

## Malta Business School

### Appeals Policy

Revision History			
Version Number	Revision Date	Revised	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,	Inclusion about use of AI.
Version 4	01-10-2025	CC	Separation of appeals from misconduct policy. Update to role of appeals officer.
Version 5	16-02-2026	CC	Further refinement.

## **MBS Appeals policy**

### **1. Introduction**

1.1 Malta Business School (hereinafter referred to as the School) is committed to investigate all cases that might represent any form of malpractice and/or misconduct or disputed academic/administrative decisions. Where cases of suspected malpractice and/or misconduct are proven, the School also remains fully committed to take appropriate action, including applying disciplinary measures, in order to maintain the integrity and reputation 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 relevant stakeholders with a formal mechanism to challenge decisions they believe were made in error or without due consideration — such as but not limited to assessment outcomes, progression, disciplinary actions, or admissions. This not only protects the rights of learners and relevant stakeholders but also strengthens the integrity and credibility of the School's quality assurance framework. (In this context, relevant stakeholders refers to all individuals who have the right to appeal decisions by the School including, but not limited to, learners, tutors, staff members, and applicants.)

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

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

This policy applies to all enrolled learners 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.
- Irregularities 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 (which may include but not limited to disagreement with a mark not due to error).
- Decisions already appealed under another procedure and/or policies of the School.

#### **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 relevant stakeholder unduly (such as a learner'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:**

Relevant stakeholders who raise appeals and/or participate in the process are protected from any form of retaliation and/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/or 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**

The School 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:

- Five (5) calendar days from the communication of the School to the learner/relevant stakeholder if this is about an on-going issue (such as but not limited to an academic malpractice case) where the learner/relevant stakeholder would like to appeal the decision or the penalty.
- Fourteen (14) calendar days from 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 addressed to the Dean and sent to the School at Malta Business School, 241, Sean Building, Psaila Street, Birkirkara BKR 9078, Malta. Or sent via email to xxx. Correspondence will be acknowledged within 3 working days.

### 5.3 Stage three – Appeals hearing:

This will be a formal review of the case by an impartial officer in adherence to the principles of Natural Justice.

The officer shall be an expert chosen ad-hoc and depending on the type of appeal. Individuals engaged to be Appeals officers 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/relevant stakeholder.

For each case, the Appeals officer is chosen by the School. The School shall inform the appellant of the identity and expertise of the Appeals Officer within fourteen (14) calendar days. However, a longer timeframe may be expected depending on the case. The appellant will be suitably informed if an extension is required.

The appellant shall have five (5) calendar days to object to the appointment of said Appeals Officer giving valid reasons for such objection. If no objection is received within three (3) calendar days, the Appeals Officer's engagement is confirmed. The School also reserves the right to reject the appellant's objection if it is not considered reasonable. If the School accepts the objection a new Appeals Officer shall be chosen within a reasonable timeframe, and the same procedure shall be adopted.

A reasonable timeframe to hold the hearing is to be expected, taking into consideration the time from the receipt of the request for an appeal, to the appointment of the Appeals Officer. The School will endeavour to set the hearing within fourteen (14) calendar days from confirmation of the Appeals Officer, however a longer timeframe could be expected depending on the case. The appellant will be suitably informed if an extension required.

During the appeal hearing, the appellant will be given the opportunity to present their case, bringing forth any new evidence that could not reasonably have been provided earlier, or any extenuating circumstances not previously considered. For avoidance of doubt the appellant may be assisted by a person of trust, however all oral submissions are to be executed by the appellant.

#### 5.4 Stage four – Decision and outcome:

Following the Appeal hearing, the Appeals Officer will make their recommendation/s including any actions needed and/or penalties to be given. The recommendation/s and the whole case will be discussed at the relevant Board – that is, the Academic Review Board (ARB) in the case of academic matters or the Management Review Board (MRB) in all other cases. Any member of the ARB or MRB who was involved in the original decision under appeal cannot take part and must recuse themselves from the decision-making process. In such cases, for the proper functioning of the relevant board, the School reserves the right to appoint temporary replacements for such members.

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

The final decision will be communicated to the appellant in writing (via email) within five (5) working 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, The School 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 the School**

7.1 The School 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 The School will document the appeal and keep note of the investigations carried out, and the recommendations of the Appeals Officer. 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 reasonably possible, written documentation is restricted to the Appeals Officer and the deciding Board, and information is shared with other stakeholders only on a need-to-know basis to allow a certain amount of confidentiality and fair investigation. 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 various stakeholders are involved. 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 The 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.

### **8. Right of Appeal Fee**

8.1 To initiate an appeals process, the appellant is required to pay €250 to the School (inclusive of VAT if applicable). The School may, at its discretion, waive or reduce the appeal fee in cases of proven financial hardship to ensure equitable access to the process. Should the appeal be upheld, the full amount shall be refunded to the appellant. If the appeal is not upheld, the money shall be forfeited in favour of the School.