



Oakswood College

Empowering Through Education



Academic Appeals

Policy and Procedure

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Oakwood College

Empowering Through Education

(Trading name of Oakwood Group Ltd)

Academic Appeals Policy & Procedure

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This Policy does not apply to Buckinghamshire New University Programmes delivered by Oakwood College. For those programmes, please see the following BNU policy:

[Academic Appeals Process](#)

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1. Purpose of Academic Appeals Policy and Procedure

The main purpose of this policy is to provide fair procedures and clear guidance to students and staff at Oakwood College regarding the effective management of disputes regarding assessment decisions.

2. Scope

This policy applies to all courses that are delivered at Oakwood College and accredited by ATHE or other awarding bodies where applicable.

The Appeals Policy and Procedure excludes the following:

- complaints against services provided by Oakwood College
- complaints about the delivery of a programme, teaching, or administration, or
- complaints about misconduct by a member of staff or other students.

For any of the above, students should refer to the Oakwood College Student Complaints Policy and Procedure instead.

Vexatious/Frivolous Academic Appeals

Oakwood College reserves the right to terminate the academic appeals process at any time if it judges that the appeal is vexatious or frivolous, in accordance with the Office of the Independent Adjudicator for Higher Education (OIA) Good Practice Framework for Handling Complaints and Academic Appeals.

A **vexatious appeal** is one that is pursued without reasonable or substantive grounds, and where the primary motivation appears to be to cause inconvenience, embarrassment, and/or distress to staff or the institution, rather than to seek genuine remedy. Indicators of a vexatious appeal may include:

- persistent, unreasonable pursuit of an appeal after its conclusion;
- the use of abusive, threatening, or offensive language;
- the submission of multiple unsubstantiated allegations against members of staff; or
- a clear refusal to accept previous findings or outcomes on the same or substantially similar grounds.

A **frivolous appeal** is one that is:

- Trivial;
- lacking in serious purpose, or
- which has no reasonable prospect of success upon consideration of the academic appeal full submission and/or the applicable academic regulations.

Where an appeal is determined to be vexatious or frivolous, Oakwood College reserves the right to dismiss it without full investigation, provided that such a determination is made by

an appropriately senior and impartial officer, is clearly communicated to the student in writing with reasons given, and does not prevent the student from seeking a Completion of Procedures letter for the purposes of escalation to the OIA. This decision will be made by the College in its initial screening of the academic appeal and the student will be informed of the reasons for this decision in writing.

Reasonable adjustments

In line with our obligations under the Equality Act (2010), Oakwood College will make reasonable adjustments to the academic appeals procedure where warranted and reasonable to do so, such as flexibility with deadlines or accepting alternative formats of submitted academic appeals. Students should request reasonable adjustments in writing to the College. These requests can be raised either via email to the academic appeals submission address, or raised more informally to the Head of Governance, Quality, Compliance & Information Systems.

3. Grounds for Appeal

Academic appeals are a formal process through which a student may request a review of a decision made by the University relating to assessment, progression or award outcomes. The purpose of the policy is to ensure that appeals are considered fairly, consistently and in a timely manner, and that students have the opportunity to raise concerns where they believe a decision was affected by procedural error, bias or other relevant grounds. An academic appeal is not a request to challenge academic judgement itself, but rather to seek reconsideration where there has been a material issue in the decision-making process.

Academic appeals can be lodged on the following grounds or conditions:

Ground a) Appeals against perceived marking errors:

An appeal may be submitted if the student believes that either:

- the assessor has made a mistake in marking or grading an assignment;
- the student's submitted evidence was misinterpreted or not considered appropriately during the assessment; or
- that the student suspects that bias or discrimination influenced the assessment decision.

Ground b) Appeals against decisions made in cases of malpractice, maladministration or non-compliance:

A student may appeal in assessment situations which compromise, or attempt to compromise, the process of assessment, the integrity of the qualification or the validity of the result.

Ground c) Appeals against decisions made in respect of access arrangements, reasonable adjustments and special considerations:

A student may appeal against assessment decisions made even though the student was prevented from demonstrating achievement because of: a permanent or long-term disability, learning difficulty or medical condition; a temporary disability, illness or indisposition immediate to or at the time of the assessment; or personal circumstances at the time of or during the assessment period that disrupted academic performance.

