

## Malta Business School

### Appeals Policy

Revision History			
Version Number	Revision Date	Revised by	Summary of changes
Version 0	07-01-2018	CC	Set up of Policy document.
Version 1	30-01-2021	CC	Edits to represent School growth
Version 2	24-03-2022	CC	Further examples included
Version 3	07-08-2023	AZ, CC	Inclusion about use of AI.
Version 4	01-10-2025	CC	Separation of appeals from misconduct policy.

## **Appeals policy**

### **1. Introduction**

1.1 Malta Business School (also referred to as MBS or the School) is committed to investigate all cases that might represent malpractice or misconduct. Where cases of suspected malpractice or academic misconduct are proven, MBS also remains fully committed to take appropriate action, including applying disciplinary measures, in order to maintain the integrity of the School.

### **2. Objective**

2.1 This Appeals Policy has been set up to ensure fairness, transparency, and accountability in its academic and administrative decision-making processes. Such a policy provides students with a formal mechanism to challenge decisions they believe were made in error or without due consideration — for example, regarding assessment outcomes, progression, disciplinary actions, or admissions. This not only protects the rights of students but also strengthens the integrity and credibility of the School's quality assurance framework.

By maintaining a clear, structured, and impartial appeals process, MBS demonstrates its commitment to equity, due process, and continuous improvement in its academic and operational standards.

### **3. Scope of policy**

This policy document applies to all enrolled students of Malta Business School.

3.1 Types of decisions and valid reasons for an appeal may be:

- Admissions or registration decisions.
- Procedural error or irregularity.
- Anomalism in progression or award decisions.
- Disciplinary or misconduct outcomes.
- Evidence of bias or unfair treatment.
- Extenuating circumstances not previously considered.
- New evidence that could not reasonably have been provided earlier.

3.2 Appeals cannot be taken up on:

- Academic judgments (for example disagreement with a mark not due to error).
- Decisions already appealed under another procedure.

### **4. Guiding principles**

4.1 Fairness and impartiality

All appeals are handled in a fair and objective manner, ensuring that every individual is given an equal opportunity to present their case. Decisions are based solely on evidence and facts, free from bias, prejudice, or undue influence. Impartiality is maintained throughout the process to uphold the integrity and credibility of institutional decision-making.

#### 4.2 Transparency and accountability

The appeals process is designed to be open and transparent, with clear procedures, criteria, and outcomes communicated to all parties involved. The School takes responsibility for its decisions and ensures that all actions taken during the appeal are properly documented, traceable, and justifiable, reinforcing trust in the process.

#### 4.3 Timeliness and efficiency

As much as is reasonably possible, appeals are managed within defined timeframes to ensure that issues are resolved promptly and do not negatively impact the student's academic progress. The School is committed to conducting all reviews efficiently while maintaining the thoroughness and care required for fair consideration.

#### 4.4 Protection from retaliation

Individuals who raise appeals or participate in the process are protected from any form of retaliation or disadvantage as a result of their involvement. The School fosters an environment of openness and respect, where concerns can be raised without fear of negative consequences.

#### 4.5 Confidentiality throughout the process

All information related to appeals is treated with the utmost confidentiality. Access to appeal documents and discussions is restricted to those directly involved in the process, ensuring privacy, respect, and the protection of personal and sensitive information.

### **5. Process of implementation**

MBS will endeavour to make the whole process clear and simple to follow to reduce uncertainty for the individuals concerned.

#### 5.1 Stage one – Informal resolution

It is strongly recommended that concerned parties first try to resolve any matters informally and to seek informal resolution. For example, a learner is encouraged to first discuss the matter with the academic team or the Head of Programmes to resolve issues early. It is to be taken as a given that most situations are solved within this stage.

#### 5.2 Stage two – Formal appeal submission

Written appeal needs to be submitted within a set timeframe:

- 5 working days from the communication of the School to the learner if this is about an on-going issue (such as an academic malpractice case) where the student would like to appeal the decision or the penalty.
- 2 weeks since the incident, if this is a new request not previously discussed or investigated (such as an irregularity in marks or grades received).

All formal appeals are to be sent to the Head of Programmes or General Manager.

