

Behaviour, Health and Practice Appeals

Student Casework – Education Services

Contents

Behaviour, Health and Practice Appeals	1
Contents.....	2
1. Purpose, Status and Authority	4
Policy Purpose and Institutional Intent	4
Policy Status and Governance Position	4
Delegated Authority	4
2. Scope and Applicability	5
Decisions Subject to Appeal	5
Explicit Distinction: Final Outcomes and Precautionary Actions	5
Appeals Against Final Outcomes	5
Appeals Against Precautionary (Interim) Actions	5
Eligibility to Appeal	6
Exclusions.....	6
3. Core Principles	6
Accessibility and Clarity.....	6
Fairness and Independence	6
Natural Justice and Due Process	7
Proportionality.....	7
Wellbeing and Risk Management.....	7
No Detriment	7
Confidentiality and Data Protection.....	8
Timeliness and Efficiency	8
Transparency and Communication	8
Continuous Improvement	8
4. Decision-Making Standards.....	8
Nature of Appeal Review	8
Grounds for Appeal: Final Outcomes	9
Grounds for Appeal: Precautionary Actions	9
Review Focus.....	9
Standards of Reasoning.....	9
5. Relationship to Other Policies	10

Position within the Behaviour, Health and Practice Framework	10
Single-Process Principle.....	10
Distinction from Academic Appeals and Complaints.....	10
6. Appeals, External Review, and Institutional Accountability	11
Internal Appeal as a Right	11
Completion of Internal Procedures	11
External Oversight: Office of the Independent Adjudicator (OIA)	11
Institutional Accountability and Oversight	11
7. Records, Confidentiality, and Data Protection	12
Record-Keeping.....	12
Confidentiality.....	12
Data Subject Rights	12
Monitoring for Equality	12
8. Governance, Ownership, Monitoring, and Review.....	12
Institutional Oversight.....	12
Monitoring and Continuous Improvement	13
Policy Review	13
9. Legal and Regulatory Alignment.....	13
Ownership and oversight	13
Version history.....	15
Further advice and guidance.....	15

1. Purpose, Status and Authority

Policy Purpose and Institutional Intent

This Policy establishes the University's institutional commitment to ensuring that students have access to fair, independent, and effective internal review of decisions made under Behaviour, Health and Practice processes.

The Policy serves the following strategic purposes:

- **Fairness and accountability:** Ensuring that decisions affecting students' rights, status, or continuation of study can be reviewed independently and impartially
- **Natural justice:** Upholding principles of procedural fairness, transparency, and the right to be heard
- **Proportionality:** Ensuring that outcomes are reasonable, evidence-based, and proportionate to circumstances
- **Regulatory alignment:** Meeting sector expectations of good practice, including the Office of the Independent Adjudicator (OIA) Good Practice Framework and Office for Students (OfS) regulatory conditions
- **Student wellbeing and confidence:** Providing a clear, accessible route for students to challenge decisions they believe to be unfair, without detriment for exercising that right
- **Institutional learning:** Enabling the University to identify and address procedural issues, inconsistencies, or systemic concerns through appeals data and outcomes

This Policy is underpinned by key principles of natural justice, transparency, independence, proportionality, and student wellbeing, consistent with the OIA Good Practice Framework.

Policy Status and Governance Position

This is a University-level policy forming part of the unified Behaviour, Health and Practice Framework. It provides the definitive internal review mechanism for all decisions made under designated Behaviour, Health and Practice processes.

This Policy supersedes and replaces any separate appeal provisions that may have existed within individual Behaviour, Health and Practice procedures, ensuring consistency, clarity, and avoidance of duplication.

Delegated Authority

Appeals are considered and determined under authority delegated by University governance bodies. Appeal decision-makers exercise independent judgment within defined limits of authority.

The Policy is implemented under the oversight of Education Services, with institutional accountability maintained through periodic reporting to University governance bodies.

2. Scope and Applicability

Decisions Subject to Appeal

This Policy applies to appeals against decisions arising from designated Behaviour, Health and Practice processes at UWE Bristol, specifically including:

- **Fitness to Practise** (also known as Professional Suitability) final decisions
- **Student Conduct** (non-academic disciplinary) final decisions
- **Support to Study** (fitness to study / wellbeing) final decisions
- **Precautionary Actions** (interim measures) taken under any of the above processes

All of the above are collectively referred to as "Behaviour, Health and Practice" decisions.

Explicit Distinction: Final Outcomes and Precautionary Actions

This Policy recognises two distinct categories of appeals, each subject to principles appropriate to their nature:

Appeals Against Final Outcomes

Appeals against final decisions of Fitness to Practice, Conduct, Support to Study or Return to Study processes are subject to comprehensive internal review on defined grounds relating to procedural fairness, reasonableness, and new evidence.

