



Academic Appeals Procedure

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Version History

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1. Purpose

- 1.1 The Academic Appeals Procedure sets out the formal process by which students can request a review of an academic decision made by someone responsible for making decisions about student assessment, progression or award.

2. Scope

- 2.1 This procedure applies to any on-course student who believes they have sufficient grounds to request a review of an academic decision made by the Board of Examiners or an equivalent academic body/individual (e.g. Heads of Department, Research Officers, Research Examining Teams etc.) who was responsible for making decisions about their assessment, progression or award.
- 2.2 Where the Academic Appeal involves a group of students, all correspondence must be handled by one student designated to represent the group (this individual may but does not have to be the applicable Students' Union representative).
- 2.3 Appeals relating to the following areas have separate policies and procedures:
- Making a complaint about a University service, facility or the academic provision of the University (Student Complaints Procedure)
 - Seeking a review of a decision in relation to an academic misconduct sanction ([Academic Integrity and Misconduct Policy and Procedure](#))
 - Seeking a review or reconsideration of the outcome from an application decision ([Applicant Appeals and Complaints Policy and Procedure](#))
 - Seeking an appeal about a decision made on MBChB Undergraduate Medicine ([MBChB General Regulations](#) and [Academic Related Appeals: Guidance for Students, School of Medicine](#))
 - Seeking a review of a decision in relation to an enforcement process sanction (Section 10 of General Regulations for Students of the University)
 - Behaviour of another student ([Student Non-Academic Misconduct Policy and Disciplinary Procedures](#))
 - Behaviour of a member of staff ([Disciplinary Policy](#))
 - Appeals relating to collaboration or partner institution provision, should the Institutional Agreement allow, will be managed in accordance with the collaboration or partner institution's procedures, unless the appeal being raised relates to a service provided directly to the student by the University.
- 2.4 Appeals lodged by third parties or anonymously will not be considered.

3. Support and reasonable adjustments

- 3.1 There are various groups that can provide support and advice to students considering making an Academic Appeal. These include:
- Personal Tutor, Subject Tutor, Programme Director or Research Supervisor, Dean
 - Wellbeing Skills and Diversity
 - The Student's Union
 - Student Casework Office



- 3.2 Any student wishing to make an Academic Appeal who has a confirmed disability, specific learning difficulty, and/or mental health condition may request reasonable adjustments. Any adjustments will be relevant to the student's disability and/or their specific learning disability and may involve additional external support. If a student believes they would need reasonable adjustments, they should inform the Head of Department/Programme Director/Research Officer at the earliest opportunity.

4. Principles

- 4.1 Academic Appeals (hereafter Appeals) will be dealt with in a timely, transparent and fair manner.
- 4.2 All parties involved in an Appeal are required to act reasonably and fairly towards each other and to respect the University procedures.
- 4.3 Appeals will be investigated objectively and independently. No one investigating an appeal should have any conflict of interest in the matter.
- 4.4 All appeals will be dealt with promptly with any time-critical factors made known to the investigator taken into consideration.
- 4.5 There are three stages to the student Appeal procedure, and it is expected that each stage is exhausted before the Appeal can move to the next stage. The student will need to provide evidence that Stage 2 has been exhausted before moving to Stage 3.
- 4.6 Time limits should usually be met by all parties. Appeals will normally be concluded at Stage 2 within 10 working days of receipt of the Appeal form, and at Stage 3 within 5 working days of receipts of the Review form. However, the length of time required to consider the Appeal will be dependent on the nature and complexity of the Appeal. Therefore, if it is anticipated that the process will take longer than the time limits outlined in this document, all parties will be informed in writing and provided with amended timeframes.
- 4.7 No student will be disadvantaged, penalised or victimised as a result of making an Appeal. However, if it materialises that the Appeal was malicious or vexatious, the University may consider disciplinary procedures.
- 4.8 Academic decision-making authority rests with Boards of Examiners. Local resolution at Stage 1 is intended to resolve misunderstandings, clarify information, or correct procedural or administrative errors and does not constitute a reconsideration of academic judgement or an overturning of an Exam Board decision.



5 Procedure

5.1 Grounds for Appeal

5.1.1 An Appeal can only be made on one or more of the following grounds:

- Procedural irregularity: a failure to follow published regulations or procedures that may have affected the outcome.
- There was actual bias or reasonable perception of bias in the decision-making process.
- There have been circumstances which affected student performance which, could not reasonably have been disclosed earlier to the academic decision-making body prior to the academic decision being made.

5.1.2 There is no right of appeal over matters of academic judgement.

5.2 Stage 1 – Local Resolution

5.2.1 In most cases, when an issue or concern arises about a student assessment, progression or award, it is possible for it to be resolved locally through discussion with a member of staff in the department concerned.

5.2.2 Students should email their Faculty Administration Team (for both taught and research students) with details of their Stage 1 Appeal. The Faculty Administration Team will acknowledge receipt and advise the student who they should contact to discuss their concerns as part of local resolution.