#### 5.3 Stage three - Review and investigations

First review of the appeal, collection of evidence and statements as needed. This stage can be contained by the Head of Programmes or General Manager, or can be deputised to another member of staff.

#### 5.4 Stage four – Appeals meeting

This will be a formal review of the case by an impartial panel in adherence to the principles of Natural Justice, specifically ensuring the right to a fair hearing (*audi alteram partem*) and the impartiality of the decision-makers (*nemo iudex in causa sua*).

The panel shall be set up ad-hoc and depending on the type of appeal. For example, if the appeal is an academic one, the panel might include an independent academic who is suitably qualified and experienced. If the appeal is on grounds of unfair treatment, the panel might include an independent human resources professional who is suitably qualified and experienced. The panel will be made up of one to three experts depending on the case and on the severity of the situation. Individuals on the appeals panel need to be impartial and have no prior direct involvement in the initial reporting or investigation of the case, nor any conflict of interest with the learner.

A reasonable time-frame to hold the panel meeting is to be expected taking into consideration the time from the receipt of the request for an appeal meeting, to the investigations, and to the setting up of the ad-hoc panel depending on the nature of the case and the severity of the incident. . The School will endeavour to set the appeal meeting within 10 working days of receipt of appeal, however a longer time-frame will be expected depending on the case. The student will be suitably informed if an extension to the 10 working days will be required.

During the appeal panel meeting, the student will be given the opportunity to present their case, bring forth any new evidence that could not reasonably have been provided earlier, or any extenuating circumstances not previously considered.

#### 5.5 Stage five – Decision and outcome

Following the Appeal meeting, the panel will make their recommendation/s including any actions needed or penalties to be given (where appropriate). The recommendation/s and the whole case will be discussed at the relevant Board. For example, at the ARB (Academic Review Board) if the case was an academic one; or at the MRB (Management Review Board) if the case was not of an academic nature.

The Board will discuss to reach a decision. Such a decision might not always be clear cut and obvious. The ARB or MRB will also determine the next steps (also based on the recommendations of the appeals panel) including any actions needed or penalties given (where appropriate).

The final decision will be communicated to the learner in writing (via email) within 5 days of the Board meeting and decision. This communication will clearly include:

- The findings of fact,
- The specific reasons for the conclusion reached, and
- The penalty imposed OR The remedies available when an appeal is upheld.

### **6. If an appeal is upheld**

If the appeal is successful and valid, MBS will endeavour to correct the situation. Here are some situational circumstances and the remedy as examples.

#### Reassessment or resubmission

- Learner is allowed to resubmit/redo an assessment that was unfairly graded.

#### Grade adjustment

- Marks or grades may be amended if an error is identified.

#### Correction of procedural errors

- In cases where the assessment process was not followed correctly, the outcome may be rectified.

#### Alternative assessment arrangements

- The learner may be offered an alternative task or method of assessment to demonstrate learning.

#### Other remedial actions

- Any other appropriate corrective action or measures that restores fairness (for example extension, or exemption).

### **7. Responsibility of MBS**

7.1 MBS has a public duty to ensure that the highest academic and ethical standards are maintained at the School. This is essential to safeguard the legitimate interests of its learners, staff and the School's reputation.

7.2 MBS will document the appeal and keep note of the investigations carried out, and the recommendations of the panel. Furthermore, the relevant Board involved in the decision will keep adequate minutes of the discussion, the decision and any action or follow-up recommendations given. As much as is reasonable possible written documentation will be available only to the senior management team to allow a certain amount of confidentiality. While the School is committed to maintaining confidentiality throughout the appeals process, it is important to recognise that complete confidentiality cannot always be guaranteed when a panel is involved. In such cases, relevant information must be shared among panel members to ensure a fair and informed decision. However, all individuals participating in the process are bound by confidentiality obligations and are expected to handle all information with discretion, professionalism, and respect for the privacy of those concerned.

7.3 Malta Business School will monitor and review appeals data and outcomes to ensure that this appeals policy remains effective, fair and aligned with national quality assurance standards. Regular analysis helps identify areas for improvement and ensures consistency in decision-making. Findings from this monitoring process support ongoing enhancement of School practices and reinforce transparency and accountability across all levels.