These appeals are governed by principles of thoroughness, independence, and evidence-based review.

Appeals Against Precautionary (Interim) Actions

Appeals against precautionary measures (interim suspensions, temporary exclusions, conditions, or restrictions imposed pending conclusion of substantive processes) are subject to focused, expedited review on limited grounds relating to procedural fairness and proportionality.

These appeals are governed by principles of urgency, fairness, proportionality, and risk management.

Precautionary action appeals address the interim measure only and do not consider the merits of the underlying substantive case.

Eligibility to Appeal

Any UWE Bristol student (or recent former student) who is the subject of a decision covered by this Policy may appeal that decision.

Third-party appeals require the student's explicit written consent and formal authorisation.

Exclusions

This Policy does not apply to:

- Academic decisions, examination board outcomes, or academic assessment decisions (these are governed by Academic Appeals processes)
- Academic misconduct outcomes (governed by their own procedures or Academic Appeals where applicable)
- General complaints about university services, staff, or facilities (governed by the Complaints Procedure)
- Decisions subject to separate statutory appeal routes (e.g., immigration, Student Loans Company decisions)
- Matters already concluded through Academic Appeals or external review processes
- Individual decisions made within the consideration of a case – e.g. escalating a case between levels. These may be covered when appealing a final outcome.

Students who submit appeals under this Policy that should be handled elsewhere will be redirected to the appropriate process.

3. Core Principles

All appeals processed under this Policy, regardless of category or stage, must adhere to the following institutional commitments:

Accessibility and Clarity

The University ensures that:

- Appeals processes are clearly described, easy to find, and easy to understand
- Support is available to help students navigate the process (for example, through the Students' Union Advice Centre)
- Information is provided in plain English to ensure students understand their rights
- Reasonable adjustments are made for students with disabilities or specific needs

Fairness and Independence

The University commits to:

- **Impartial consideration:** Appeals are considered by staff or panel members not previously involved in the original decision, free from bias or conflicts of interest
- **Opportunity to be heard:** All parties have the opportunity to be heard, and appeal decisions are based on evidence and reasoned grounds
- **Independence of decision-makers:** Appeal decision-makers are suitably senior, trained, and entirely independent of the original decision. Where necessary to ensure impartiality, substitute or external members may be appointed

Natural Justice and Due Process

The University ensures:

- Fair procedures that respect the rights of all parties
- Evidence-based review of original decisions
- Clear written reasons for all appeal outcomes, with reference to relevant evidence
- Appropriate records of appeals maintained in accordance with record-keeping policy

Proportionality

The University applies proportionality in all appeal decision-making, ensuring:

- Review focuses on whether the original decision was fair, procedurally sound, and reasonable
- Remedies are appropriate to the circumstances and designed to achieve fairness
- Precautionary measures are reviewed for necessity and proportionality to identified risk

Wellbeing and Risk Management

The University commits to:

- Mindfulness of student wellbeing and mental health throughout appeals processes
- Proportionate consideration of risk where precautionary measures or outcomes are under review
- Supportive handling of interim measures and their appeals

No Detriment

The University ensures that:

- Students are not penalised or disadvantaged for submitting an appeal
- Original decisions (including precautionary actions) normally remain in effect during the appeal unless and until changed by the appeal outcome, ensuring stability and safety

Confidentiality and Data Protection

The University commits to:

- Handling appeal submissions and outcomes confidentially
- Sharing information only on a need-to-know basis
- Compliance with data protection laws and respect for privacy

Timeliness and Efficiency

The University ensures:

- Clear timeframes for each appeals category
- Swift resolution appropriate to the nature of the appeal
- Communication of any delays with reasons

Transparency and Communication

The University commits to:

- Clear communication of appeal outcomes with written reasons
- Updates on progress where significant delays occur
- Accessible information on appeal rights provided with all relevant decisions

Continuous Improvement

The University commits to:

- Monitoring appeals data and outcomes to identify trends, ensure consistency, and improve processes
- Regular policy review to maintain effectiveness and alignment with good practice

4. Decision-Making Standards

Nature of Appeal Review

Appeals under this Policy are conducted as reviews of original decision-making processes and outcomes, not full re-hearings of cases.

Appeal decision-makers have discretion to seek additional information, clarification, or evidence where necessary to ensure a fair resolution.

