporting evidence
- Review the relevant academic records, Assessment Board minutes and any other relevant documentation
- Seek written comments from the relevant Programme Leader or Assessment Board Chair where appropriate
- Consider whether the appeal has merit on the stated ground(s)

### 13.5 Stage 1 Outcome

The Senior Academic Reviewer will produce a written recommendation. The Academic Registrar will issue a formal Stage 1 Outcome Letter within 15 working days of the appeal being received. The outcome letter will:

- Set out the Reviewer's findings on each ground of appeal
- State the outcome of the Stage 1 review
- Give reasons for the outcome
- Advise the student of their right to request a Stage 2 Appeal Panel hearing if the outcome is not in their favour
- Advise the student of the Stage 2 time limit (10 working days from the date of the Stage 1 Outcome Letter)

## 14. Stage 2 — Appeal Panel Hearing

### STAGE 2 — Appeal Panel Hearing

#### 14.1 Requesting a Stage 2 Hearing

If the student is not satisfied with the Stage 1 outcome, they may request a Stage 2 Appeal Panel hearing within 10 working days of the date of the Stage 1 Outcome Letter. The request must be submitted in writing to the Academic Registrar and must set out the grounds on which the student is requesting a Stage 2 review.

The Stage 2 Panel is not a re-run of Stage 1. The Panel will consider whether the Stage 1 review was conducted fairly and whether new information or arguments warrant a different outcome. A student who simply disagrees with the Stage 1 outcome, without new grounds or evidence, is unlikely to succeed at Stage 2.

#### 14.2 Panel Composition

The Appeal Panel will comprise three members:

- A Chair — a senior academic or manager who had no involvement in the original decision or the Stage 1 review, and who is independent of the relevant programme
- An Academic Panel Member — an academic staff member from a different subject/module

- A Lay Panel Member — an independent governor or a senior manager from outside the academic area concerned

All Panel members must declare any conflict of interest before accepting the appointment and must withdraw from the Panel if any conflict exists. The student may object to the appointment of a Panel member on reasonable grounds of perceived bias or conflict of interest; such objections must be submitted to the Academic Registrar before the hearing.

### 14.3 Preparation for the Hearing

At least 10 working days before the hearing, both parties will receive:

- The Academic Appeal Submission Form and supporting evidence submitted by the student at Stage 1
- The Stage 1 Outcome Letter and Reviewer's findings
- Any additional written submissions the student wishes to make for Stage 2 (must be submitted at least 5 working days before the hearing)
- Any written response from the College (prepared by the Academic Registrar in consultation with the Programme Leader or Assessment Board Chair)

### 14.4 The Hearing

- The hearing will normally be held in person at EDA College; where this is not possible, it may be held by video conference with the Panel's agreement
- The hearing is not adversarial and is conducted in a manner that is respectful to all parties
- The student may be accompanied by a friend, fellow student or Student Guild representative (when the Guild is established); the companion may provide moral support but may not present the student's case on their behalf unless the student has a disability that makes self-presentation difficult
- Legal representatives may not attend the hearing, although a student may take independent legal advice in preparation
- The Panel Chair will open the hearing, introduce all parties and explain the procedure
- The student will have the opportunity to present their case and respond to questions from the Panel
- The Programme Leader or a representative of the Assessment Board may be invited to respond
- The student will have the final opportunity to address the Panel before deliberation
- The Panel will deliberate in private

### 14.5 Stage 2 Outcome

The Panel will issue a written decision within 20 working days of the Stage 2 request being received. The decision letter will:

- Summarise the facts, grounds and evidence considered
- Set out the Panel's findings on each ground
- State the outcome and give reasons
- Set out any remedial action to be taken where the appeal is upheld
- Advise the student of their right to request a Stage 3 Final Review within 10 working days, if the outcome is not in their favour

## 15. Stage 3 — Final Review

### STAGE 3 — Final Review by the Principal

#### 15.1 Requesting a Stage 3 Final Review

If the student is not satisfied with the Stage 2 Panel decision, they may request a Stage 3 Final Review by the Principal within 10 working days of the date of the Stage 2 decision letter. The request must be submitted in writing to the Academic Registrar.

