



Appeals Policy and Procedures

Version 1.7

Policy Author	Anthony Satariano	Designation	Head QA	Dept.	QA Dept.
Policy Reviewer	Joanne Grima	Designation	CEO	Dept.	N/A
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1 Introduction

- 1.1 The Institute for Education (IfE) is committed to providing a high level of service in all its operations. In particular, it is committed to excellence, fairness and equality, and continuous improvement of quality. However, the IfE recognises that there may be occasions when individuals wish to appeal against a decision.

2 Principles

- 2.1 The IfE's Appeals Policy and Procedures are underpinned by the following principles:
- 2.2 **Clarity and Simplicity:** The IfE aims to make its Appeals Procedure clear and simple and to deal with cases as quickly as possible to reduce any stress or uncertainty for the individuals concerned. Recognising that problems are often most easily and quickly resolved informally, at or close to the point of origin, the procedures provide an opportunity, before individuals formalise an appeal, to seek informal resolution. There is, however, a time limit on this. The procedures provide, exceptionally, for individuals to move immediately to the formal stages of the process should they feel this is necessary. Individuals are, however, normally expected to seek informal resolution in the first instance as decisions of the Appeals Committee are final and irrevocable.
- 2.3 **Confidentiality:** The individual's privacy and confidentiality will be respected at all stages of the process. However, it must be accepted that limited disclosure will be required to enable investigation of the case to proceed.
- 2.4 **Fairness and adherence to processes and standards:** Individuals who submit an appeal will not suffer any disadvantage as a result of doing so. Individuals have the right to expect that everyone who responds to, investigates, or adjudicates upon an appeal will do so impartially. No individual will be permitted to act in any manner in a case in which they have a material interest or in which any actual or potential conflict of interest may arise.
- 2.5 **Timeliness/early resolution:** A timeline is given for each stage of the process to assist individuals in obtaining an outcome in a timely manner. It is the responsibility of all parties to ensure that the timelines are adhered to as closely as possible. It should be recognised, however, that to ensure a thorough review of a submission it may, by exception, be necessary to take a case beyond the standard timeline. In such circumstances all parties will be notified of this in writing. Appeals should be made as soon as possible after their cause and no later than ten (10) working days after the cause occurred or became known to the individuals. The date of the cause and the date

it was raised informally must be stated on the Appeals Form. Following receipt of appeals, the timelines as stipulated in this policy will be adhered to.

3 Appeals Committee

- 3.1 The IfE's Appeals Committee is the highest Appeal body of the IfE and matters may only be referred to the IfE's Appeals Committee if all other avenues of Appeal have been exhausted as outlined under the initial resolution section within this policy.
- 3.2 The role and remit of the Appeals Committee is to investigate whether the policies and procedures of the IfE were abided by.
- 3.3 Appeals to the IfE's Appeals Committee are to be made in accordance with this policy.
- 3.4 Decisions of the IfE's Appeals Committee are final and irrevocable.

4 Types of appeal

- 4.1 Individuals may appeal either academic or non-academic decisions as defined below.
- 4.2 Individuals must have exhausted all other mitigation measures and initial resolution as outlined in this policy before resorting to the Appeals Committee given that decisions of said committee are final and irrevocable.

5 Academic Appeals

- 5.1 An academic appeal is a procedure which allows the individuals to ask for a final and irrevocable review of a decision relating to their academic assessment, progression and awards following the exhaustion of all other mitigation measures as outlined in the relevant policies and procedures of the IfE.
- 5.2 Individuals have the right to appeal to the Appeals Committee against the following:
 - Assessment process;
 - Decisions taken on matters as a result of the processes available at the IfE.

6 Non-Academic Appeals

- 6.1 Non-academic appeals seek to repeal decisions taken based on the IfE's policies or procedures on the grounds of procedural irregularity that do not fall in the remit of academic appeals as defined in this policy.

7 Grounds for academic appeals

- 7.1 It is for the individual to establish the case and only claims of at least one of the following circumstances will be considered as grounds for appeal:

7.1.1 That parts of the documented assessment procedure were not applied and that this **procedural irregularity** which has disadvantaged the individual was significant enough to have materially affected the decision/recommendation made, rendering it unsound.