In the circumstances under Ground C, Oakwood College would ordinarily expect a student to use the Extenuating Circumstances procedure at the time they are impacted, rather than attempting the academic assessment where their achievement potential is likely impacted and waiting for the academic appeals procedure if they believe their attainment has been negatively impacted. However, there are instances where a student does not understand the impact of any condition or circumstance at the time that they undertake assessment, and thus this ground of appeal provides for this eventuality.

4. Process for Making an Appeal

Summary of Academic Appeals Procedure

The Academic Appeals Procedure is a 4 Stage procedure:

- **Stage 1: Informal Stage**
- **Stage 2: Formal Stage: Initial Screening & Internal Review**
- **Stage 3: Formal Stage: Academic Appeals Board**
- **Stage 4: Request for Review by Awarding Body**

Stage 1: Informal Stage

All students are expected to first engage in an informal discussion with their assessor or the Programme Leader to seek clarification and understanding of the assessment decision. This step aims to resolve any misunderstandings promptly.

Stage 2: Formal Stage

A) Initial Screening

If the student remains dissatisfied following the informal discussion, they may request consideration of their case by making an academic appeal for consideration by the College's Academic Appeals Board. To do so, the student must complete the official [Academic Appeals Form](#) (Appendix A to this Policy). **Academic Appeals must be submitted no later than 10 working days of the date of the formal publication of results.**

In completing the Academic Appeal Form, the student should clearly set out the grounds upon which they are making their appeal and how they believe they meet the ground(s), together with supporting evidence and any additional information pertinent to the case.

The purpose of the Initial Screening stage is to determine eligibility of a submitted academic appeal. The Initial Screening will normally be completed within 5 working days of the receipt of the academic appeal, and the student will receive a written outcome informing them either:

- a) That following Initial Screening, **the academic appeal is deemed eligible for consideration by the Academic Appeals Board** and will be forwarded accordingly, together with an indicative timeframe of when they should expect to next hear from the College on the matter;
- b) That following Initial Screening, **the academic appeal is incomplete and cannot currently be deemed eligible for consideration by the Academic Appeals Board**. In this instance, the student will be notified of what is required and the deadline by which it must be completed, upon which the Initial Screening will be concluded to determine whether the academic appeal is deemed eligible for consideration by the Academic Appeals Board;
- c) That following Initial Screening, **the academic appeal is deemed ineligible for consideration by the Academic Appeals Board, and thus the academic appeals procedure has been terminated**. In this instance, a Completion of Procedures letter will be issued by the College, unless the College has determined that the academic appeal falls within the scope of another College procedure (eg the Student Complaints Policy & Procedure) resulting in referral of the matter into that other procedure.

Ineligible Academic Appeals

- Academic appeals that do not state one or more of the appeal grounds specified in Section 3 of this Policy will be deemed not eligible for consideration by the Academic Appeals Board.
- Academic appeals received before the date of formal publication of results will be deemed not eligible, although consideration will be given as to whether the Extenuating Circumstances procedure may apply.
- Academic appeals received after the 10 working day deadline will be considered late and must be accompanied with a written explanation providing one or more good reasons why the student was unable to meet the 10 working day deadline.
 - Late academic appeals received without any written explanation will normally be summarily rejected without consideration.

- Late academic appeals where the College deems that the explanation does not provide good reason(s) why the student was unable to meet the deadline will normally be summarily rejected without consideration. .
- Academic appeals deemed to be vexatious or frivolous following the initial review will be deemed not eligible for consideration (see Section 2 'Scope' of this Policy for more information).

The Academic Appeal Form should clearly set out the grounds upon which the student is making their appeal and how they believe they meet the ground(s), together with supporting evidence and any additional information pertinent to the case.

If an academic appeal includes issues that fall within the remit of other procedures, such as the Student Complaints Policy and Procedure, the College may refer such matters into the relevant other procedure(s) for consideration. Where a separate submission is required to be made by the student in order for matters to be considered appropriately, students will be informed within five working days of receipt of the appeal and directed to the relevant policy.