### 15.2 Grounds for Stage 3 Review

A Stage 3 Final Review may only be requested on one or more of the following grounds:

- There is new evidence that was not available at Stage 2 and which could materially affect the outcome
- There was a procedural irregularity in the Stage 2 Panel process that was sufficiently serious to have affected the fairness of the hearing
- The Stage 2 Panel decision was manifestly unreasonable in the sense that no reasonable panel, properly directed, could have reached that decision on the available evidence

A Stage 3 request that does not meet any of these grounds will be rejected with a written explanation. In such circumstances, the College will issue a Completion of Procedures Letter.

### 15.3 Stage 3 Review Process

The Principal (or a nominated senior person who had no prior involvement in the appeal at Stages 1 or 2) will:

- Review the student's Stage 3 request and the full case file from Stages 1 and 2
- Consider any new evidence or arguments presented
- Decide whether to uphold, partially uphold or reject the Stage 3 request
- Issue a written decision within 15 working days of the Stage 3 request being received

### 15.4 Stage 3 Outcome and COP Letter

The Stage 3 decision is final within EDA College's internal academic appeals procedure. Following the Stage 3 decision (whether upheld or not upheld), the Academic Registrar will issue a Completion of Procedures (COP) Letter to the student confirming that the College's internal process is exhausted.

Once you have received your COP Letter, you may refer your appeal to the Office of the Independent Adjudicator (OIA) within 12 months of the date of the COP Letter. See Section 18 for details.

### 15.5 When a COP Letter Is Issued Without a Stage 3 Request

A COP Letter will also be issued where:

- The student does not request a Stage 3 review within the 10 working day deadline (and no extension has been agreed)
- The student withdraws their appeal at any stage
- The Stage 3 request does not meet the permitted grounds and is therefore rejected
- EDA College has not completed the Stage 2 process within 90 days of the Stage 1 appeal being submitted (the OIA may also be accessed in this circumstance)

## 16. Outcomes Available at Each Stage

The following outcomes are available to the decision-maker at each stage of the appeals process:

Outcome	Description	Effect
Appeal upheld	The decision-maker accepts that the appeal succeeds on one or more of the stated grounds	The academic decision is referred back to the Assessment Board for reconsideration; the Assessment Board will consider the finding and make

		a new decision in accordance with the Academic Regulations
<b>Appeal partially upheld</b>	The decision-maker accepts that the appeal succeeds on one ground but not others, or accepts a narrower version of the student's grounds	A specific aspect of the original decision is referred back to the Assessment Board for reconsideration
<b>Appeal not upheld</b>	The decision-maker finds that the appeal does not succeed on any of the stated grounds	The original academic decision stands; the student is informed and may proceed to the next stage
<b>Appeal resolved by agreement</b>	The parties reach a mutually acceptable resolution before the formal outcome is issued	Documented in writing; the student confirms acceptance; the Academic Registrar records the resolution
<b>Appeal inadmissible</b>	The appeal does not meet the admissibility criteria (grounds, time limit, or scope)	The appeal is not considered on its merits; the student is notified with reasons and may proceed to the next available stage

### 16.1 What the Assessment Board Can Do on Referral

Where an appeal is upheld and the matter is referred back to the Assessment Board, the Board may:

- Confirm the original decision where the procedural irregularity has been remedied and the outcome is unchanged
- Change the mark, grade or classification where the finding warrants it
- Offer the student a further assessment opportunity (resit or repeat)
- Remove a referral or fail decision and award a higher grade or classification
- Take any other action that is within the powers of the Assessment Board under the Academic Regulations

The Assessment Board will not be directed to award a specific mark or grade — it will exercise its own academic judgement in the light of the finding of the appeal. The Board's reconsidered decision is final and not subject to further appeal, except where a new procedural irregularity is alleged in the reconsidered decision itself.

## 17. Suspension of Academic Decision Pending Appeal

Submission of an academic appeal does not automatically suspend the academic decision being appealed. This means that:

- A decision to refer a student for a resit remains in force, and the student should attempt the resit as scheduled unless the Academic Registrar advises otherwise
- A decision on progression to the next level of study remains in force pending the appeal outcome
- A degree classification remains in force; the certificate will not normally be withheld pending an appeal, but graduation may be delayed where this is practicable

Where the academic decision being appealed would have significant and irreversible consequences for the student if allowed to stand while the appeal is being considered (e.g. exclusion from the programme), the Academic Registrar may, at their discretion and in consultation with the Vice Principal (Academic), agree to hold the decision in abeyance pending the Stage 2 outcome. Such a hold will be agreed in writing.