7.1.2 That **prejudice or bias, against an individual on a personal level**, on the part of one or more of the Examiners took place and can be proven or there are reasonable grounds to support the perception of prejudice or bias.

- 7.2 The following circumstances **will not** be considered grounds for appeal:

7.2.1 **Perceived shortcomings** in tuition, supervision or support. Concerns relating to the quality of teaching or supervision, or other circumstances that relate to the delivery of a programme of study should be raised under the [Course Participants' Complaints Policy and Procedures](#) before the point of assessment or the submission of a thesis or dissertation.

7.2.2 Matters of **academic judgement** of a Board of Examiners or individual. The individual will not be permitted to argue the academic merits of his/her work. The individual's assertion that the result unfairly reflects the merit of their work or their ability is not a ground for appeal.

7.2.3 Disagreement with the **actual mark** awarded for a piece of assessed work. If an individual wishes to have clarification about a mark received for an individual assessment or module they are advised to contact the lecturer. If the course participant disagrees with the lecturer, they may apply for the Revision of Paper. **Outcomes of the revision of paper shall be final** as the process entails a blind marking process of the task by an independent external examiner. Errors in calculating or recording marks on the basis of which the original decision was made cannot be submitted as grounds for appeal, unless these errors have been brought to the IfE's attention but not accepted by the IfE.

8 Grounds for non-academic appeals

8.1 Grounds for a Non-Academic Appeal include one or more of the following situations:

8.1.1 **Procedural irregularity:** The appropriate policy or procedure was not adhered to or correct procedures were not followed in considering or handling the matter;

8.1.2 **Decision not evidence-based:** The Decision was made without due regard to facts, evidence or circumstances;

8.1.3 **Incorrect, unjust or unreasonable decision:** The Decision, was manifestly incorrect or unjust or the penalty, where applicable, is disproportionate to the nature of the offence.

9 Procedures

9.1 Initial Informal resolution

9.1.1 An individual who is concerned with any academic or non-academic decision, or who believes an error has been made, should strive to consult and reach agreement with the IfE or the lecturer concerned, to be provided with any further information and/or to gain an understanding of the basis for the decision. Such consultation should normally be initiated by the individual within five (5) working days of being notified of the relevant decision.

9.2 Lodging an Appeal

9.2.1 If the informal resolution process does not resolve the matter, an appeal may be lodged using the [Appeals Form](#). Appeals must be lodged within ten (10) working days of:

- The Informal Appeal whereby the attempt to resolve the matter satisfactorily and amicably was unsuccessful;
- The individual's receipt of advice of decisions taken on matters as a result of the processes available at the IfE;
- Receipt of such other advice or notice upon which the Individual intends to Appeal.
- Any relevant documentation has to be sent to ife.appeals@ilearn.edu.mt.
- No appeals shall be heard if no evidence is submitted together with the appeals form, unless this is duly justified upon application. Individuals must provide substantive justification and argumentation as to why no evidence can be provided.
- Appeals lodged after the time limit, as stipulated in the policy will not be heard.

9.3 Receipt of Appeals

- 9.3.1 Receipt of an appeal will be acknowledged by the Secretary of the Appeals Committee of the IfE within ten (10) working days of receipt of the appeal. All reasonable measures will be taken to finalise the process as soon as practicable. Should the matter be unresolved after twenty (20) working days from the date of receipt of the appeal by the IfE, the individual shall be informed of the case extension, this shall not exceed thirty (30) working days from the notification of case extension.
- 9.3.1 Course participants are to note that once an appeal is filed, all queries / communications are to be directed to the Appeals Committee. Any further communication with IfE personnel / departments, after submitting the Appeals Form, will be deemed by the Appeals Committee, as an action of interference on the evidence gathering of the Appeals Committee. Therefore, the Appeals Committee shall be informed of any communication received by IfE personnel / departments. Decision on such interferences will be taken on ad-hoc basis, however, course participants are informed that non-compliance to this procedure may result in immediate case closure. Course Participants are reminded that evidence is to be presented together with the submission of Appeals Form as per clause 9.2.1 above,
- 9.3.2 After the submission of the Appeals Form, the Appeals Committee may require further clarification / evidence from the course participant and/or the IfE.
- 9.3.3 If, in compiling the preliminary information to evaluate the case, the Appeals Committee is not provided with the requested information by the appellant, the case is suspended until the Appeals Committee is provided with all necessary information. This suspension shall not exceed thirty (30) days. After thirty (30) days the case is considered closed.