B) Internal Review

Once the initial Screening has been completed and it has been determined the academic appeal is eligible for consideration, the Head of Governance, Quality, Compliance & Information Systems (GQC&IS) or their nominee will conduct a thorough review of the appeal request, the assessment evidence and any supporting documents provided by the student, to determine whether there are any matters requiring investigation or relevant information to be gathered by the College ahead of the Board's consideration of the academic appeal, to facilitate the fullest consideration of the appeal by the Academic Appeals Board.

If it is found that that an administrative or procedural error occurred or there is evidence of an irregularity, the Head of GQC&IS/their nominee and where appropriate, may proactively take remedial action to rectify the error pending consideration of the academic appeal by the Academic Appeals Board.

Where the internal review investigation shows that no mistake or irregularity occurred, this will be reported to the Academic Appeals Board to take into account when considering the academic appeal.

If the student is not satisfied with the outcome of the Internal Review, they may request a review by the Awarding Body under Stage 4 of this Procedure (please see Stage 4 in this section of this Policy).

Details of how to request a review of their academic appeal by the Awarding Body will be provided to the student in the Academic Appeal Internal Review Outcome Letter, together with a link to, or copy of, any specific Awarding Body policy or procedure to be followed. The student must submit a further appeal **within 10 working days** from the date of receiving the outcome of the Internal Review.

Stage 3: Formal Stage – Academic Appeals Board

Academic Appeals Board membership

The membership of the Academic Appeals Board is as follows:

- A Chair, who shall normally be the Chair of the College Academic Board or a senior academic member of staff
- Two members of academic staff unconnected with the student’s programme of study
- Optionally, an external member, to provide additional independence in the consideration of the appeal

The Chair of Academic Board is responsible for chairing the Academic Appeals Board and for appointing the other members.

The Board will meet and consider the appeal normally within **10 working days** of receiving a request for an Appeals Board to consider the case, and the outcome of the meeting will be communicated to the student **within 5 working days** of the decision.

Stage 4: Formal Stage – Request for Review by Awarding Body

In cases where the student remains dissatisfied with the Academic Appeals Board’s decision, they may request a review of their case to the awarding body. Details of how to request a review of their academic appeal by the Awarding Body will be provided to the student in their Academic Appeals Board Outcome Letter, together with a link to, or copy of, any specific Awarding Body policy or procedure to be followed.

A request for a review by the Awarding Body must normally be made within 10 working days of the date of the Academic Appeals Board Outcome Letter, and in accordance with the specific rules of the respective Awarding Body.

5. Completion of Procedures

If an appeal is processed by Oakwood College at Stage 3 of this procedure but is not upheld at Stage 3, Oakwood College will issue a Completion of Procedures Letter automatically within 28 days of the Stage 3 Outcome Letter, unless the student submits a Request for Review by the Awarding Body under Stage 4 of the procedure, in which case a Completion of Procedures (CoP) Letter will be issued within 28 days of the date of Awarding Body Review Outcome Letter.

If an appeal is processed at Stage 3 by Oakwood College and is found to be justified or partly justified at Stage 3, the student will be informed that they can request a Completion of Procedures Letter if they want one. A Completion of Procedures (CoP) Letter allows students to progress their case to the Office of the Independent Adjudicator (OIA), the ombudsman for student complaints, within 12 months of the date of the CoP Letter.

What the Completion of Procedures Letter (CoP Letter) will contain

15.6 Where a Completion of Procedures Letter is issued by the College to a student, it will include:

- A summary of the academic appeal the student has made to the College;
- The title and year/version of the regulations/procedures that were applied;
- A summary of the issues considered at the final stage of the internal procedures;
- The final decision taken by the College;
- The reasons for that decision;
- Information about the role of the Awarding Body, including clarity over whether a Request for review by the Awarding Body was made and if so, what the outcome was;
- The deadline for bringing a complaint to the Office of the Independent Adjudicator (OIA), the ombudsman for student complaints.

6. Records of Academic Appeals

Oakwood College will maintain records at all formal stages of the appeals process along with assessment records for at least five years following the end of the student's College registration on the relevant programme of study, in accordance with the College's retention schedules regarding assessment records set out in the institutional Data Protection Policy. .

7. Review and Monitoring

This Policy will be reviewed on an annual basis and approved by Academic Board. Data arising from academic appeals will be monitored by Academic Board for quality assurance and enhancement purposes.