If you are concerned that a decision will have irreversible consequences during the time it takes to consider your appeal, contact the Academic Registrar immediately and explain the circumstances. Do not simply assume that submitting an appeal will pause the decision.

## 18. The Office of the Independent Adjudicator (OIA)

The Office of the Independent Adjudicator for Higher Education (OIA) is an independent body that reviews unresolved academic appeals and complaints from students of higher education providers in England and Wales. EDA College is a member of the OIA scheme.

OIA Fact	Detail
<b>Who can go to the OIA?</b>	Any student of EDA College who has exhausted the internal academic appeals procedure and received a COP Letter
<b>When can I go to the OIA?</b>	After receiving your COP Letter; you must refer within 12 months of the date of the COP Letter
<b>What can the OIA consider?</b>	Whether EDA College followed its own procedures; whether the outcome was reasonable; whether the College complied with its obligations to the student
<b>What can the OIA NOT consider?</b>	Academic judgement exercised properly by qualified assessors; matters subject to ongoing court proceedings
<b>Is there a charge?</b>	No — the OIA's service is free of charge to students
<b>What powers does the OIA have?</b>	The OIA can recommend remedies including: fresh consideration of the appeal, a change to the academic decision, financial compensation, changes to College procedures
<b>What if the OIA upholds my appeal?</b>	EDA College will implement OIA recommendations promptly and in full
<b>How do I contact the OIA?</b>	www.oiahe.org.uk   info@oiahe.org.uk   0118 959 9813
<b>Postal address</b>	The OIA, Second Floor, Abbey Gate, 57-75 Kings Road, Reading, RG1 3AB

EDA College will cooperate fully with any OIA investigation and will implement OIA recommendations promptly. Students will be reminded of their right to refer to the OIA in every COP Letter issued by the College.

## 19. Academic Misconduct Appeals

Where a student has been found guilty of academic misconduct (including plagiarism, collusion, contract cheating or misuse of artificial intelligence) under the College's Academic Misconduct and Plagiarism Policy, they may appeal against the finding or the penalty through the appeals procedure in that Policy, not through this Academic Appeals Policy.

However, where the academic misconduct decision also results in an academic outcome that affects the student's mark, grade or progression (e.g. a mark of zero for a module), the student may appeal against the resulting academic decision through this policy after exhausting the academic misconduct appeals procedure, where there is a separate and distinct ground for academic appeal that is independent of the misconduct finding.

If you are unsure whether to use the Academic Misconduct appeals procedure or this Academic Appeals Policy, contact the Academic Registrar before submitting any appeal. Submitting under the wrong procedure will not disadvantage you.

## 20. Fitness to Practise Appeals

Where a student's programme includes a fitness to practise element (i.e. where the student is required to demonstrate fitness to practise as part of a professionally-oriented programme), decisions made under the Fitness to Practise Policy have their own appeals route set out in that Policy.

Where a fitness to practise decision results in an academic outcome (e.g. the student is required to leave the programme or is given a modified award), the student may appeal against the resulting academic decision through this policy where there is a valid academic appeal ground that is distinct from and independent of the fitness to practise finding.

## 21. Confidentiality and Data Protection

- All information submitted in connection with an academic appeal will be treated as confidential and shared only with those who need to see it in order to consider the appeal
- The student's appeal will be shared with the relevant Programme Leader, Assessment Board Chair and any other academic staff whose input is needed; the student will be informed of this

- Where the appeal makes allegations about the conduct of a member of staff (e.g. Ground 3 — bias), the member of staff has a right to know the nature of the allegation and to respond; EDA College will manage this sensitively and in consultation with the student
- Academic appeals records will be retained for six years from the date of the final outcome, in accordance with EDA College's Records Management and Retention Policy
- All personal data processed in connection with academic appeals is handled in accordance with UK GDPR and EDA College's Data Protection and Privacy Policy
- Students have the right to access information held about them in connection with their appeal; a subject access request may be submitted to the Data Protection Officer

## 22. Vexatious and Malicious Appeals

EDA College is committed to considering all appeals in good faith. However, the College also has a duty to protect staff and the integrity of the academic process from appeals that are submitted maliciously or in bad faith.

