



College Procedure

Academic Appeals and Complaints Procedure for Students Studying for The Open University Awards 2025-26

25th July 2025



Senior Leadership Responsibility	Adam Fahey
Policy Author	Matthew Twitchett
Roles Responsible for Reviewing	Executive Director Quality, Teaching and Learning.
Issue date of current version	18-9-24 (25-26 V1)
Date to be reviewed	August 2026
Type of Policy	Public

Change Log

Significant changes following review of strategy

Page Number or Heading Name	Date of Change	Details of significant change	Changes made by
n/a	n/a	No changes as a result of review	Matthew Twitchett

This policy has been approved by The Open University through its Institutional and administrative revalidation complete in June 2023.

This policy is available in an alternative format on request including a word version.

Equality Impact Assessment

The aim of an equality impact assessment (EIA) is to consider the equality implications of any new or amended policy, procedure, practice, project, function on different groups of staff, students and visitors to the college. This EIA tool provides a simple framework that helps evaluate whether the change may inadvertently disadvantage protected characteristics and identify ways to proactively advance and promote equality.

You will need to consider each of the equations and provide information as to consideration and any changes made in relation to Equality, diversity and inclusion.

Date EIA completed.	25-7-25
Name of person responsible for completing the EIA	Matthew Twitchett
Role of person responsible for completing the EIA	Executive Director of Quality, Teaching and Learning
Who is affected by the policy / decision / change	Students and Staff employed
What's the reason for the new policy / change in policy, practice, process etc.	This is a yearly review and update required by awarding organisations

You will need to consider whether it's possible that the proposed new policy / change in policy / procedure / practice etc could discriminate or unfairly discriminate or disadvantage people. You should consider:

Who gets to participate	Who does not, or who now does not due to the changes proposed / made.
Who is at an advantage	Who is at a disadvantage, and again has this changed?
Who will benefit	Who will not benefit (or who did and now doesn't due to the changes proposed in policy
Who can access the policy	Who cannot, or now cannot.

Protected Characteristic	What degree of impact does the change have (score 1-5 with one being lowest impact and 5 being the highest)	What is a potential positive, neutral or negative impact? Include what you have considered. Are there any barriers?	What action will be taken to address any negative impact or remove any potential barriers identified? Note if we are not able to resolve anything identified.	Date by when and whom will this action be taken.
Age	1	None identified		
Disability	2	Some students may need support in understanding the policy and help in raising an appeal. This will be provided by the student support teams in the College.	Students with an identified disability can seek support from a Carer/Parent or Guardian and the College in raising an appeal.	As and when required
Gender (Sex)	1	None identified		
Gender Reassignment	1	None identified		
Marriage or Civil Partnership	1	None identified		
Pregnancy / Maternity	2	A student may not be able to appeal during pregnancy or maternity leave. Support and guidance will be provided to the student in this case to mitigate any negative impact.	Student will be able to apply for internally for additional time to appeal a decision in accordance with awarding organisation requirements. The College will support this process within awarding organisation requirements.	As and when required
Race	1	None identified		
Religion or Religious Belief	2	Time frames for a student to lodge an appeal could be affected by religious holidays.	Students should consider how a religious holiday could impact on an appeal date. The College will accept an appeal if a student is impacted by a religious holiday and provides evidence.	College will respond to student within 2 working days.
Sexual Orientation	1	None identified		
Any other element that needs to be considered.	1	None identified		

Note:

1. The terms stated under protected characteristics are the terminology used in the Equality Act 2010.
2. As part of the policy approval process Executive Board will consider the EIA assessment and any potential barriers which we may not be able to overcome and whether the action proposed will mitigate sufficiently within legislation or whether we decide to not implement the new policy if the risk are significant. If the policy is approved the EIA is also approved.

1.0 Definitions - Complaint, administrative appeal or academic appeal.

- 1.1 What is a Complaint? The OU defines a complaint as 'an oral or written expression of dissatisfaction concerning the provision of a programme of study or related academic or administrative service, which is not an appeal against a decision'. Concerns about the provision of a service or facility or the failure to provide a service or facility, where the standard of the service or facility has fallen below the standard that might reasonably be expected or where there is a reasonable expectation that the service or facility would be provided would be covered by the Complaints Procedure
- 1.2 What is an administrative appeal? The OU defines an administrative appeal as 'a request for a review of a decision taken by an individual or body charged with making decisions about any aspect of a student's access to learning or learning experience with The OU which is not an academic decision', decisions about registration processes, fee liability, financial support, exceptional arrangements and reasonable adjustment which are not academic in nature.
- 1.3. What is an academic appeal? The OU defines an academic appeal as 'a request for a review of a decision of an academic body charged with making decisions on admission, assessment, student progression and awards.' Decisions about entry requirements, reasonable adjustments for teaching and assessment for students with disabilities, progression rules, academic misconduct, assignment marks, module results, thesis submission and the award and classification of qualifications would be covered by the Academic Appeals Procedure.

