



Policy and Procedure on

Academic Appeals

Approved

7 July 2026

Approved by

Academic Board

Policy Title	Academic Appeals Policy and Procedure
Document Owner	Vice Principal for Higher Education (policy accountability) and Director of Higher Education (operational procedure)

Directorates and Departments affected by this Policy	All HE Curriculum, Curriculum Administration; HE Development Unit; Student Support and delivery partners where applicable
Policy Effective From	July 2026
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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 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. We are always keen to hear from anyone who wants to contribute to these impact assessments, and we welcome suggestions for improving the accessibility of fairness of this and all College policies.

Other policies and procedures mentioned in this document will be published internally and externally in these locations:

[Website](#)

Staff Intranet

Student Intranet

[This policy 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:

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1. Scope

This Academic Appeals Policy and Procedure explains the circumstances in which a Higher Education student may request a review of an academic decision, the grounds on which an appeal may be considered, the process that will be followed, and the possible outcomes.

It combines the College's Academic Appeals Policy and Academic Appeals Procedure into one student-facing document. It is intended to be clear, accessible, fair, transparent and timely. It should support students to understand their rights and responsibilities and should support staff to apply a consistent process.

This process applies to academic appeals relating to Higher Education awards delivered by New College Durham, including awards made by New College Durham, The Open University, Pearson and other relevant awarding bodies. Where a delivery partner is involved, the College will ensure that relevant information is obtained from the delivery partner and that the student is given clear information about which process applies.

The document has been drafted to support compliance with the Competition and Markets Authority (CMA) expectations for higher education providers by using clear information, fair terms, transparent processes, accessible complaint and appeal routes, and timely communication. It also reflects the principles of the Office of the Independent Adjudicator (OIA) Good Practice Framework, including accessibility, fairness, independence, confidentiality, proportionality, timeliness, reasonable adjustments and learning from casework.

2. Responsibilities

The Academic Board is responsible for ensuring a fair and transparent academic appeals policy is in place that reflects the requirements of the prevalent regulations and rules.

The Vice Principal for HE is responsible for ensuring a policy is in place regarding academic appeals.

The Director of HE is responsible for ensuring there are subordinate procedures in place meeting the requirements of the policy and adequate guidance is provided to appellants.

Staff appointed to investigate and determine the outcome of appeals must ensure that any investigation is fair, open and transparent.

Programme teams and support staff are responsible for ensuring:

- that through induction and other support mechanisms that students are made aware of the academic appeals process; and
- that they respond promptly to initial concerns raised by students that may lead to an application for an academic appeal.

The Students' Union may support an individual student on request.

3. Relationship with existing Policies and Regulations

This document should be read alongside the current versions of the following, as applicable to the student's programme, awarding body and circumstances:

- Academic Regulations, including New College Durham, Open University, Pearson or other awarding body regulations where applicable
- HE Assessment Policy and HE Assessment and Moderation Procedure
- Extenuating Circumstances Policy and Procedure
- Academic Integrity Policy
- Complaints Policy and Complaints Procedure
- Fitness to Practise Policy and/or Fitness to Study Policy
- Student Engagement in Learning Policy
- Student Protection Plan and relevant Terms and Conditions

Where more than one procedure may apply, the College will explain which procedure is being used, why it is appropriate, and whether any related matters will be considered separately. A complaint about the quality of service, teaching, supervision or facilities will normally be considered under the Complaints Procedure unless it directly relates to one of the permitted academic appeal grounds.

4. Before Making an Appeal

Before submitting a formal academic appeal, students are encouraged to discuss their concern promptly with a member of the Programme Team, Curriculum Manager or Head of School. This may help clarify the decision, identify whether an appeal ground exists, and resolve misunderstandings quickly.

Students may also seek advice from the Students' Union or relevant student support services. Seeking informal advice does not extend the formal deadline for submitting an appeal unless the College confirms this in writing.

5. Right to Appeal

A Higher Education student has the right to submit an academic appeal where the appeal relates 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 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 or 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.

The College is committed to minimising the amount of times a student must share information with it about a health condition or disability. Therefore, if a student has already made a declaration during their study with the College this information must be accessible to the appeals investigator.