Grounds for Appeal: Final Outcomes

Appeals against final decisions are reviewed on defined grounds consistent with established University practice and sector guidance:

- **Procedural irregularity:** Significant error or unfairness in the process, failure to follow proper procedure, or breach of natural justice (for example, bias or conflict of interest)
- **Unreasonable or disproportionate outcome:** Decision or sanction is unduly harsh, irrational, excessive, or inappropriate in light of the circumstances and evidence
- **New material evidence:** Important evidence or information has emerged that was not reasonably available at the time of the original decision and would likely have affected the outcome
- **Any other reasonable grounds:** any other fact or action that has an actual or potential material impact on the outcome.

Appeals must clearly fit one or more of these grounds; appeals that simply repeat arguments already rejected or express general dissatisfaction without indicating procedural error or new evidence will not be accepted.

Grounds for Appeal: Precautionary Actions

Appeals against precautionary measures are limited to focused grounds concerning fairness and proportionality:

- **Procedural unfairness or error:** The interim measure was imposed without following proper process or in a way that was not fair
- **Disproportionate or unreasonable interim measure:** The precautionary action is excessively severe, not warranted by available information, or goes beyond what is needed to manage identified risk. This includes situations where material change in circumstances or new information affecting risk assessment has emerged.

Precautionary action appeals do not argue the merits of the underlying case; they are strictly concerned with the fairness and appropriateness of the interim decision.

Review Focus

Appeal decision-makers evaluate whether original decisions were made in a fair and reasonable manner based on the facts. They do not substitute their own judgment for that of the original decision-maker but assess procedural soundness, reasonableness, and proportionality.

Standards of Reasoning

All appeal decisions must be:

- **Evidence-based:** Founded on careful consideration of relevant information
- **Reasoned:** Supported by clear written reasons with reference to evidence
- **Proportionate:** Appropriate to the circumstances and designed to achieve fairness
- **Transparent:** Communicated clearly to the student

5. Relationship to Other Policies

Position within the Behaviour, Health and Practice Framework

This Policy provides the unified internal review mechanism for all decisions made under the University's Behaviour, Health and Practice Framework.

All relevant Behaviour, Health and Practice procedures (Fitness to Practise, Student Conduct, Support to Study) cross-refer to this Policy and do not maintain separate appeal processes, ensuring consistency and avoiding duplication.

Single-Process Principle

Students should not use multiple procedures in parallel for the same issue.

Where a student appeals a decision under this Policy, they should not simultaneously lodge a complaint about the same decision unless the complaint concerns misadministration of the appeal process itself.

Where the concern is more appropriate for a complaint (for example, general dissatisfaction with a service), it should be pursued through the Complaints Procedure rather than as an appeal.

The Student Casework Team provides guidance on the appropriate route where uncertainty exists.

Distinction from Academic Appeals and Complaints

This Policy is distinct from:

- **Academic Appeals:** Decisions on marks, degrees, academic assessments, and examination board outcomes are governed by Academic Appeals processes
- **Complaints Procedure:** General complaints about university services, staff, or facilities are governed by the Complaints Procedure

This framework focuses solely on non-academic decisions in the behaviour, health, and practice context.

6. Appeals, External Review, and Institutional Accountability

Internal Appeal as a Right

All students subject to Behaviour, Health and Practice decisions have the right to appeal those decisions through this Policy, subject to defined grounds and eligibility criteria.

The University ensures that this right is clearly communicated and accessible.

Completion of Internal Procedures

When a student has exhausted all internal appeal stages (or had their appeal concluded with no further internal review available), the University will issue a Completion of Procedures letter.

This letter confirms that internal processes are complete and explains the student's right to seek independent external review.

External Oversight: Office of the Independent Adjudicator (OIA)

The University is subject to external review by the Office of the Independent Adjudicator for Higher Education (OIA), an independent ombudsman that reviews whether the University's processes and decisions were fair and reasonable.

The University's appeals processes align with the OIA Good Practice Framework, ensuring sector-standard fairness and rigour.

Students may seek OIA review following receipt of a Completion of Procedures letter, normally within 12 months.

The OIA reviews whether the University followed this Policy properly and whether outcomes were reasonable. It does not impose new decisions but may recommend remedies.

Institutional Accountability and Oversight

The University ensures appeals processes remain accountable and subject to independent scrutiny through:

- Internal review on clear grounds
- External recourse to the OIA
- Periodic reporting to University governance bodies on the number, nature, and outcomes of appeals

- Monitoring for fairness, consistency, and equality impacts

7. Records, Confidentiality, and Data Protection

Record-Keeping

The University maintains appropriate records of appeals (submissions, evidence, outcomes) in accordance with record-keeping policy and data protection law.

Records are used for institutional purposes including monitoring for trends and equality issues, and responding to external reviews.

