



Academic Appeals Policy

1. GENERAL PRINCIPLES

1.1 This document sets out the procedures for the consideration of academic appeals. It has been written with regard to the expectations of the OfS Sector Recognised Standards.

2. GENERAL PRINCIPLES

2.1 The principles underlying Norland's academic appeals procedures have been approved by the Academic Board. They are as follows:

- Appeals are used to improve the student experience
- Appeals procedures are accessible and inclusive
- Information is clear and transparent
- People raising making appeals are treated with dignity and respect, and their well-being is properly considered
- Appeals processes are proportionate and allow for cases to be resolved as early as possible
- Appeals procedures are fair and impartial
- Confidentiality and anonymity are appropriately assured
- Appeals are resolved in as timely a way as possible

3. CIRCUMSTANCES IN WHICH AN APPEAL MAY BE MADE

3.1 A student may lodge an appeal against the following decisions:

- i)** decisions reached as a consequence of assessment of a student's academic performance, including those relating to the outcomes for awards, pass/fail or processing of individual marks;
- ii)** decisions reached on whether or not, and on what conditions, those who have failed an examination or other assessment should be permitted a re-assessment opportunity;
- iii)** decisions concerning student progression, including leave of absence;
- iv)** a recommendation that a student's enrolment should be terminated on the grounds that the student is academically unsatisfactory, other than where triggered by failure of the programme or failure to progress;
- v)** decisions concerning requirements for fitness to practise or fitness to study;
- vi)** decisions relating to academic misconduct;
- vii)** decisions relating to exceptional assessment circumstances.

4. GROUNDS ON WHICH AN APPEAL MAY BE MADE

4.1 Students may appeal against a decision only if:

- they believe that a procedural irregularity has occurred, or that the assessment was conducted unfairly or improperly;



and/or

- relevant exceptional assessment circumstances exist that could not reasonably have been raised, or evidenced, at the time they occurred.

4.2 Students may not appeal against the academic judgment of the examiners. This means they may not question the exercise of academic judgement, i.e. a decision made by academic staff on the quality of work or the criteria being applied to mark the work.

4.3 Students may not appeal on the basis of dissatisfaction with teaching quality or supervision.

4.4 Students may not appeal on the basis that they disagree about the way in which exceptional assessment circumstances were considered, unless there is clear evidence that the defined procedures were not followed.

5. OVERVIEW OF APPEALS PROCESS

5.1 Consideration of appeals has been delegated by the Academic Board to a 3 stage process, as follows:

- Stage 1 – Initial consideration by the Head of Quality and Standards to determine whether the appeal meets the criteria on which an appeal can be made.
- Stage 2 – Formal consideration stage wherein an Appeals Panel hears the appeal and considers the evidence. The Appeals Panel will be made up of the Principal (Chair) and members of staff who have not been directly involved in the academic decision being appealed. Panel members do not consider appeals made by students if they have had any previous involvement with the case.
- Stage 3 – Review Stage – If a student is dissatisfied with the decision made at either Stage 1 or Stage 2, they may request a review of that decision by the Board of Directors.

5.2 The Head of Quality and Standards will act as the case officer in handling appeals. The case officer for the appeal is responsible for assisting the student in understanding the procedure and the presentation of evidence.

5.3 Students have 28 calendar days (from the date they are formally notified of the decision against which they wish to appeal) to submit an appeal against an academic decision.

5.4 Where a student is dissatisfied with the outcome of an appeal to the Formal Consideration Stage, they have 10 calendar days to submit an appeal against the Formal Consideration Stage decision to the Review Stage.

5.5 Both stages of the appeals procedure should normally be completed within 90 calendar days.

5.6 Appeals at each stage of the process are never considered by panel members who have had previous involvement in the case

6. SUBMITTING AN APPEAL

6.1 Students wishing to exercise their right of appeal against an academic decision must submit an Academic Appeal Form to the Appeals Case Officer, the Head of Quality and Standards, normally



within 28 calendar days of being notified of the recommendation or decision against which they wish to appeal.