An appeal may be considered vexatious or malicious where it:

- Is an abuse of the process, for example where the same appeal has already been fully considered and decided
- Contains deliberately false allegations (particularly allegations of bias or misconduct against named members of staff)
- Is submitted with the primary intention of harassing or causing distress to a member of staff
- Pursues a matter that is clearly outside the scope of this policy and has been repeatedly so advised

Where the Academic Registrar determines that an appeal is vexatious or malicious, the appeal may be dismissed without a full review. The student will be notified in writing with reasons and may refer to the OIA after a COP Letter is issued. Where an appeal contains deliberately false allegations of bias or misconduct against a named member of staff, the matter may be referred for consideration under the Student Disciplinary Procedure.

## 23. No Detriment

EDA College will not penalise, disadvantage or treat less favourably any student who submits an academic appeal in good faith, regardless of the outcome of the appeal. In particular:

- The fact that a student has submitted an academic appeal will not be taken into account by Academic Boards, Assessment Boards, Extenuating Circumstances Panels or any other academic decision-making body in any current or future decision relating to that student
- Academic staff will not be informed that a student has submitted an appeal relating to their marking or conduct except where it is necessary for the purposes of the investigation
- A student who submits an appeal under Ground 3 (bias or prejudice) will not be taught by or assessed by the member of staff against whom the allegation is made pending the outcome of the appeal, unless the student requests otherwise
- No adverse note will be made on a student's academic record solely on the basis that they have submitted an academic appeal

Any member of staff who treats a student less favourably because that student has submitted an academic appeal will be subject to disciplinary action. Students who believe they have been treated detrimentally as a result of an appeal should report this immediately to the Academic Registrar or Principal.

## 24. Monitoring, Reporting and Governance

EDA College uses academic appeals data to identify patterns and systemic issues and to drive continuous improvement in its academic processes. The following monitoring and reporting arrangements are in place:

Activity	Lead	Frequency	Reported To
<b>Annual policy review and update</b>	Academic Registrar / Vice Principal (Academic)	Annual (April)	Academic Board
<b>Termly academic appeals log (anonymised)</b>	Academic Registrar	Termly	Academic Quality Committee
<b>Annual academic appeals analysis (themes, outcomes, trends)</b>	Academic Registrar	Annual	Academic Board
<b>OIA casework outcomes review</b>	Academic Registrar / Principal	As cases arise; summary annually	Academic Board
<b>Training for academic staff on Academic Regulations and appeals</b>	Vice Principal (Academic)	Annual; on significant policy changes	Academic Quality Committee
<b>Publication of anonymised appeals data</b>	Academic Registrar	Annual (on College website)	Publicly available
<b>Review of appeal outcomes by programme</b>	Academic Quality Committee	Annual	Academic Board

The Academic Quality Committee is responsible for overseeing the operation of this policy and for ensuring that lessons learned from academic appeals are acted upon and fed back into improvements in assessment and quality assurance processes. The Academic Board receives an annual summary.

## Appendix A: Academic Appeal Submission Form

Submit this form to the Academic Registrar by email or in person. All sections must be completed. Supporting evidence must be attached. Incomplete forms may be returned. Please retain a copy for your records.

SECTION A: YOUR DETAILS	
Full name	
Student ID number	
Programme of study	
Current year of study	
Email address	
Phone number	
SECTION B: THE DECISION BEING APPEALED	
Decision being appealed (e.g. 'Module ABC123 mark of 38%', 'Assessment Board decision to fail', 'EC Panel decision to reject application')	
Date the decision was formally communicated to you	
How was the decision communicated? (e.g. letter, email, results portal)	
Mark or outcome awarded (if applicable)	
Name of module / assessment / board	
Have you previously raised this concern informally?	Yes / No — If yes, with whom and when?
SECTION C: GROUNDS FOR APPEAL	
Please tick the ground(s) on which you are appealing:	<input type="checkbox"/> Ground 1: Procedural Irregularity <input type="checkbox"/> Ground 2: Extenuating Circumstances Not Previously Considered <input type="checkbox"/> Ground 3: Prejudice or Bias
For EACH ground ticked, please explain precisely why you believe that ground applies to your case. Be specific — refer to dates, events and evidence.	Ground 1 explanation:    Ground 2 explanation:    Ground 3 explanation:
SECTION D: OUTCOME SOUGHT	
What outcome are you seeking? (Be specific — e.g. 'reassessment opportunity', 'reconsideration by Assessment Board', 'review of EC application')	

**SECTION E: SUPPORTING EVIDENCE**

List all documents, correspondence or other evidence you are attaching to this form. All evidence must be attached at the time of submission; new evidence cannot normally be introduced after submission.