Confidentiality

Appeal submissions and outcomes are handled confidentially and shared only on a need-to-know basis, in compliance with data protection laws and with respect for privacy.

Data Subject Rights

Students have the right under data protection law to request access to their personal data, including appeals records.

The University will handle subject access requests in compliance with UK GDPR and Data Protection Act 2018, balancing the student's rights with the privacy of others and complying with legal exemptions where applicable.

Monitoring for Equality

The University reviews appeals data to ensure the process remains fair and does not inadvertently disadvantage any group of students.

The University is committed to making the appeals process inclusive and equitable for all students, in line with the Equality Act 2010 and regulatory guidance.

Data is used in anonymised form to monitor for trends, consistency, and equality issues in how appeals are handled.

8. Governance, Ownership, Monitoring, and Review

Institutional Oversight

University governance bodies maintain oversight through periodic reporting on appeals, including numbers, nature, outcomes, and identification of improvements needed.

This oversight ensures accountability and alignment with the University's strategic commitments to fairness, transparency, and student welfare.

Monitoring and Continuous Improvement

The University will:

- Monitor appeals data and outcomes to identify trends and ensure consistency
- Review processes to identify improvements
- Ensure equality and fairness across all student groups
- Use findings to inform training, process adjustments, and policy development

Policy Review

This Policy undergoes regular review and update (at least every three years, or sooner if laws, regulatory guidance, or good practice change).

Review processes include consultation with key stakeholders (students, staff, legal advisers, those with lived experience).

Revisions are approved through appropriate University governance channels and communicated to staff and students ahead of implementation.

9. Legal and Regulatory Alignment

This Policy is designed to ensure compliance with:

- Equality Act 2010 and the Public Sector Equality Duty
- Higher Education (Freedom of Speech) Act 2023
- Safeguarding frameworks
- Data protection legislation
- Common law duties as a reasonably competent higher education institution
- Office of the Independent Adjudicator (OIA) Good Practice Framework
- Office for Students (OfS) Conditions of Registration

Ownership and oversight

Document name:	Behaviour, Health and Practice Appeals
Version number:	26_09_01
Equality Analysis:	Yes
Approved by (committee and date):	LTSEC – June 2026
Effective from:	01 September 2026
Next review date:	June 2029
Senior Policy Owner:	Assistant Director (Learning Teaching and Student Experience)
Policy Author:	Head of Student Casework and Insight

Overseeing committee:	Learning Teaching and Student Experience Committee
Compliance measures:	Annual Casework Report External scrutiny via the OIA
Related policies, procedures and codes of practice:	• Student Conduct and Disciplinary Policy • Support to Study Policy • Fitness to Practice / Professional Suitability Policy • Behaviour, Health and Practice Panels Policy (Casework Panels) • Behaviour, Health and Practice Appeals Policy (including any Part B Reporting-Student Request for Review as approved) • Reporting, Risk Assessment and Precautionary Actions Policy • Case Outcomes and Sanctions Policy • Return to Study Policy • Master Definitions Document (BHP definitions) • Policy Governance Framework (the umbrella governance instrument for UWE policies) • Complaints Policy and Procedure for Students; Complaints Policy for Non-Students; and, once approved, the Policy on Reportable Complaint Outcomes to the Office for Students • Academic Appeals Policy, as the distinct route for challenges to academic judgment • Freedom of Speech Policy and Code of Practice (currently v1.4, November 2025) • Dignity at Work and Study Policy and the University's Anti-Racism Strategy commitments • Statement of Expectations and Duty of Care Framework • Safeguarding arrangements and the University's Prevent duty response • Data Protection Policy, Records Retention Schedule, and the Advocate CMS Data Protection Impact Assessment • Academic Regulations and Student Terms and Conditions (as the contractual context within which this Framework operates)
Related legislative and/or regulatory requirements	• Office for Students regulatory framework and ongoing conditions of registration

	• Statutory external student complaints scheme • Equality Act 2010, • Higher Education (Freedom of Speech) Act 2023, • Higher Education (Freedom of Speech) Act 2023, • UK GDPR, Data Protection Act 2018 and Data (Use and Access) Act 2025 • Consumer Rights Act 2015 • Digital Markets, Competition and Consumers Act 2024 • Higher Education and Research Act 2017 • Prevent duty • Children Acts 1989 and 2004, • Care Act 2014 • Protection from Harassment Act 1997 • UKVI Student Sponsor Guidance • PSRB standards and reporting duties
--	---

Version history

Version	Date	Summary of changes	Author
26_09_01		N/A - new	Head of Student Casework and Insight

Further advice and guidance

Further advice and guidance on the operation of this Framework is available from the Student Casework Team (studentcasework@uwe.ac.uk).