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| Brief Description of Policy | This document sets out the Navitas University Partnerships Europe (UPE) policy and procedure for Academic Appeals. |

Version Control

| Date | Version | Summary of changes | Approver |
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| January 2023 | 2022/01 | <ul style="list-style-type: none">Initial policy version | NUKH Academic Board |
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Key Related Documents

| Document Name | Location |
|---|-----------------------------|
| QS09 Assessment Regulations | College Website, Policy HUB |
| QS10 Student Complaints and Academic Appeals Form | College Website, Policy HUB |
| QS10a Student Complaints | College Website, Policy HUB |
| QS11 Student Disciplinary | College Website, Policy HUB |
| M1a Safeguarding Children and Vulnerable Adults | College Website, Policy HUB |

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Introduction

This document sets out the Navitas University Partnerships Europe (UPE) policy and procedure for Academic Appeals. Navitas UPE has, as part of its corporate code of practice, a commitment to continuous improvement and the UPE College* network has demonstrated its adherence to this commitment through the implementation of an Academic Appeal procedure in each College. Navitas UPE has a long history of and commitment to the provision of quality services and support to students. It recognises the importance of engaging students early in their learning experience and places immense value on the Student Voice. Working together with students, our teaching and

support staff are committed to providing an education and student experience that is shaped, reviewed and enhanced in spirit of partnership and co-determination.

**Please interpret 'College' as 'Campus' where applicable*

Purpose

The Academic Appeals procedure has been designed to allow students who are enrolled at Birmingham City University International College (BCUIC) to seek a mutually satisfactory resolution for any disadvantage, damage or distress caused by inappropriate acts, behaviour or omissions of BCUIC or its representatives.

Former students may raise an Academic Appeal provided the Academic Appeal is about a matter which occurred whilst they were enrolled as a student and they comply with the timescales for the submission of Academic Appeal set out below.

The Academic Appeals Procedure for students is one aspect of the College's quality assurance procedures; Academic Appeals are therefore considered as useful feedback and where appropriate, will be used to facilitate improvements to services and facilities. This will be achieved through reporting to the Navitas UPE Academic Board, Navitas United Kingdom Holdings (NUKH) Board of Directors, where appropriate, and the College Progression Board, to ensure that outcomes and recommendations from the formal procedure are actioned.

Definition of an Academic Appeal

An Academic Appeal is defined by the Office for Independent Adjudicator of Higher Education (OIAHE), as “a challenge to or request for reconsideration of a decision by an academic body that makes decisions on student progress, assessment and awards. This may include a request to change marks or progress decisions or final award classifications”.

Examples of Academic Appeals

The grounds on which students are permitted to lodge an Academic Appeal are restricted to one or more of these four areas:

- A procedural irregularity in the assessment process
- Bias or reasonable perception of bias
- Circumstances affecting the student's performance where, for good reason, the academic body was not made aware of a significant factor relating to the assessment of a student when it made its original decision
- A challenge to the outcome of a student's request for additional consideration of personal circumstances which have affected their performance

Exclusions under the Academic Appeals Procedure

The grounds for raising Academic Appeals are restricted to those four areas listed above. However, for the avoidance of doubt, students are explicitly excluded from lodging an Academic Appeal, and may be encouraged to raise a Student Complaint instead, on any of these grounds:

- The view that poor teaching, supervision, academic advice or guidance affected a student's performance. In such circumstances a student may submit a Complaint under the Student Complaints Procedure **QS10a Student Complaints**
- Any decision relating to the assessment, progression and/or exclusion based on the marks, grades and other information relating to a student's performance (In such circumstances a student is advised to request feedback from their tutor)

Behaviour

All parties involved in an Academic Appeal are required to act reasonably, fairly and courteously towards each other and to respect the Navitas UPE procedures. In addition, any student who wishes to raise an Academic Appeal should feel able to do so without fear of subsequent victimisation.

Anonymity

Where an Academic Appeal is made anonymously, normally no formal action will be taken. The general issue and circumstance will be recorded by Navitas UPE and reported to Colleges during their internal quality assurance activity with the Academic Registry team. There may however be

exceptional circumstances where the Investigating Officer deems it appropriate to take action or investigate a matter based on an anonymous Academic Appeal.