6. Grounds for Appeal

An academic appeal can only be considered on one or more of the following grounds:

Ground	Explanation and Examples
Breach of regulations or procedural error	There was a procedural error in the formal conduct of an assessment, Assessment Board or related College Higher Education process where an academic judgement was reached, and the process did not comply with relevant academic regulations, rules or published policies and procedures. Examples include assessment or feedback procedures not being followed, or failure to consider available evidence.
Extenuating circumstances not known to the Assessment Board	The student's assessment performance was adversely affected by extenuating circumstances which were not known to the Assessment Board before the decision was reached. The student must provide a satisfactory explanation and evidence for why the circumstances were not disclosed earlier through the relevant mitigation or extenuating circumstances process.

Ground	Explanation and Examples
Maladministration	The student's assessment performance or academic outcome was adversely affected by an administrative error directly attributable to the College or delivery partner. Examples include not being notified of a submission date, or agreed reasonable adjustments not being applied.

In all cases, evidence will be required to demonstrate that the appeal ground is valid and that it may have affected the decision being appealed.

7. What Cannot be Considered under this Process

The following are not valid grounds for an academic appeal:

- disagreement with the academic judgement of an assessor, marker, moderator, Assessment Board or awarding body;
- disagreement with a mark or classification without evidence of breach of regulations, extenuating circumstances or maladministration;
- a complaint about the College, a delivery partner, staff conduct, facilities, service quality or communication, unless the matter directly relates to a valid academic appeal ground;
- an appeal against an admissions decision, which should be made under the Admissions Appeals Procedure;
- a matter that has already been considered under this procedure unless new, relevant evidence is available and there is a valid reason why it was not provided earlier;
- unsupported allegations, or evidence that does not relate to the period or decision being appealed.

8. How to Submit an Academic Appeal

A student wishing to submit an academic appeal must do so in writing and send it, with supporting evidence, to academic.appeals@newdur.ac.uk within 10 College days of receiving confirmation of their results or the outcome of the relevant College Higher Education panel.

The appeal should include:

- the student's name, student number, programme and contact details.
- the decision being appealed and the date the outcome was received.
- the ground(s) of appeal.

- a concise explanation of what happened and how it may have affected the outcome.
- the outcome sought by the student.
- supporting evidence, or an explanation of why evidence is not yet available, and
- details of any reasonable adjustments requested for the appeal process.

The College will acknowledge receipt of the appeal. If evidence cannot be obtained within the deadline, the student must explain this at the appeal stage. A further time allowance may be given where there is a good reason and where this would be fair and reasonable.

9. Initial Consideration of the Appeal

The Vice Principal for Higher Education will formally appoint an Investigating Officer in writing. The Investigating Officer will review the submission to determine whether the appeal is in time, whether it identifies a valid ground, whether the evidence is relevant and sufficient, and whether the matter should progress for further consideration.

An appeal may be rejected at this stage where:

- It is submitted outside the required timescale, and no valid reason is provided.
- The appeal does not identify one of the permitted grounds.
- The appeal is based only on disagreement with academic judgement.
- Supporting evidence is fraudulent, insufficient or not relevant to the assessment, Assessment Board or procedure being appealed.
- the claims can be clearly and demonstrably refuted by evidence held by the College or delivery partner.
- The issue should properly be considered under another policy or procedure.

If the appeal is rejected at this stage, the Investigating Officer will write to the student explaining the decision and the reasons. Where the Investigating Officer considers that the appeal has valid grounds, the student will be informed that the appeal has been passed to the Chair of the relevant Assessment Board or College Higher Education panel for further consideration.

10. Appeals not Requiring an Appeal Panel

Where the appeal has valid grounds and the appropriate outcome is clear, the Chair of the Assessment Board or relevant College Higher Education panel may determine the mitigation or action required without convening an Appeal Board. The Vice Principal for Higher Education must be notified in all cases.

11. Appeals Requiring an Appeal Panel

An Appeal Board may be required where:

- There is a lack of clarity about the student's personal circumstances which has not already been resolved, and which can only fairly be considered through a meeting.
- There is a concern about evidence provided by the programme team or delivery partner which requires discussion.
- The complexity or seriousness of the appeal means that a panel decision is more appropriate.