5.2.3 Students are advised to keep a record of any contact with staff.

5.3 Stage 2 – Formal Investigation

5.3.1 If a student's concerns remain unaddressed after Stage 1 local resolution, an Appeal may be submitted for formal investigation at Stage 2 of the process.

5.3.2 An Academic Appeals Form ([Regulations Handbook](#), Section 3.6b) must be completed and submitted as follows;

- Taught students: to the relevant Faculty Administration Team
- Research students: to Registry (Research)

The form must be submitted together with any evidence that directly supports the Appeal and evidence of action taken under Stage 1 of this procedure.

5.3.3 The Appeals Form should be submitted within 5 working days after the publication of a student's confirmed results but will be accepted if submitted within 10 working days on the understanding that this may lead to delays with progression regardless of the outcome of the appeal.

The receiving administration team (Faculty Administration or Registry (Research), as appropriate) will acknowledge receipt of the Appeal within 2 working days. They will also check the eligibility of the Appeal to ensure that the Academic Appeals Procedure is applicable. If the Appeal is eligible an investigation will be initiated.



Where relevant, the receiving team will notify the Student Visa Team of the Academic Appeal submission. If the Appeal is ineligible, or a different process would be more appropriate, this will be notified to the student in writing.

- 5.3.4 The appeal will be investigated by the Dean or their nominee acting as an independent academic Investigator with no conflict of interest. Administrative teams support the process but do not investigate the Appeal or determine its outcome.
- 5.3.5 The Investigator will take any steps they consider necessary to investigate. This will usually include sending details of the Appeal to anyone who is material to the decision that was made, asking them for comment and to provide any supporting evidence.

Faculty Administration and/or Registry (Research) may be contacted by the Investigator to provide access to relevant records, documentation or procedural information in support of the investigation. The student or any other relevant party may be invited to a meeting to discuss the Appeal. Notes of the meeting will be taken. Any student invited to a meeting may be accompanied by a fellow registered student or a member of staff.

- 5.3.6 The Investigator will determine the outcome and consider whether the evidence supports upholding, partially upholding or not upholding the Appeal. When the Investigator is not the Dean, the Investigator will discuss their decision(s) and any proposed mitigating action(s) with the Dean, Chair of UALTC or Chair of URC. Usually this will occur no later than 10 working days after receipt of appeal.
- 5.3.7 Actions that can be taken for an upheld or partially upheld Appeal include:
- Re-sit or re-submit as if for a first attempt.
 - Re-sit or re-submit for honours marks.
 - Re-sit or re-submit for capped marks.
 - Progression to the next stage of study with no imposed conditions.
 - Progression to the next stage of study with imposed conditions.
 - Progression to the next stage of study once imposed conditions are satisfied.
 - Re-start an academic stage.
 - For taught students - agreed minor variations to the programme of study (where required in agreement with Chair of the UALTC).
 - For taught students - consideration of special programmes designed for individual students (where required in agreement with Chair of the UALTC).
- 5.3.8 Where the outcome of an action taken as a result of an upheld or partially upheld Appeal affects a degree classification, then the paperwork must be forwarded to the Chair of Examination Senate for ratification of the award, this new classification will be confirmed to the student in the outcome letter.
- 5.3.9 The Investigator will complete their consideration and notify the student of their decision in writing within 10 working days of receipt of the appeal. If the time limit is extended, the Investigator will update the student about the progress of their considerations.
- 5.3.10 In the outcome letter the Investigator will explain what steps have been taken and set out the decision, including the reason for the decision and any actions to be taken.



5.3.11 The student Appeals Form, exam grid, Investigator's brief, collated evidence, outcome letter and any relevant email correspondence must be forwarded to the Student Casework Office (reviews@buckingham.ac.uk) on the day the outcome letter is sent or at the latest within 2 working days of the outcome letter being sent to the student. This ensures the student record is maintained, and information is available should the student decide to make a review request.

5.4 Stage 3 - Review

5.4.1 Students who are dissatisfied with the outcome of the Stage 2 formal consideration of their Academic Appeal, they have the right to ask for a review of the decision on one or more of the following grounds:

- There was a procedural irregularity or error in the investigation.
- The decision was objectively unreasonable (the student must identify which aspects of the decision are considered to be objectively unreasonable and explain why).
- The student has material evidence which the Investigator has not yet seen, for which the student has valid reasons for not providing earlier.

5.4.2 The student will need to complete the Academic Appeal Review Request Form and submit it to the Student Casework team (reviews@buckingham.ac.uk) **within 5 working days** of the date of the outcome letter provided at Stage 2 of this procedure.

5.4.3 The review will be conducted by a Reviewer who will be a senior member of academic staff within the University who will not have been previously involved in the Appeal.

5.4.4 The Reviewer will conduct the review only on the grounds listed above, they will not consider the issues afresh or carry out a further investigation.

