Progress and Appeals Procedures for Research Degree Students 2016-17

Progress Procedures for Research Students
These procedures focus exclusively on Academic progress and appeals, staff involved in consideration of progress matters or appeals should not consider immigration status. However, all outcomes in relation to a student’s continued registration at the University are subject to his or her having met the terms of their immigration status where applicable. The immigration status is a secondary decision but may mean that a student cannot legally accept the decision that has been confirmed as part of the Progress and Appeals Procedures.

Where immigration status is questioned by evidence being considered through a supervisory board or Research Student Progress Committee, then the secretary and/or chair of the supervisory board or RSPC should seek advice from the Compliance Team who will confirm either that

(a) there is no issue to consider or

(b) refer the matter to the Academic Registrar

who shall review the case and advise the Registrar in accordance with 7.22.-7.28 in the General Regulations, Academic Conduct.

Where a supervisor has concerns over the engagement of a research student at any time, they should refer the matter to the Academic Registrar; Heads of Department are responsible for ensuring effective measures are in place within their department in order to achieve this.

1. MONITORING OF STUDENT PROGRESS

a. Supervisory meetings, ongoing interaction with one’s supervisor, and submission of work to Supervisory Boards and/or Research Students’ Progress Committees are the primary means by which research student progress is monitored in and by departments.

b. Heads of Department (and his/her nominee) are responsible for ensuring that an effective means of monitoring students’ progress and attendance is established and maintained in each department in accordance with the requirements set out below.

c. Heads of Department (or his/her nominee) are responsible for any additional progress monitoring procedures the Department may decide to operate.

d. Departmental procedures, including norms for formal face-to-face meetings between students and their supervisor(s), should be communicated to all students in the Department.

e. Students and supervisors are required to communicate, whether face-to-face or by electronic means, to engage in discussion/review of the student’s work and progress at least once per month. For part-time students contact should be at least bi-monthly. A record of this monthly contact should be kept in the department in an accessible and immediately available format and then made available upon request.

f. Supervisors are responsible for making contact with their student if the student fails to meet/communicate with them as expected each month. If the student fails to meet/communicate with the supervisor in that month they should be contacted to arrange another meeting at the earliest possible point in that same month or within two weeks. If this is not possible or they do not attend, then the supervisor should refer the student to the Graduate Director who will arrange a meeting with the student to discuss their progress. If the student continues to fail to meet/communicate with the supervisor, their progress remains unsatisfactory, or they fail to attend the meeting with the Graduate Director, the matter should be considered by the Research Students’ Progress Committee.
g. The Research Students’ Progress Committee will arrange an ad hoc meeting with the student to assess their progress and determine whether they should be permitted to continue with their studies.

h. If a student is co-supervised by staff in two different departments, the lead supervisor should liaise with the second supervisor to ensure that there is full co-ordination on the monitoring of progress.

i. **STUDENTS SUBJECT TO IMMIGRATION CONTROL**

   a. A student subject to immigration control, including Tier 4 is required to engage with their programme (be present, in person, on a regular basis commensurate with full-time education). Where a student fails to do this their visa sponsorship will be withdrawn.

   b. Information related to PGR progress for students subject to immigration control must be kept in a robust way and be immediately accessible upon request as it is all subject to audit by the Home Office; the information (or a subset as appropriate) should also be passed to the Immigration Compliance Team upon request.

   c. Any students subject to immigration control can, in respect of the required monthly meeting under (e) above, have a virtual meeting although this should be very rare; the overwhelming majority in any six month period should be in-person.

   d. Any student referred to the Graduate Director or where there is concern related to their visa status and or our obligations as a sponsor or similar will be referred to the Immigration Compliance Team by the supervisor or Graduate Director.

   e. Departments may decide to nominate a member of administrative staff to co-ordinate the responses in relation to immigration requirements.

   f. Departments may decide to require students to sign in to their department on a regular basis (ie at least 15 days apart and no more than 31 days) in addition to ensuring regular monthly meetings in line with institutional requirements of PGR progression.

**Appeals Procedure against a Progress Decision – Postgraduate Research Students**

1. A research student who wishes to appeal against the recommendation of a Research Students’ Progress Committee that they be downgraded or discontinued must do so in writing on the Form of Appeal, stating fully and precisely the grounds for appeal, within two weeks of receiving notification of the recommendation. Forms of Appeal are available from the Student Services Hub or online.

2. An MPhil/PhD registered student whose PhD status has not been confirmed and who wishes to appeal against the recommendation of a Research Students’ Progress Committee that their registration be changed to Mphil or Masters by Dissertation, may appeal using this procedure only after the Research Students’ Progress Committee has considered their case twice and has recommended a change of status. There is no right of appeal following a decision of a Research Students’ Progress Committee not to confirm PhD status following the first supervisory board meeting.

3. A research student on the first year of an Integrated PhD (a 4-year programme) who wishes to appeal against a progress decision of the Research Students’ Progress Committee (eg being downgraded or discontinued) should do so in accordance with the procedures for Appeals against the Decisions of Board of Examiners for all taught programmes.

4. The main legitimate grounds for appeal are the following:

   (i) Extenuating circumstances of which the Research Students’ Progress Committee was unaware and of which the student could not reasonably have been expected to inform the
Committee in advance, of such a nature to cause reasonable doubt as to whether the result might have been different had they not occurred.

(ii) Procedural irregularities in the conduct of either the Supervisory Board and/or the Research Students’ Progress Committee (including alleged administrative error) of such a nature as to cause reasonable doubt as to whether the result might have been different had they not occurred.