2.0 Grounds for an academic appeal

- 2.1 There shall be no appeal against an assessment result where the overall module mark has been determined as per the assessment strategy detailed in the module specification and published in the Programme Handbook, except on the grounds that the approved policy for moderation has not been followed.
- 2.2 A student who passes all components of a module shall be awarded the credit for that module. The amount of credit for each module is set out in the programme specification and published in the Programme Handbook.
- 2.3 A student may appeal against a decision of a Board of Examiners only if one or more of the following grounds apply:

- Where the student provides written evidence in support of a claim that performance in the assessment was adversely affected by extenuating circumstances which the student was unable or, for valid reasons, unwilling to divulge before the Board of Examiners reached its decision.
- there has been a material administrative error;
- the examinations or other assessments were not conducted in accordance with the regulations for the programme and/or special arrangements formally agreed;
- some other material irregularity relevant to the Board of Examiners' decision has occurred.

2.4 Disagreement with the academic judgement of a Board of Examiners cannot constitute grounds for an appeal.

2.5 An appeal must be made within the time limits and in the manner prescribed in the appeals procedure set out in paragraph 3.0.

2.6. Where a student raises a matter of concern that does not meet the grounds for appeal highlighted above, the matter may be dealt with as a formal complaint. In the event that a complaint is upheld, where there is no right of appeal, an assessment result or a decision of a Board of Examiners cannot be changed. Students will be informed if a matter of concern is investigated through any other process.

3.0 Academic appeals procedure

3.1 Any student who believes they have grounds for appeal should email ITEteam@southessex.ac.uk. The student must contact the College within 28 days of the decision. If the query is received more than 28 days after the decision, it will be considered as out of time, unless there are exceptional circumstances for extending the time limit. Advice and guidance on the process and which appeal form to use will be provided by the HE student support team or students can visit HE student support services in The Forum hesupport@southessex.ac.uk. In addition they can seek guidance from the student union.

There are three stages to the appeals process

Stage 1 - Informal Stage (At College)

Stage 2 - Formal Stage (At College)

Stage 3 – Review at The Open University

Stage 1 - Informal Stage (At College)

3.2 The informal resolution stage seeks to resolve straightforward concerns swiftly, this will be completed within 5 working days, At any meeting, the student has the right to appoint a representative to accompany them. If a student's appeal relates to a grade they have received during the year and prior to the publication of the results they should contact their programme leader or tutor and raise their concerns in the first instance. If they remain dissatisfied with the response they should email ITEteam@southessex.ac.uk and provide a summary of the grounds for appeal.

3.3 If the appeal relates to the decision of a Board of Examiners, students should email ITEteam@southessex.ac.uk and provide a summary of their grounds for appeal within 28 days of receiving the outcomes from the examinations board Students will be provided with the opportunity to attend an appeals surgery to discuss the formal appeals process and the process for appeal. If students are unable to attend a surgery they will be provided with this advice by email/telephone.

3.4 The outcome of the informal stage should be one of the following outcomes:

- the student has agreed not to continue with their appeal after discussion with a representative from the College
- proceed to formal stage.

Stage 2 – Formal Stage (At College)

3.5 If the student wishes to proceed to the formal stage, the student should send to the ITEteam@southessex.ac.uk within 15 working days of the outcome of the informal stage a full explanation of the academic appeal ensuring it meets the criteria identified in section 2.0 above. The student should provide as much documentary evidence as possible to support their appeal. The College will respond within 10 working days of receipt of the formal appeal of the outcome or whether further time is needed if required.

4.0 Action following formal appeal procedures

4.1 The student will be sent a completion of internal procedure letter (within 10 working days setting out the decision that has been made and the reasons for reaching that decision,

together with any actions required by the student or the College to follow up and implement that decision, the timeframe for doing so and further right of appeal to the Office of the Independent Adjudicator (OIA) and The Open University.

4.2 If a student decides to make a complaint to the OIA, this must be completed within 12 months of the date of the Completion of Procedures Letter. That is, if the Completion of Procedures Letter is sent to the student on 11 August, the deadline is 11 August the following year.

