Appeals Policy

Procedure for appealing an assessment or academic decision

Document code	BU-POL-APL-01	**Version**	2.0
Effective date	17 November 2026	**Next review**	17 November 2027
Document owner	Academic Quality Lead	**Approved by**	Dean, Berkshire University
Status	Approved for use	**Applies to**	All learners, staff, agents and contractors

1. Purpose and scope

This policy gives learners a fair, independent and timely way to challenge an academic decision. It applies to decisions about assessment results, final course outcomes, findings and sanctions under the Malpractice Policy, and decisions on reasonable adjustments or special consideration. General dissatisfaction with a service is handled under the Complaints Policy.

Jurisdiction and interpretation

Berkshire University is a United States institution (Colorado) that delivers online education to learners in many countries. This document applies to every learner wherever they live. Where it refers to UK or EU law, that law is the standard we follow as good practice; it does not claim UK registration, UK regulatory status or UK degree-awarding powers. Where the law of a learner's country gives stronger rights, those rights prevail.

2. Roles

Role	Responsibility in this document
Dean	Accountable officer for this policy. Approves it, decides final-stage cases that the Dean was not involved in, and holds any role below that has not yet been separately assigned.
Academic Quality Lead	Oversees assessment standards, internal verification, course review and learner feedback. Appointed by the Dean (the Dean acts until an appointment is made).
Complaints and Appeals Officer	Receives, logs and allocates complaints and appeals, and tracks deadlines. Must not have been involved in the matter. Appointed by the Dean (a member of the Registrar's Office may act).
Independent Reviewer	A person with no earlier involvement in the matter, inside or outside Berkshire University, appointed by the Dean for review stages and for cases that involve the Dean or the Academic Quality Lead.

3. Who can appeal

Any learner affected by a decision described in section 1. A representative may appeal for a learner only with the learner's written consent. Learners may be accompanied or supported by a person of their choice at any meeting.

4. Grounds for appeal

An appeal must rely on at least one of these grounds:

(1) the published assessment rules or this procedure were not followed (procedural irregularity);

(2) the decision was not consistent with the published assessment criteria, or there was a marking or recording error;

(3) there was bias, a conflict of interest or inappropriate conduct by an assessor, verifier or other member of staff;

(4) a reasonable adjustment or special consideration was refused without good reason, or was agreed but not applied;

(5) circumstances affected performance and the learner had a good reason for not disclosing them earlier, supported by evidence;

(6) a sanction under the Malpractice Policy was disproportionate or the procedure was unfair.

Disagreement with an academic judgement is not in itself a ground. The appeal must show how one of the grounds above applies.

5. Time limits

- An appeal should be submitted within **30 calendar days** of the learner being notified of the decision.
- A late appeal will be considered if there is a good reason, such as illness, bereavement, a technical failure, a safeguarding matter or not receiving the notification. The Complaints and Appeals Officer records the decision to accept or refuse a late appeal and the reasons. The learner may ask an Independent Reviewer to look at a refusal.
- The result stays in place while an appeal is pending. The learner may continue studying, and no certificate is issued for an outcome that is under appeal.

6. Appeals process

Stage 0: informal explanation (optional)

The learner may ask the assessor or the Academic Quality Lead to explain the decision. This does not stop the 30-day period, and a learner is never required to use this step before a formal appeal.

Stage 1: formal appeal

(1) The learner sends the appeal form (Appendix A) or an email to info@berkshireunv.us with a short statement and any evidence.

(2) We acknowledge the appeal within **3 working days**, and decide within **5 working days** whether it is admissible.

(3) The Academic Quality Lead reviews the appeal. If the Academic Quality Lead was involved in the original decision, the Dean or an Independent Reviewer does it instead. Every reviewer declares any conflict of interest in writing.

(4) The reviewer may re-mark the work, ask for a second marker, review any recording, and speak to the learner and the staff involved.

(5) The learner receives a written decision with reasons within **15 working days** of the acknowledgement. If more time is needed, we explain why and give a new date, which will not be more than 30 working days from the acknowledgement unless the learner agrees.

Stage 2: independent review

If the learner is still dissatisfied, they may ask for an independent review within **10 working days** of the Stage 1 decision. The request must say that the procedure was not followed properly or that the outcome was unreasonable. An Independent Reviewer who has had no earlier involvement considers the papers and may ask for more information. The learner receives a written decision within **20 working days**. This is the final internal decision, and the letter says so.

Possible outcomes

- appeal upheld, partly upheld or not upheld;
- remedies such as a re-mark, a new assessor, a reassessment without penalty, a corrected result or record, or an apology;
- recommendations to improve assessment or procedures, passed to the Academic Quality Lead.

7. Evidence

- Appeals are decided on the evidence. A learner is not required to provide their own video or other recording in order to appeal.
- Berkshire University keeps recordings and marking records of oral, live and proctored assessments for 12 months after the decision (longer while an appeal or malpractice case is open), so the evidence exists.
- Where the evidence is limited, the reviewer says so and explains how it was weighed.

8. Fairness, support and confidentiality

- The learner may ask for reasonable adjustments to the appeal process, such as extra time, another format or an interpreter.
- Nobody who is involved in the original decision decides the appeal.
- Appeals are confidential and shared only with people who need to know. The learner will not be treated less favourably for appealing in good faith.

9. Records and monitoring

The Complaints and Appeals Officer logs every appeal with dates, grounds, reviewers, outcome and remedy. The Academic Quality Lead reports numbers, outcomes and trends to the Dean each year, and the findings feed the Course Content Review.

10. After the final decision

Once our procedures are complete, a learner may refer the matter to any external body that has authority over it in their country, or to an accrediting or awarding body that applies to their programme. We cooperate with any such body.

11. Related documents

Complaints Policy · Malpractice Policy · Reasonable Adjustments Policy · Data Protection Policy · Course Content Review Policy.

Appendix A: Appeal form

Learner name	
Learner number / email	
Programme or course	
Decision being appealed	
Date you were notified	
Grounds (tick one or more)	☐ Procedure not followed ☐ Criteria / marking error ☐ Bias or conduct ☐ Adjustment / consideration ☐ Circumstances ☐ Malpractice sanction
Your statement	
Evidence attached (list)	
Adjustments you need for this process	
Learner signature and date	

Office use: date received _____ acknowledged _____ reviewer _____ conflict declared ☐ yes ☐ no decision due _____

12. Approval and review

This document was approved by the Dean of Berkshire University. It is reviewed at least once a year, and sooner if the law, our accreditation context or a serious incident requires it. The Academic Quality Lead keeps the change log.

Name	Mohammed Khalaf
Position	Dean, Berkshire University
Date	17 November 2026
Signature	
Next review date	17 November 2027

Change log: Version 2.0, 17 November 2026. Full revision following an external governance review (jurisdiction statement, unified roles, fair timelines, online-learning provisions, document control).