- 6.2** The form should be fully completed, accompanied by supporting evidence, and identify the outcome sought by the student. Wherever possible, documentary corroborative evidence of the circumstances cited in the appeal should be submitted with the form. Otherwise, an indication should be given of the timescale in which the evidence will be submitted. Documentary evidence which is contemporary with events described in the Academic Appeal form, rather than retrospective, is desirable.
- 6.3** The documentary evidence must directly demonstrate and support the student's claims within the appeal. For example, an appeal based on the belief that a procedural error has occurred must be evidenced by documents that indicate a procedural error has occurred. Evidence in these cases may include, but is not limited to, email chains, copies of assessments and feedback, or witness statements from staff. An appeal based on exceptional assessment circumstances that could not reasonably have been raised, or evidenced, at the time they occurred, must be accompanied by documents from qualified professionals who are able to a) confirm that the circumstances occurred and b) explain the impact of those circumstances on the student's academic performance and/or decision-making. It is likely that these professionals will be medically qualified, for example doctors, nurses or counsellors with whom the student has an ongoing professional relationship. Evidence from family members who are not medically trained will not usually be accepted unless it is supported by evidence as described above. The Head of Quality and Standards will give advice on suitable evidence if needed.
- 6.4** Where the issues raised in an appeal affect a number of students, those students may submit a 'group appeal'. In such cases, the group may be asked to nominate one student from the group to act as the group representative. Norland will then normally communicate with the representative only and will expect the representative to liaise with the other members of the group.
- 6.5** Appeals by third parties are not normally accepted. Only a student about whom a decision has been made can lodge an appeal against that decision. Any rare exceptions to this rule must be agreed by the Principal and can only be agreed on the basis that the student is incapable of managing their own appeal at the time or in the near future (for example on the basis of disability). There must be clear evidence to demonstrate that the student is incapable of handling the appeal on their own behalf.

7. STAGE 1 – INITIAL CONSIDERATION OF APPEALS

7.1 The Appeals Case Officer, the Head of Quality and Standards, can dismiss the appeal without recourse to an appeals panel on the following grounds:

- That the form has not been fully completed;
- That evidence has not been provided and there is no indication that any evidence will be provided. In cases where an appeal is submitted without evidence but there is an indication on the form that this will be provided, the 90 calendar days for resolution of the appeal will not start until that evidence is provided or the student has subsequently indicated that they are not going to provide it;
- That the appeal is not submitted within the deadline, except where a reasonable explanation has been provided.
- The appeal does not fall within the grounds on which an appeal may be made (i.e. no



exceptional assessment circumstance or procedural error has been cited);

- That the appeal is not submitted under the correct procedures (in which case a student could, if appropriate, be referred to another policy or procedure, such as the Student Complaints Procedure).

7.2 In the case of dismissal on the grounds that the form has not been completed, the appellant may be informed by the Head of Quality and Standards that they have whatever is remaining of their 28-day appeal period to submit a new completed application. The Head of Quality and Standards will support the student to complete the form and gather evidence. However, the 28-day appeal period will not be extended on this basis. If the student subsequently fails to submit a new form after prompting, an Initial Stage Appeal Outcome letter will be issued after the 28-day appeal deadline has passed, advising the student of their right to appeal to the Review Stage. The Initial Stage Appeal Outcome letter will be sent by email to the student's Norland and personal email address, and by recorded post to the student's term-time address.

7.3 If a student submits an Academic Appeal form on, or very close to, the 28-day deadline, or at a time when the College is closed or over a weekend, there may not be time for the Head of Quality and Standards to decide whether or not the submission is valid and/or complete before the deadline passes. Therefore, there may not be time for the student to make a revised submission if required. Students submitting appeals in these circumstances do so at their own risk.

