



Academic Appeals Procedure

Approved

27th October 2025

Approved by

Senior Leadership Team

Policy Title	Academic Appeals Procedure
Document Owner	Director of HE

Directorates and Departments affected by this Procedure	All Curriculum
Procedure Effective From	November 2025
Next Review Date	August 2030

New College Durham is committed to safeguarding and promoting the welfare of children and young people, as well as vulnerable adults, and expects all staff and volunteers to share this commitment.

If you require this document in an alternative format and/or language, please contact records@newdur.ac.uk

We review our policies and procedures regularly to update them and to ensure that they are accessible and fair to all. All policies are subject to equality impact assessments which are carried out to determine whether the policy has, or is likely to have, a different impact on those with protected characteristics.

This procedure has been assessed for its compliance with the principles of the OIA Good Practice Framework

To make suggestions or to see further information please contact:

Director of Higher Education

Contents

Contents	2
1. Scope	3
2. Before Making an Appeal	3
3. Right of Appeal	3
4. Grounds for Appeal	4
5. Submission.....	5
6. Appeals not requiring an Appeal Board	5
7. Appeals requiring an Appeal Board	6
8. Appeal Board	6

1. Scope

This procedure will identify the grounds for an appeal to New College Durham in relation to Higher Education awards awarded by NCD, OU, Pearson and other awarding bodies. In addition, it will detail the processes to be followed in investigating and determining the outcome of an academic appeal.

2. Before Making an Appeal

A student making an appeal is responsible for ensuring the information and evidence they provide is accurate and relevant to the outcome they are appealing. They should also discuss their concerns with a member of the Programme Team, Curriculum Manager or Head of School.

The Students' Union will also assist students in making an appeal by advising them on the process.

3. Right of Appeal

An academic appeal can be made in respect of the following areas relating to processes and procedures associated with College Higher Education awards. An Appeal must comply with the following requirements:

- An appeal must be made in writing before the deadline stated in official communication (i.e. Outcome letter) which is sent to the student following the completion of an associated College Higher Education procedure;
- Any claims on the grounds of extenuating circumstances made after an assessment board must demonstrate that the student was unable or for valid reasons, unwilling, to divulge these prior to the Assessment Board;
- A claim on the grounds of maladministration or breach of regulations must demonstrate a material administration error; that College processes were not conducted in accordance with regulations, rules or published policies and procedures; or that agreed reasonable adjustments were not applied;
- A student cannot appeal against academic judgements of the Assessment Board.

4. Grounds for Appeal

An academic appeal can only be made on the following grounds:

- a). Procedural errors in the formal conduct of an assessment, an Assessment Board, or related College Higher Education process where an academic judgement is reached that means the process does not comply with the Academic Regulations or rules for the delivery of the specific programme (**Breach of Regulations**);
- b). Where a student believes that their performance in an assessment was adversely affected by extenuating circumstances, and this was not known by the Assessment Board before the decision was reached. The student must be able to provide a satisfactory explanation and evidence for not disclosing this information earlier and applying for mitigation at the time (**Extenuating Circumstances**);
- c). Where a student's performance in an assessment was adversely affected by an administrative error directly attributable to the College or delivery partner (**Maladministration**).

Examples

- Assessment and feedback procedures not adhered to: (Breach of Regulations)
- Failure to consider available evidence, leading to unfair decision making: (Breach of Regulations)
- An acute medical condition not previously reported to the Assessment Board: (Extenuating Circumstances)
- Not being notified of the submission date of an assignment: (Maladministration)

In all cases evidence will be required to prove valid grounds.

The following are not valid grounds to appeal

- Disagreement with the academic judgement of any assessor;
- Disagreement with the decision of the awarding body or Assessment Board;
- Complaints against the College, delivery partner or its staff, which should be made under the Complaints process; or
- An appeal against an admissions decision, which should be made under the Admissions Appeals process.

5. Submission

A student who wishes to make an academic appeal must submit their appeal within 10 College days of the date they receive confirmation of their results or the outcome of a relevant College Higher Education panel. The student must apply using the correct application form. On receipt they will receive confirmation.

An application will not be upheld and will be rejected at this stage if:

- Supporting evidence is shown to be fraudulent or insufficient;
- Claims made are not adequately supported by evidence and can be clearly and demonstrably refuted by other evidence provided by the College or delivery partner;
- The application and supporting evidence do not cover the period of the assessment(s), assessment board or related College Higher Education procedure for which the appeal is being made;
- The forms and supporting evidence are not received within the time frame given above.