- 1.
- 2.
- 3.
- 4.
- 5.

**SECTION F: DECLARATION**

I confirm that:

- I have read the Academic Appeals Policy and understand the grounds for appeal.
  - The information in this form is accurate and complete.
  - All supporting evidence is attached.
  - I understand that false or misleading information may result in disciplinary action.
- Signature / Name: \_\_\_\_\_ Date: \_\_\_\_\_

**FOR OFFICE USE ONLY**

<b>Date received</b>	
<b>Reference number</b>	
<b>Admissibility decision</b>	<input type="checkbox"/> Admissible <input type="checkbox"/> Inadmissible Reason if inadmissible:
<b>Appointed reviewer / Panel</b>	
<b>Stage 1 outcome</b>	<input type="checkbox"/> Upheld <input type="checkbox"/> Partially upheld <input type="checkbox"/> Not upheld <input type="checkbox"/> Resolved
<b>Date of outcome letter</b>	
<b>Stage 2 requested?</b>	Yes / No Date of request:
<b>Stage 3 requested?</b>	Yes / No Date of request:
<b>COP Letter issued</b>	Date:
<b>OIA referral</b>	Date student notified of OIA right:

## Appendix B: Grounds for Appeal — Guidance Notes

This appendix provides additional guidance on each ground of appeal, with worked examples, to help students decide whether their situation meets a valid ground before submitting.

### Ground 1: Procedural Irregularity — Detailed Guidance

A procedural irregularity is a failure to follow the published rules. To succeed on this ground, you must show both that a rule was not followed AND that this failure may have affected the outcome. A minor administrative error that made no difference to the result is not a procedural irregularity for appeal purposes.

Scenario	Likely to succeed?	Why
<b>The Assessment Board awarded a mark of 38%. The published grade descriptor for a pass is 40%. The student's work meets the criteria for a pass, but the wrong descriptor was applied.</b>	Yes	The wrong marking criteria were applied — this is a procedural irregularity that affected the outcome
<b>The student's EC application was submitted on time but the EC Panel minutes show it was not considered.</b>	Yes	A submitted application not being considered is a clear procedural irregularity
<b>The Assessment Board meeting was attended by only 2 members when the Academic Regulations require 3.</b>	Yes (if outcome affected)	Lack of quorum is a procedural irregularity; the Board's decision may be invalid
<b>The student believes their essay was marked too harshly and disagrees with the feedback.</b>	No	This is disagreement with academic judgement, not a procedural irregularity
<b>The Assessment Board took 6 weeks to return marks when the published turnaround is 4 weeks.</b>	Unlikely	Late marking alone is not a procedural irregularity unless it caused a specific identifiable harm

### Ground 2: Extenuating Circumstances Not Previously Considered — Detailed Guidance

To succeed on this ground, you must show: (1) that you had a serious personal circumstance; (2) that it affected your performance; (3) that you were genuinely unable to disclose it at the time; AND (4) that you have independent verifiable evidence. All four elements must be present.

Scenario	Likely to succeed?	Why
<b>The student was hospitalised three days before the exam. They were too unwell to submit an EC application. They now have a letter from their consultant confirming the hospitalisation and its impact on their ability to study.</b>	Yes	Genuine EC, genuine barrier to disclosure at the time, independent medical evidence
<b>The student's close relative died two weeks before the submission deadline. The student chose not to submit an EC application because they thought they could manage. They now regret not submitting.</b>	No	No barrier to disclosure at the time — the student chose not to disclose
<b>The student suffers from anxiety. They found the exam very stressful and performed below their expected level.</b>	No	Exam stress alone is not an extenuating circumstance; the student would need evidence of a diagnosed condition that they could not have disclosed at the time

<b>The student was diagnosed with a previously unrecognised learning disability after their exam. The diagnosis explains their consistently poor performance across all modules.</b>	Possibly	A new diagnosis that explains past performance may be a valid EC ground, if evidence is provided; this would be complex and would need careful consideration
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### Ground 3: Prejudice or Bias — Detailed Guidance

This is the most difficult ground to establish because you must provide concrete evidence of bias — not just a feeling or suspicion. The evidence must show that the marker or decision-maker was affected by prejudice in a way that changed the outcome.