9.4 Appeals Process

- 9.4.1 The internal member representing the IfE, within the Appeals Committee will determine whether the appeal meets the criteria as set out in this policy. Where it is determined that a submitted appeal does not meet the criteria to be heard by the Appeals Committee, the individual will be given notice to that effect by the Secretary of the Appeals Committee, normally within ten (10) working days of the receipt of such an Appeal by the IfE. This communication is irrevocable, and the appellant cannot reopen the case by providing new information / evidence.

9.4.2 Where the internal member representing the IfE within the Appeals committee determines that the Appeal meets the criteria, the individual will be given notice, normally within ten (10) working days of the receipt of such appeal by the IfE, of:

- Their right to present their case at a given time, to be represented by an Authorised Representative, or to bring with them to the hearing an advocate, if applicable;
- The date upon which the Appeal will be heard, if applicable; and
- The location of the hearing, if applicable.

9.4.3 The Appeals Committee will uphold the appeal if the Committee members arrive at the conclusion that policies or procedures of the IfE have been by-passed or breached and have put the appellant at a disadvantage.

9.4.4 In the case of an appeal being upheld as above:

- The Secretary of the Appeals Committee shall notify the individual that their appeal has been successful and that the disputed decision will be appropriately adjusted or withdrawn.
- The Chairperson of the Appeals Committee shall advise the CEO of the IfE, that a breach of the IfE's policies or procedures, or failure to adhere to the approved procedures, has occurred.
- Appropriate steps will be taken to ensure that the effects of the breach on third parties are minimised.
- The Chairperson of the Appeals Committee shall advise any third party affected of the action taken and its effect on them.

9.4.5 Individuals whose Appeals have not been upheld by the Appeals Board will be advised in writing by the Secretary of the Appeals Committee.

9.4.6 In the decision letter, only the outcomes of the Appeals Committee decisions shall be communicated.

9.5 Impact on Enrolment

9.5.1 Individuals may remain enrolled in their course pending the outcome of an appeal unless it is demonstrated to the satisfaction of the Chairperson of the Appeals Committee that the individual should not be permitted to continue their enrolment.

9.5.1 Individuals will not be allowed to remain enrolled if they are subject to an emergency exclusion by the Chairperson of the Appeals Committee in accordance with any of the IfE's policies or procedures.

9.6 Record keeping

9.6.1 The Secretary of the Appeals Committee and the respective coordinator will be responsible for ensuring complete and accurate recording of all material in accordance with IfE's Policies and regulatory obligations. Records will be kept of the appeal process and outcome.

10 Related documents

- [Appeals Form](#)
- [Course Participants' Complaints Policy and Procedures](#)

11 Version history

Originator	Version	Date	Changes Done
QA Dept.	1.0	3/05/2018	Initial Release
QA Dept.	1.1	16/09/2019	Updated the 'Procedures' articles within the Academic Appeals and Non-Academic articles.
QA Dept.	1.2	17/09/2019	Updated the 'Lodging an Appeal' article within the Academic Appeals article.
Research and Development Dept.	1.3	25/06/2020	Clarify definition of Academic and Non-Academic Appeal, Grounds for appeal and exclusions, Streamline Process, Inclusion of Appeals Committee and responsibilities
QA Dept.	1.4	26/10/2020	Revised Appeals Form (link)
QA Dept.	1.5	17/11/2020	Updated article 9.
QA Dept.	1.6	11/12/2020	Substantial revisions undertaken in various articles
WIL Dept.	1.7	22/08/2023	Changes to the role of the secretary of the appeals board.