If evidence cannot be obtained within the time frame the student must detail the reason for this on their appeal form or to academic.appeals@newdur.ac.uk and a further time allowance may be given.

The Vice Principal for HE will formally appoint an investigator in writing, and they will report on the outcome of this initial stage. If an application is received outside the time frame a report will not be required.

If the appeal is not upheld by reason of the above, the Investigator will write to the student detailing the rationale. If the investigator feels the appeal has grounds, they will write to the student explaining their appeal has been passed to the Chair of the relevant Assessment Board or College Higher Education panel for further consideration.

6. Appeals not requiring an Appeal Board

In all cases the Chair will ensure the Vice Principal for HE is notified. The mitigation for academic appeals with valid grounds which do not require an Appeal Board can be determined by the Chair of the Assessment Board or relevant College Higher Education panel.

If an Appeal Board is not required, the student will be informed of the outcome by the Chair of the Assessment Board or relevant College Panel within 5 College days of the end of the deadline for submission of appeals or within 5 days of the date of a reconvened or extraordinary assessment board if needed.

7. Appeals requiring an Appeal Board

An appeal may require an Appeal Board if there is

- Disagreement over whether grounds are valid between the investigator and the Chair of the Assessment Board or relevant College panel;
- Disagreement over potential outcomes between the programme team and the Chair of the Assessment Board or relevant College panel;
- A lack of clarity over the personal circumstances of the student which has not already been resolved and can only be resolved with a face-to-face meeting; and/or
- A concern over the evidence provided by the programme team or delivery partner which bears discussion

8. Appeal Board

a) Composition

The Vice Principal for HE will organise and chair the Appeal Board. If the Vice Principal for HE is also the Chair of the corresponding Assessment Board or College Higher Education panel they will appoint another member of Senior Leadership Team to chair the Appeal Board. The Appeal Board chair must not have sat on the relevant Assessment Board or College Higher Education panel in any capacity.

Members will include the following:

- Vice Principal for HE or delegate
- HEDU Representative to advise on Academic Regulations
- Member of Curriculum Staff from a different Higher Education Programme

The following may be present to provide evidence:

- The student
- Their representative (if applicable)
- The programme team rep or delivery partner rep (or both, as applicable)
- The investigating officer
- The Chair of the Assessment Board or relevant College Higher Education panel

A student may bring a representative to the appeal board and will have the right to be accompanied by or represented at all stages of the process provided that the companion or representative is not a professionally contracted advocate.

The investigating officer and the student may call witnesses to attend the appeals board.

All members will be informed at least 10 College days prior to the date of the meeting, all will be sent copies of any investigative reports prior to the Appeal Board.

b) Aim of the Appeal Board

The aims of the appeal board will be to:

- Establish facts relating to the appeal and review any reports held on the file
- Allow the student to respond to allegations, ask questions and/or call witnesses
- Allow the panel to ask questions of the student or their witnesses
- Determine whether the appeal is upheld
- Allow discussion of potential mitigation options

As necessary the Chair of the Appeal Board may ask the investigating officer, the student, their witnesses or any other person to step out of the meeting so the panel can deliberate.

The Chair may adjourn or postpone the Appeal Board where it is reasonable to do so or where further enquiries need to be made before a decision can be reached.

c) Decision of the Appeal Board

The Appeal Board shall decide either;

- That it confirms the original decision of the Assessment Board or relevant College Higher Education panel; or
- That it requires the Assessment Board or relevant College Higher Education panel to reconsider its decision in the light of the outcome of the Appeal Board.

Where the Appeal Board requires reconsideration of the decision, the Chair of the Assessment Board or relevant College Higher Education Panel will reconvene a Board/Panel.

d) Outcome

The student will be notified in writing, by the Chair of the Appeal Board, of the decision and the basis for the decision by letter within 5 College days of the Appeal Boards determination. This letter will be a completion of procedures letter for the purposes of the Office of the Independent Adjudicator (OIA).

A student who is studying on a programme validated by the Open University or Pearson who is dissatisfied with the decision of the Appeal Board, may refer their complaint to the Awarding Body.

Students studying on programmes other than Open University or Pearson who are dissatisfied with the decision of the Appeal board may refer the matter to the Office of the Independent Adjudicator (OIA).