Scenario	Likely to succeed?	Why
<b>The student has written evidence that their marker made a discriminatory comment about students of their nationality in a class, and they believe this affected their marking.</b>	Possibly	There is evidence of a potentially discriminatory attitude; whether it affected the marking would need investigation
<b>The student's mark was significantly lower than the class average. The student believes this is because the marker does not like them personally.</b>	No	A lower mark than the class average is not evidence of bias; there could be many legitimate academic reasons for the difference
<b>The student and their marker have a known personal conflict. The conflict was not declared before the marking. The student received a significantly lower mark than in all other modules.</b>	Possibly	The undisclosed conflict of interest and the unusually low mark may together raise a concern; whether this meets the threshold would require investigation
<b>The student believes their work was better than another student's who received a higher mark.</b>	No	This is not evidence of bias; marks reflect the assessor's academic judgement on the specific work submitted

## Appendix C: Quick Reference — Can I Appeal?

Use this guide to help you decide whether to submit an academic appeal. For further advice, contact the Academic Registrar.

I think I can appeal because...	Am I right?
<b>I disagree with the mark I was given</b>	Probably NOT a valid ground. Disagreement with a mark alone is not a ground for appeal. You need evidence of a procedural error or bias, not just disagreement with the outcome.
<b>I was ill during the exam, but I didn't tell anyone</b>	Possibly, but ONLY if: (1) you have medical evidence; and (2) there was a genuine reason why you could not have submitted an EC application at the time. If you chose not to disclose, this is unlikely to succeed.
<b>The Assessment Board did not follow the rules</b>	POSSIBLY – this is Ground 1. You need to identify the specific rule that was not followed AND show that it may have affected the outcome. Contact the Academic Registrar to discuss.
<b>I think my marker is biased against me</b>	POSSIBLY – this is Ground 3, but you need concrete evidence of bias, not just a feeling. A lower mark than you expected is not evidence of bias by itself.
<b>I've found new evidence about my illness that wasn't available before</b>	POSSIBLY – this may be Ground 2 if the new evidence changes the picture materially. Contact the Academic Registrar.
<b>I'm disappointed with my result and think I deserved better</b>	NOT a valid ground. Disappointment is understandable but is not an appeal ground.
<b>My EC application was submitted but the Panel didn't consider it</b>	YES – this is Ground 1. A failure to consider a submitted EC application is a clear procedural irregularity. Submit your appeal as soon as possible.
<b>The College took too long to mark my work</b>	Unlikely unless the delay caused a specific harm (e.g. you could not resit in time or you lost an opportunity as a result).

## Appendix D: Key Contacts

Contact	Role	When to Use
<b>Academic Registrar</b>	Policy custodian; admissibility decisions; Stage 1 reviewer appointment; COP Letters	All initial queries about academic appeals; submitting your appeal form; checking the status of your appeal
<b>Vice Principal (Academic)</b>	Policy owner; Stage 2 preparation; Assessment Board liaison	Escalated academic queries; Stage 2 Panel matters; Academic Regulations questions
<b>Designated Safeguarding Lead / Engagement Lead</b>	Student welfare and wellbeing during appeal process	Emotional support; pastoral assistance; reasonable adjustments for the procedure
<b>Principal</b>	Stage 3 Final Review	Stage 3 requests only
<b>Office of the Independent Adjudicator (OIA)</b>	External independent review after COP Letter	After receiving your COP Letter; free of charge; within 12 months of COP Letter date
<b>Citizens Advice</b>	Independent advice on consumer rights	If you believe EDA College has acted unfairly or in breach of your consumer rights

### OIA Contact Details

Method	Details
<b>Website</b>	<a href="http://www.oiahe.org.uk">www.oiahe.org.uk</a>
<b>Email</b>	<a href="mailto:info@oiahe.org.uk">info@oiahe.org.uk</a>
<b>Phone</b>	0118 959 9813
<b>Post</b>	The OIA, Second Floor, Abbey Gate, 57–75 Kings Road, Reading, RG1 3AB
<b>Online complaint form</b>	Available at <a href="http://www.oiahe.org.uk/students/make-a-complaint">www.oiahe.org.uk/students/make-a-complaint</a>

**Approved by the Academic Board of EDA College Ltd | August 2025**

*This policy is reviewed annually. The current version is always available on the College website.*

*Educate. Develop. Achieve.*