4.3 Further information can be found on how to make a complaint at the [OIA website](#)

Stage 3 – Review at The Open University

5.0 Appeals to The Open University

5.1 A student can request that The Open University reviews their academic appeal if all of the following are true:

Your academic appeal is against an institutional body, such as an assessment board, or admissions board, and the decision related to one or more of the following:

- Your final award
- Your progression from one stage or level of the programme to the next
- Your assessment on the programme
- Your admission to the programme and you can demonstrate that you have exhausted all appropriate internal procedures open to you at your institution and you have grounds to believe that the partner institution's internal procedures and regulations for dealing with appeals were not interpreted or implemented correctly or fairly.
- Disagreement with the academic judgement of an institutional body - an assessment board, or an admissions board - cannot of itself constitute grounds for an appeal.

Reconsideration of decisions may only take place if:

- You produce documentary evidence that performance was affected by factors which you were unable, or for valid reasons unwilling, to divulge before the institutional body made its decision or
- You produce evidence that there has been a material administrative error, or that the assessments were not conducted in accordance with the current regulations for the programme, or that some other material irregularity has occurred.
- If the matter that concerns you does not meet these conditions, it may be possible

to request further consideration by requesting that the OU review a complaint about the matter. Please refer to the OU's Complaints Procedures (section 6) for further information.

5.2 The procedure for appealing to The Open University is set out in The Open University Handbook for Validated Awards, which can be located on the College Website

6.0 Complaints procedure

6.1 If there is concern about an aspect of a course or any of the College's services, the staff member most directly involved or someone already known should be contacted. Where there is uncertainty over who to contact or a student does not want to approach the person most directly involved, then the Programme Leader, tutor or a relevant member of management (which can include a Head of Department) from the department where the programme resides ("relevant manager") can be contacted.

6.2 An informal complaint can be escalated to a formal complaint by a student if they feel the complaint is not being dealt with professionally. Formal Complaints should be sent to ITETeam@southessex.ac.uk, who will acknowledge the complaint and provide details of the Investigating Manager. An appropriate person from the relevant programme team will investigate the complaint and take appropriate action. A response will be received within 10 working days. If the College is unable to do this it will make contact to advise the target date for completion.

6.3 All complaints will be acknowledged within 5 working days of receipt and an initial response provided within 10 working days, further responses may be provided where appropriate.

6.4 Please note that if you have a cause to complain about any aspect of your student experience you should ensure your complaint is lodged with ITETeam@southessex.ac.uk, as soon as possible after the service failure and no more than 28 days after the event.

7.0 Appealing the outcome of a complaint decision

7.1 If a complaint is not resolved using the complaints procedure there is the right to appeal the outcome of the complaint. An appeal of the outcome of the complaint should be lodged with ITETeam@southessex.ac.uk within 20 working days of the unsatisfactory outcome of the formal complaint. An extension of these time limits will only be possible in exceptional circumstances.

7.2 In order to appeal:

- write to or telephone Student Services directly to
ComplimentsComplaints@southessex.ac.uk / 01702 220452
- detail what steps have been taken to resolve the complaint and explain why the outcome is not considered satisfactory.

7.3 Appeals will be acknowledged within 5 working days of receipt and responded to within 15 working days. Some appeals, especially if they are complex, may take longer. If it is going to take longer to respond Student Services will provide an update.

7.4 After completing South Essex Colleges internal complaints procedure a student is entitled to submit a complaint to The Open University if they are unsatisfied with the response. This is Subject to it being a legitimate complaint about a service, or lack of service for which South Essex College is responsible and this impacts directly and substantively on the academic standards of the OU validated programme on which the student is studying.

7.4 Once the appeal against complaint outcome stage has been completed, you are entitled to ask the Office of the Independent Adjudicator (OIA), the independent ombudsman service of last resort, to look at your complaint. All applications to the OIA must be made within twelve months of the date of the Completion of Procedures letter issued by the College to the student.

7.5 The OIA considers complaints from people who remain dissatisfied at the conclusion of the College's internal complaints procedure. The OIA looks at issues such as whether the College followed its procedures, whether these procedures were reasonable, and whether the College's final decision was reasonable in all the circumstances. The OIA will not consider complaints:

- where the student has not progressed through all stages of the College's complaints procedures
- where the complaint refers to matters more than three years old
- where the Completion of Procedures letter is received outside the twelve month time limit
- where matters have been or are being considered in court.
- where this is a complaint regarding the admissions process to the programme

Full details of the scheme are available at

www.oiahe.org.uk.

End of Procedure