Third Party Academic Appeals

No investigation of an Academic Appeal made on behalf of a student will be undertaken without that student's written agreement to the concerns raised and written consent for an investigation to be carried out. This includes Academic Appeals made by the parent or spouse of the student concerned.

False or Malicious Academic Appeals

A false or malicious Academic Appeal is defined as an Academic Appeal which is patently unsustainable, having been put forward so as to abuse the process of the Academic Appeals procedure or for example, to attempt to defame the name or character of another person. The College may consider invoking disciplinary procedures **QS11 Student Disciplinary** in cases where Academic Appeals are found to be false or malicious. All such scenarios must be reported to the Navitas UPE Academic Registry UPE.AcademicRegistry@navitas.com

Academic Appeals Made by Students Under the Age of 18 Years

If an Academic Appeal is made under the Formal Procedure by a student who is under the age of 18, unless the student has expressed and/or formally requested otherwise, the Investigating Officer will notify the parents or guardians of the student in writing and keep them informed of the progress of the Academic Appeal – generally via email or telephone. Navitas UPE will permit the parents or legal guardians of the student to act on the student's behalf during the process, provided the student has confirmed agreement in writing beforehand **M1a Safeguarding Children and Vulnerable Adults**.

Group Academic Appeals

Where an Academic Appeal is brought by a group of students, one person should be prepared to identify themselves as spokesperson and correspondent for the purposes of the Formal Procedure and

each member of the group must be able to demonstrate that they have been personally affected by the matter which is the subject of the Academic Appeal. In addition, all students must agree in writing to the spokesperson acting on their behalf.

Access to Information

Students pursuing an Academic Appeal through the procedure will be entitled to apply for access to information and data pertaining to the Academic Appeal, in accordance with the policies and procedures of the University Partner under the provisions of the **General Data Protection Regulation (GDPR)** (EU) 2016/679. Applications should be made in writing to the Navitas UPE Academic Registry: UPE.AcademicRegistry@Navitas.Com

Sharing of Information

Navitas UPE will only share information about an Academic Appeal with other parties where disclosure is necessary in order to ensure a fair investigation and subject to a student written consent.

Accompaniment at the Academic Appeal Hearing

The student, if they wish, may be accompanied to any Academic Appeal Hearing by a friend or representative for support or representation as appropriate. The friend or representative shall be permitted to put forward the student's case under the direction of the Chair of the Hearing and shall be permitted to ask questions of the College representative. In the event that the student is unable to attend, the Academic Appeal Hearing will be rescheduled. This person may not be a legal representative acting in a professional capacity and may not give evidence except on matters of which they have direct knowledge.

Academic Appeals Procedure

Definitions

Please note the clear distinction between an “Informal Query” and an “Academic Appeal”:

An Informal Query is “an opportunity for a student to bring an assessment-related result which they believe is incorrect to the attention of Navitas UPE”.

An Academic Appeal is “a challenge to or request for reconsideration of a decision by an academic body that makes decisions on student progress, assessment and awards. This may include a request to change marks or progress decisions or final award classifications”.

Advice

The Navitas UPE Academic Registry can provide authoritative advice on how the Academic Appeals procedure works, whom to approach and how to complete the Student Complaints and Academic Appeals Form **QS10c Student Complaints and Academic Appeals Form** and submit supporting evidence. This form and supporting evidence should only be submitted if no resolution was found at the Informal Query stage of the process. Students may also wish to seek advice and help from their Student Representative or Student Union officer.

Informal Queries may be made on:

- The result of an individual module
- Completion of a stage or part of a programme
- Progression to the next stage of a programme
- Entitlement to an award

No formal restriction is placed on the nature of Informal Queries, including those which amounts to requests for confirmation, clarification or elaboration of a recommendation or decision. However, each Informal Query should be noted to the College Learning and Teaching Board. Note that the College may not be able to answer all possible questions or provide as full a response as may be desired by the candidate raising the Informal Query.