7.4 If a case is dismissed, the Head of Quality and Standards will issue an Initial Consideration Stage Appeal Outcome letter to the student and advise them of their right to appeal to the Review Stage. The letter will explain the reasons for the dismissal of the academic appeal and will note that any appeal to the Review Stage would need to demonstrate one or more of the following:

- that the student had good reason for failing to complete the form fully;
- that the student had good reason for late submission of an appeal, and also good reason for not disclosing it;
- a procedural irregularity had occurred in determining that the appeal does not fall within the grounds on which an appeal may be made or the status of the evidence provided;
- that they had good reason for failing to submit evidence at the time of submitting the appeal and good reason for failing to explain at that time why evidence had not been submitted;

That the student had been unfairly treated at the initial stage of consideration.

8. STAGE 2 - FORMAL CONSIDERATION OF THE APPEAL

8.1 If the Head of Quality and Standards determines that the appeal should be considered, they will inform the student of the process for the Formal Consideration stage and forward the Academic Appeal form and all evidence to the Principal.

8.2 The Principal will convene an Appeals Panel, comprising the Principal, as Chair, and two other members of staff not directly involved in the decision about which the appeal is made. The Head of Learning, Teaching and Research is likely to be invited to attend in order to speak to the Board of Examiners' recommendation or decision.

8.3 The Appeals Panel will consider the appeal and all information obtained as part of the



investigation at an initial Appeals Panel Meeting, and will determine one of the following:

- There is no case to uphold the appeal
- The appeal should be upheld
- That an appeals hearing should be held. This is either on the basis that the appeal is considered to be sufficiently complex and difficult to resolve on paper to require a hearing, giving due consideration to what the hearing would add to the investigation.

8.4 If the Appeals Panel is able to make a clear decision without the need for an Appeals Panel hearing, they will do so and will issue a Formal Consideration Stage Appeal Outcome Report to the student.

8.5 If the appeal has been upheld, the report will outline the reasons for the decision, the remedial action to be taken by Norland and will advise them of their right to appeal to the Review Stage if they are unhappy with this remedial action.

8.6 If the appeal is dismissed by the panel, the report will explain the reasons for the decision made and advise the student of their right to appeal to the Review Stage.

8.7 Any appeal to the Review Stage would need to demonstrate one or more of the following:

- that the student had good reason for failing to complete the form fully;
 - that the student had good reason for late submission of an appeal, and also good reason for not disclosing it;
 - a procedural irregularity had occurred in determining that the appeal does not fall within the grounds on which an appeal may be made or the status of the evidence provided;
 - that they had good reason for failing to submit evidence at the time of submitting the appeal and good reason for failing to explain at that time why evidence had not been submitted;
- that the student had been unfairly treated at the initial stage of consideration.

8.8 Students will not normally be issued with a Completion of Procedures letter at this point since the College's procedures have not been exhausted. However, should they choose not to appeal to the Review Stage, but wish to take their case directly to the Office of the Independent Adjudicator, they can request a Completion of Procedures letter.

8.9 If the Appeals Panel decides that an Appeals Panel Hearing is required, the Principal will write to the student, informing them of:

- The date of the Appeals Panel Hearing
- The people who will be present
- The student's right to be accompanied by someone to support them
- The process to be followed by the Appeals Panel Hearing

8.10 The Principal will also inform anyone else the panel considers necessary for the Academic Appeals Panel Hearing, which may include the Head of Learning, Teaching and Research, the student's personal tutor and/or a student support officer, as well as a note-taker.

8.11 The Appeals Panel Hearing will be held as soon as possible and within 4 weeks of the Appeals Panel Initial Meeting. Every effort will be made to accommodate the student's availability.