5.4.5 The Reviewer will usually reach a decision and send a decision letter **within 5 working days** of receiving the Appeal Review Request Form. The decision letter will set out the Reviewer's decision and the reasons for that decision. If the time limit is extended, the Student Casework team will keep the student updated about the progress of the investigation.

5.4.6 If the Reviewer rejects the review request, the student will have reached the end of the University's procedures, and the Student Casework Team will issue a Completion of Procedures letter.

5.4.7 If the Reviewer upholds the review request, the student will be informed that the matter has been referred back to Stage 2 of the procedure. Where the refer back is due to new evidence the Investigator who considered the Stage 2 Appeal will consider this new evidence. For all other reasons for a refer back an Investigator who has not previously been involved in the Appeal will then reconsider the Appeal in light of the Reviewer's decision. This may involve further investigation. At the end of this investigation the student will have reached the end of the University's procedures, and the student will be sent a decision letter. The decision letter will set out decision, including the reasons for the decision.



- 5.4.8 Within 28 days of the decision letter being sent, the Student Casework team will issue a Completion of Procedures letter. The Completion of Procedures letter will confirm that all internal procedures have been completed and will state that the student has the right to seek review by the Office of the Independent Adjudicator for Higher Education (OIA) and the time limit for doing so.

6. Responsibility

6.1 *All students*

- 6.1.1 All students within scope of this policy are responsible for:

- Making themselves familiar with the Academic Appeals Procedure and ensuring each stage of the procedure is exhausted before moving to the next stage.
- Explaining clearly and precisely what the concern/issue or problem is and what outcome they are seeking from the Appeals procedure.
- Providing evidence in support of their Appeal in a timely manner and within the timeframes of the Appeals process.
- Ensuring that any evidence not written in English is translated and provided at the same time as the Appeal paperwork.
- Engage fully and appropriately with any request made reasonably by the Investigator and with the Appeal investigation process.

6.2 *All staff*

- 6.2.1 All staff should be aware and make themselves familiar with the Academic Appeals Procedure.

- 6.2.2 When a student Appeal has been made, the staff who have been involved with the academic decision may be asked to provide commentary on the matters being raised and to provide any supporting evidence. All staff asked to provide this information are responsible for:

- Providing a detailed and factual response.
- Ensuring there is a response for each concern raised in the Appeal which is applicable to the academic decision they were party to.
- Providing any relevant evidence.
- Responding promptly and meeting all timeframes.

6.3 *Deputy Head of Academic Services (Compliance and Casework)*

- 6.3.1 They are responsible for:

- Overseeing reviews and updates of the Academic Appeals Procedure and supporting documentation to ensure the process complies with OIA expectations and meets student needs.
- Appointing the Reviewer.
- Monitoring casework in terms of timeframes and outcomes to ensure consistent decision making.

- 6.3.2 The Deputy Head of Academic Services (Compliance and Casework) oversees the Student Casework Team. Any of the responsibilities of the Deputy Head of Academic Services (Compliance and Casework) as described in this procedure can be delegated to another member of the Student Casework Team.



6.4 *Investigator*

6.4.1 The appointed Investigator is responsible for:

- Undertaking a thorough, fair and prompt investigation into the concerns raised by the student in line with the expectations of the Academic Appeals Procedure.
- Raising any concerns about conflicts of interest as soon as noted, such as having any involvement in any capacity with the academic decision or student raising the Appeal.
- Ensure any action taken is in line with the Academic Appeals Procedure.

6.5 *Reviewer*

6.5.1 The appointed Reviewer is responsible for:

- Undertaking a thorough, fair and prompt investigation into the concerns raised by the student in line with the expectations of the Academic Appeals Procedure.
- Raising any concerns about conflicts of interest as soon as noted, such as having any involvement in any capacity with the student raising the complaint.

7. **Definitions**

<i>Academic Judgement</i>	a judgment that is made about a matter where the opinion of an academic expert is essential.
<i>Appeal Form</i>	is University Academic Appeals Form (Regulations Handbook , Section 3.6b)
<i>COP</i>	Completion of Procedures letter (COP) is a letter which the University will send to a complainant when the complainant has reached the end of the University's internal processes for complaints and where there is no further avenue for the complainant internally to pursue a Complaint.
<i>Investigation brief</i>	is a report of the outcome of investigation by an Investigator (Stage 2).
<i>Investigator</i>	is a person selected to investigate the appeal under Stage 2.
<i>OIA</i>	Office of the Independent Adjudicator (OIA) for Higher Education is an independent body set up to review students' complaints about higher education providers in England and Wales.
<i>Reasonable Adjustment</i>	a change to a process, practice, procedure or environment (including physical layouts, equipment, support) that helps remove, reduce or prevent any disadvantage associated with a person's disability.
<i>Student</i>	currently registered student or student who has left the University within the preceding 3 months.

Third Party

is any party who is not a student or a member of the University community.

Annex A – Academic Appeals Flowchart