Procedure to deal with an Informal Query

A student should raise an issue with any member of staff at a Navitas UPE College or representative, orally or in writing and initially this will be treated as an **Informal Query**. A Complaints and

Academic Appeals Form **QS10c Student Complaints and Academic Appeals Form** should not be submitted at this stage until the Informal Query Stage has been completed with no resolution.

Questions to be considered at the Informal Query stage:

- Is it a Student Complaint or Academic Appeal?
- What is it about, and who is involved?
- What outcome is the student hoping for and is it achievable?
- Can it be resolved on the spot with an explanation, solution or apology?
- What support can be provided to the student going forward?

Once an **Informal Query** has been received, resolution should be sought from the area in which the Informal Query arose, by discussing the Informal Query with the most appropriate member of College staff (e.g., the academic tutor or their line manager) or the Student Services Officer. In those areas where a local procedure to deal with an Informal Query exists, that procedure should be followed. A student should normally expect to receive a written or verbal acknowledgement of the Informal Query and the process to be undertaken within **ten working days** and a full response within **one calendar month** from the acknowledgement. This timescale may need to be extended during College vacations.

It is anticipated that most Informal Queries will be resolved through informal and local means and the student should be given the opportunity for early resolution at a local level. However, should a student wish to submit an Academic Appeal, they should in the first instance, review whether they have fulfilled their responsibilities under the particular Navitas Policy Regulations (NPR) about which they are appealing.

Navitas UPE should write to the student after each initiated stage, setting out the outcome and results.

Procedures to Deal with an Academic Appeal - Stage 1 (Formal)

The student may invoke Stage 1 of the Formal Procedure where they are dissatisfied with the outcome of Informal Query and early resolution or where early resolution is not possible. This is

done by completing the Student Complaints and Academic Appeals Form **QS10c Student Complaints and Academic Appeals Form** and submitting it to the Navitas UPE Academic Registry: UPE.AcademicRegistry@navitas.com

The Student Complaints and Academic Appeals Form **QS10c Student Complaints and Academic Appeals Form** should include the following information:

- The grounds upon which the Academic Appeal is being made and reasons why it was not resolved informally
- Facts and evidence to support the Academic Appeal
- The remedy which the student is seeking

Questions to be considered at the Formal stage:

- Was Early Resolution attempted?
- Is the Academic Appeal and the people involved clear?
- Would reference to any policies be relevant to the case?
- What outcome is the student hoping for and is it achievable?
- Has the student provided evidence?

The Navitas UPE Academic Registry will appoint an Investigating Officer to investigate the Academic Appeal. Navitas UPE Academic Registry shall acknowledge receipt of the Academic Appeal, normally within **ten working days**. Before proceeding further, the Investigating Officer may require further clarification of the Academic Appeal.

The Investigating Officer will attempt resolution at this stage either by correspondence between the parties, negotiation with the individuals or issue about which the Academic Appeal is being made and where appropriate, other senior members of the College or facilitation of a conciliation meeting between the student concerned and those individuals involved. The circumstances of the Academic Appeal will dictate which of these methods is considered most likely to result in a resolution of the Academic Appeal to the satisfaction of the student.

It is anticipated that Stage 1 of the Formal Procedure would normally be completed, with a response in writing from the Navitas UPE Academic Registry within **one calendar month** of the

acknowledgement date of the completed Student Complaints and Academic Appeals Form **QS10c Student Complaints and Academic Appeals Form**. This timescale may need to be extended during College vacations.

Relevant Academic Appeals may be escalated to the Academic Board who will consult with the relevant internal/external parties where necessary.

Procedures to Deal with an Academic Appeal - Stage 2 (Review)

If the student is not satisfied with the response from the Investigating Officer at the Formal stage or if a response is not received within the procedure's timescales, the student can appeal to a higher level within the provider for a review of the process of the Formal stage to make sure that appropriate procedures were followed and that the decision was reasonable.

To do this the student must write to the Navitas UPE Academic Registry within **ten working days** from the Stage 1 response letter or the deadline for the Stage 1 response. If a response has not been received. The request must clearly state:

- (a) that the student would like to appeal the decision that was taken in Stage 1;
- (b) the reasons why the student believes that the response is unsatisfactory
- (c) the remedy the student is seeking

Considering the substance of the Academic Appeal and the previous attempts at resolution, the case will then be reviewed by the Navitas UPE Academic Registry where a decision will be made about whether the matter should be referred to an Academic Appeal Hearing.