9. CONDUCT OF APPEALS PANEL HEARINGS

9.1 Appeals Panel Hearings are normally conducted as follows;

- The members of the panel hold a preliminary discussion amongst themselves in private.
- All parties are invited into the hearing. The Chair of the meeting introduces the members of the Panel and explains the role of the Panel and the way in which the hearing will be conducted.
- The Head of Learning, Teaching and Research may be invited to the hearing to speak to the Board of Examiners' recommendation or decision.
- The student is invited to present their case, with whatever supporting evidence they wish to offer. At this point the student may, through the Chair, seek confirmation of points raised by the Head of Learning, Teaching and Research.
- The student's tutor and/or the student support officer may be invited to speak, as the people involved in supporting and monitoring the academic and pastoral progress of the student (there is no expectation that the tutor or student support officer should necessarily be supportive of the student's case).
- Any person(s) accompanying the student are invited to speak but they must not answer questions that are directed to the student.
- When all statements have been presented, the members of the Committee may ask questions, through the Chair.
- The Chair will invite anyone present to ask questions or to provide further information, through the Chair.
- The student is invited to make a brief final statement.
- All parties, except the Panel members and the note-taker in attendance, are asked to leave the room while the Panel deliberates and reaches a decision.
- All parties are invited to return. Normally the Chair informs them of the Panel's decision and its reasons, however, if the Panel feels it needs further time to deliberate or seek advice, the decision may be deferred until such time that the panel has been able to make its judgement. This will usually be within 10 working days of the Appeals Panel Hearing. There is no further discussion.
- The decision and reasons are communicated in writing to the parties through the Appeals Panel Hearing report as soon as is reasonably practicable following the judgement.

9.2 Following the Appeals Panel Hearing, the Principal will issue a Formal Consideration Stage Appeal Outcome Report to the student. If the appeal has been upheld, the report will outline the reasons for the decision, the remedial action to be taken by Norland and will advise them of their right to appeal to the Review Stage if they are unhappy with this remedial action. If the appeal is dismissed by the panel, the report will explain the reasons for the decision made and advise the student of their right to appeal to the Review Stage.

9.3 Any appeal to the Review Stage would need to demonstrate one or more of the following:

- They believe that a procedural irregularity has occurred at the Formal Stage of the appeal consideration, and can demonstrate this;
- New evidence exists which the student had good reason for being unable to present at the Formal Stage;
- That it is possible to demonstrate that the decision made at the Formal Stage was manifestly



unreasonable in the circumstances.

9.4 Students will not normally be issued with a Completion of Procedures letter at this point since the College's procedures have not been exhausted. However, should they choose not to appeal to the Review Stage, but wish to take their case directly to the Office of the Independent Adjudicator, they can request a Completion of Procedures letter.

10. ATTENDANCE AND PRESENTATION OF EVIDENCE AT APPEAL HEARINGS

10.1 When an appeal is heard the student is always given the opportunity to attend the hearing. If a student wishes to attend a hearing, they are expected to attend on the date set for the hearing, except where there is an exceptional reason for being unable to do so. Hearings are deferred if a student who previously confirmed that they would attend is unable to do so for good reasons. The Chair of the meeting reserves the right to decide that a hearing should go ahead in a student's absence.

10.2 A student appearing before a hearing has the right to be accompanied by a registered student or employee of the College.

10.3 Participants are not permitted to be represented or accompanied by persons from outside the College e.g. by a solicitor, trades union representative, friend or family member. A student choosing not to appear before the Panel may not send a companion instead.

10.4 Normally, students wishing to attend a hearing will be expected to do so in person. In exceptional circumstances where, for good reason, it is impractical for a student who wishes to attend a hearing to do so in person, a video or telephone link may be arranged if appropriate.

10.5 The student is invited to submit written evidence if s/he has not already done so and may submit written evidence whether or not s/he chooses to attend the hearing. All written evidence submitted to the Panel is made available to all the parties. Students are strongly encouraged to submit all written evidence sufficiently in advance of the hearing to allow Panel members time to consider it and seek clarification or evidence of points made. Students may also find that they are better prepared to present their case by reference to a written statement. Students may submit written evidence from third parties in support of their case and/or identify those parties whom they believe can contribute to their case.

10.6 Evidence is normally invited from the Head of Learning, Teaching and Research. The Chair of the hearing may invite evidence from any other person it deems appropriate to the case including the personal tutor and/or student support officer, and any such persons identified by the student.