12. Appeal Board Composition and Operation

The Vice Principal for Higher Education will organise and chair the Appeal Board. If the Vice Principal for Higher Education chaired or sat on the relevant Assessment Board or College Higher Education panel, another appropriate member of the Senior Leadership Team will be appointed to chair the Appeal Board. The Appeal Board Chair must not have sat on the relevant Assessment Board or panel in any capacity.

The Appeal Board will normally include:

- Vice Principal for Higher Education or appropriate Senior Leadership Team delegate as Chair.
- a HEDU representative to advise on academic regulations and procedures.
- a member of curriculum staff from a different Higher Education programme.

The following will normally attend to provide evidence or support the process:

- the student
- the student representative, if applicable.
- a programme team representative, delivery partner representative, or both where applicable.
- the Investigating Officer.
- the Chair of the Assessment Board or relevant College Higher Education panel.
- witnesses called by the Investigating Officer or the student, where relevant and approved by the Chair.

Members will normally be informed at least 10 College days before the meeting. The student and panel members will be provided with relevant papers, including the appeal submission, evidence and any investigative report, in advance of the Appeal Board. Where sensitive information is included, it will be handled confidentially and only shared where necessary for the appeal to be considered fairly.

The Appeal Board will:

- establish the facts relating to the appeal and review relevant records and reports.
- allow the student to respond, ask questions and call witnesses where appropriate.
- allow the panel to ask questions of the student, witnesses and relevant staff.
- determine whether the appeal is upheld.
- consider appropriate mitigation or corrective action where the appeal is upheld.

The Chair may ask the student, witnesses, Investigating Officer or other attendees to leave the meeting while the panel deliberates. The Chair may adjourn or postpone the Appeal Board where this is reasonable, for example where further enquiries are required before a decision can be reached.

13. Appeal Board Decision and Outcomes

The Appeal Board will decide either:

- confirm the original decision of the Assessment Board or relevant College Higher Education panel or
- require the Assessment Board or relevant College Higher Education panel to reconsider its decision in light of the Appeal Board's findings.

Where reconsideration is required, the Chair of the Assessment Board or relevant College Higher Education panel will reconvene a Board or panel to determine the academic outcome in accordance with the relevant academic regulations and awarding body requirements.

The Appeal Board will not substitute its own academic judgement for that of the Assessment Board. Its role is to decide whether a valid appeal ground has been established and whether the academic decision should be reconsidered or corrective action taken.

14. Completion of procedures

The student will be notified in writing of the Appeal Board decision, the reasons for the decision and any next steps within 5 College days of the Appeal Board's determination, unless there is a good reason why more time is needed. Where there is a delay, the student will be informed and given an updated timescale.

The outcome letter will normally be a Completion of Procedures letter for the purposes of the OIA, unless a further internal or awarding body stage applies.

Open University and Pearson students:

For programmes validated by the Open University or Pearson, students may have a final right of appeal to the relevant awarding body where the appeal relates to progression, final award or assessment, and both of the following criteria are met:

- all appropriate internal College procedures have been exhausted; and
- there are reasonable grounds to believe that the College's internal procedures and regulations for dealing with appeals were not implemented correctly or fairly.

The College will explain the relevant awarding body route in the outcome letter where this applies.

Office of the Independent Adjudicator:

Students who remain dissatisfied after all internal procedures have been completed, and after any relevant awarding body routes where applicable, may be able to refer the matter to the Office of the Independent Adjudicator for Higher Education (OIA). The Completion of Procedures letter will explain how to do this and the relevant timescales involved.

15. Evaluation and Review

The College will keep appropriate records of academic appeals, evidence considered, decisions reached, reasons for decisions, reasonable adjustments made, and any actions or learning arising from the case. Records will be processed in accordance with data protection requirements and College retention arrangements.

This Academic Appeals Policy and Procedure will be reviewed every 3 years, or earlier where required by changes to legislation, CMA expectations, OIA guidance, OfS conditions, awarding body requirements, academic regulations or College practice.