Questions to be considered at the Review stage:

- Were the relevant procedures followed?
- Was the outcome reasonable?
- Has the student received clear reasons why the Academic Appeal was rejected?
- Is there new evidence and if so, what was the reason it was not provided sooner?

If the Appeal is considered at Stage 2 (Review), a senior representative from the University Partner's Academic Registry or nominee (who should not have been previously involved in the process) and two independent Module Panel or Assessment Board Chairs will review the Stage 1 response within **one calendar month** (excluding College vacations) of the referral from Stage 1.

The review will consider the student's submission at Stage 2 (Review), their reasons for requesting a review of Level 1 and any new information that has been provided. A member of the Navitas UPE Academic Registry may act as an advisor to this committee, but it will be typically chaired by a representative of the University Partner as that is the awarding institution. They will chair the review meeting and will be responsible for providing a response to the student. and communicate its conclusions to the student and the relevant persons within **one calendar month**.

Should the Appeal be upheld at either Stage 1 or Stage 2, the Investigating Officer or Academic Registry may make recommendations/conditions to the College Management. Recommendations/conditions may also be made to the College Module Panel or Progression Board in respect of quality assurance procedures or policies.

If the Appeal is not upheld, the student will be informed in writing with reasons for its rejection.

Any conclusions and recommendations of the Panel will be communicated in writing to the student, the College Director/Principal and the Navitas UPE Academic Registry. A report on each case which comes before an Academic Appeal Hearing will also be prepared and noted by the Academic Registry.

Timescales

| Stage of Procedure | Timescale | Responsibility |
|--|---|------------------------|
| INFORMAL | | |
| Informal Query raised | Within ten working days of the publication of the Examination result | Student (s) |
| Acknowledgement of Receipt of Informal Query | Within ten working days of receipt of the informal query | College Representative |

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| Written response to Informal Query | Within one calendar month of the receipt of the informal query | College Representative |
| FORMAL | | |
| Submission of Qs10c Student Complaints and Academic Appeals Form | Within two months of the publication of the examination result | Student (s) |
| Acknowledgment of Receipt of Qs10c Student Complaints and Academic Appeals Form | Within ten working days of submission of form | Navitas UPE Academic Registry |
| Stage 1 Response | Within one calendar month of the acknowledgement date of the Qs10c Student Complaint and Academic Appeals form | Navitas UPE Academic Registry |
| Request to progress to Stage 2 | Within ten working days from the Stage 1 response letter or the deadline for the Stage 1 response, if a response has not been received | Student (s) |
| Response to Stage 2 Request - Review | Within ten working days of receipt of request | UPE Academic Registry |
| Response to Stage 2 - Review | Within one calendar month of referral to Stage 2 | Chair of the UP Appeals Committee or nominee |

Time Limits

Time limits should usually be met by all parties. Time limits may be extended by the Investigating Officer where necessary to ensure a fair outcome.

Further Review (OIAHE)

If a student has completed the Navitas UPE Internal Academic Appeals procedure outlined above and they are still dissatisfied with the outcome, they may be able to refer their Academic Appeal to the Office of the Independent Adjudicator for Higher Education (OIA) providing that the Academic Appeal is eligible under the OIA's Rules.

In such cases Navitas UPE Academic Registry will provide on request a letter stating that a student has completed the Navitas internal Academic Appeals procedure. The letter will include information on the OIA and will comply with the OIA's guidance for a 'Completion of Procedures' letter.

Students have a maximum of 12 months from the date of the 'Completion of Procedures' letter to bring their complaint to the OIA.

Reference Points

This policy is guided by the *OIAHE Good Practice Framework: Handling Student Complaints and Academic Appeals* and *OIAHE Delivering Learning Opportunities with Others*.

For further information:

[OIAHE Good Practice Framework](#)

[OIAHE Delivering Learning Opportunities with Others](#)

Students may refer to the OIAHE's information for students on its website [here](#).

Policy Review

This policy will be reviewed every two years unless there are internal or legislative changes that necessitate an earlier review.