11. NOTIFICATION OF OUTCOME OF THE FORMAL CONSIDERATION STAGE

11.1 The end of the Formal Consideration Stage occurs when the Appeals Panel has made its decision, either on initial consideration of the evidence or following an Appeals Panel Hearing.

11.2 At the end of the Formal Consideration Stage, students will be issued with a Formal Consideration Stage Outcome Letter.

12. STAGE 3 - REVIEW STAGE



12.1 Students who are dissatisfied with the outcome of their appeal at either the Initial Consideration Stage or the Formal Consideration Stage have 10 calendar days from the date of the Initial Consideration Stage Appeal Outcome letter or the Formal Consideration Stage Appeal Outcome Report, to appeal to the Review Stage. The Review Stage is undertaken by the Board of Directors. Students must submit a Review Stage appeal form in order to appeal; they should send the form to the Head of Quality and Standards, who will instigate the Review Stage within 5 working days of receiving the form.. Students may only appeal to the Review Stage on the following grounds:

- They believe that a procedural irregularity has occurred at the Initial Consideration Stage or Formal Consideration Stage of the appeal, and can demonstrate this;
- New evidence exists which the student had good reason for being unable to present at the Initial Consideration Stage or Formal Consideration Stage;
- That it is possible to demonstrate that the decision made at either previous Stage was manifestly unreasonable in the circumstances.

12.2 The Chair of the Board will consider the case and determine whether or not the review should proceed, based only on whether or not the appeal meets the grounds on which appeals may be heard.

12.3 If the Chair of the Board determines that the grounds for the review are not valid, a Completion of Procedures letter will be issued, detailing the outcome of each stage of the appeals process and advising of their right to complain to the Office of the Independent Adjudicator.

12.4 If the Chair of the Board determines that the grounds for the review are valid, they will appoint a Review Panel, consisting of the Chair and 2 other Board members to review all documents related to the academic appeal.

12.5 The review Panel will decide;

- to uphold the appeal and apply a remedy (this can only happen in cases where the appeal has already been investigated at the Formal Consideration Stage);
- to refer the appeal back to the Formal Consideration Stage for further investigation;
- to dismiss the appeal.

12.6 Following the completion of the Review Stage, no further right of appeal exists within Norland. A Completion of Procedures Letter will be issued to the student, detailing the outcome of each stage of the appeals process and advising of their right to complain to the Office of the Independent Adjudicator.

13. THE OFFICE OF THE INDEPENDENT ADJUDICATOR

13.1 Students who have exhausted Norland's internal appeals procedures but remain aggrieved may be able to make a complaint to the Office of the Independent Adjudicator for Higher Education. Further information about the OIA is available on the OIA website: www.oiahe.org.uk.



Academic Appeal Form

Student Details:

Student number (4 digits)	
First name	
Surname	
Set number	

Course Information:

Please specify which course your appeal relates to:

- BA (Hons) Early Years Development and Learning/ BA
- (Hons) Early Childhood Education and Care

Norland Diploma

Module/ Unit code: _____

Appeal Information:

On what grounds are you appealing?

- You believe that a procedural irregularity has occurred, or that the assessment was conducted unfairly or improperly
- and/or
- relevant exceptional assessment circumstances exist that could not reasonably have been brought to the attention of the exceptional assessment circumstances committee, or evidenced, at the time they occurred

Please be aware that these are the only grounds on which you may appeal, according to the [Academic Appeals Policy](#).



Please provide a statement explaining the reasons for your appeal and include any other information that you would like to be considered	
Please detail the outcome you are hoping for from this academic appeal	

You may wish to submit evidence to be reviewed alongside your appeal, for example evidence of exceptional assessment circumstances that were not available at the time of the decision.

Please detail the evidence you have submitted along with your appeal for review	
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I confirm that the information given in this form is true, to the best of my knowledge.

I understand that by signing this form I am formally raising an academic appeal:

Signed: _____ Date: _____

Once completed, please return this form to the Head of Quality & Standards and Registrar.



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