(iii) That there is *prima facie* evidence of prejudice, bias, or inadequate assessment on part of one or more of the members of the Supervisory Board/Research Students’ Progress Committee.

5. Other grounds will be considered on their merits.

6. The following are not considered legitimate grounds on which to appeal, and any appeals based exclusively on one or more of these grounds will be rejected automatically:

   (i) Prior informal assessments of the student’s work by the supervisor.
   (ii) The retrospective reporting of extenuating circumstances which a student might reasonably have been expected to disclose to the Research Students’ Progress Committee before their meeting.
   (iii) Appeals where the grounds of complaint concern the inadequacy of supervision or other arrangements during the period of study; such complaints must be raised, in writing, before the Research Students’ Progress Committee meets.

7. Any other officer of the University who receives a formal complaint from a research student concerning his/her progress shall forward it to the Academic Registrar.

8. The Academic Registrar will acknowledge the appeal within five working days of receipt.

9. The Academic Registrar will refer to the Executive Dean or his/her deputy any appeal that meets the criteria stated above (4 and 5), who may consult such persons as he/she thinks fit, including the student who has lodged the appeal. The Executive Dean or his/her deputy will determine whether or not the appeal is well-founded.

10. In some cases, where the circumstances of the case merit it, the Executive Dean or his/her deputy may arrange a formal hearing to consider the appeal.

11. Such an Appeal Committee shall consist of the Executive Dean or his/her deputy (as Chair), and two members from outside the student’s department who had no previous connection with the student. The Committee shall be serviced by a Secretary.

12. The Appeal Committee may consult such persons, including the student and his or her supervisor, and take such advice as it thinks fit.

13. The student will be invited to be present at the committee whenever oral evidence is being heard by the Committee, and will receive all the papers. He/she may be accompanied by a student of the University, a member of staff of the University or by an employee of the Students’ Union.

14. All decisions of the Executive Dean or his/her deputy/Review Committee must be notified to the student, the supervisor and the Director of Research Students in writing, together with a statement of any conditions that are attached to the decision. A copy must also be sent to the Head of Department. If a student’s status is altered, a copy of the relevant written statement of arrangements for supervision must be included and the supervisor requested to ensure that the student fully understands these.

15. An appeal following the formal conclusion of the procedures set out above may be made on the following grounds only.

   a. Procedural irregularity in the appeals process
b. consideration of whether the outcome was reasonable in all the circumstances

c. new material evidence which the student was unable, for valid reasons, to provide earlier in the process.

A student who wishes to appeal against the outcome of these procedures should write to the Academic Registrar within four weeks setting out in detail the nature of the evidence to support their claim if *prima facie* there is evidence to support the claim then the case will be reviewed by the Pro-Vice-Chancellor (Education) or his/her nominee. If the Pro-Vice-Chancellor or his/her nominee, determines that there are grounds for appeal, an Appeal Committee will be established, and paragraphs 11-14 above will apply. No member of the Committee will have had any previous involvement in the case.

16. The Office of the Independent Adjudicator for Higher Education (OIA) provides an independent scheme for the review of student complaints or appeals. When the University’s internal procedures for dealing with complaints and appeals have been exhausted, the University will issue a Completion of Procedures letter. Students wishing to avail themselves of the opportunity of an independent review by the OIA must submit their application to the OIA within twelve months of the issue of the Completion of Procedures letter. Full details of the scheme are available on request and will be enclosed with the Completion of Procedures.

**Appeals Procedure against an Examination Decision – Postgraduate Research Students (Thesis)**

1. A candidate for a research degree whose examination result is 'fail', or 'referred', or is the award of, or option to resubmit for a lower degree, may submit an appeal against that decision on one or more of the following grounds:

   (i) that there were procedural irregularities in the conduct of the examination (including alleged administrative error) of such a nature as to cause reasonable doubt as to whether the result might have been different had they not occurred; or

   (ii) that there is *prima facie* evidence of prejudice, bias, or inadequate assessment on the part of one or more of the examiners.

2. In addition, a student may appeal against a decision not to allow resubmission for the degree for which he or she was being examined, on the following grounds:

   that there existed circumstances materially affecting the student's performance of which the examiners were not aware when their decision was taken and of which the student could not reasonably have been expected to inform the examiners in advance.

3. An appeal may not be submitted where the grounds of complaint concern the inadequacy of supervisory or other arrangements during the period of study; such complaints must be raised, in writing and preferably during the minimum period of study and research, with the Executive Dean or his/her deputy.

4. Failed candidates shall be informed of their right of appeal. A candidate who wishes to appeal must submit the appeal in writing to the Academic Registrar not later than eight weeks after the notification to him/her of the result of the examination. The candidate's submission must state fully the grounds on which it is based. The Academic Registrar will dismiss any appeals which do not meet the criteria stated above (1 and 2). All other appeals will be referred to the Pro-Vice-Chancellor (Education) to determine where *prima facie* there is evidence to support the claim.

5. The Pro-Vice-Chancellor (Education) shall consider the appeal and may decide that the case is not well-founded, in which case the appeal or complaint is dismissed and the candidate shall be informed of the reasons.

6. In those cases where the Pro-Vice-Chancellor decides that there is a *prima facie* case, it will be considered by a Committee appointed by the Pro-Vice-Chancellor, consisting of a Pro-Vice-Chancellor as Chair, not fewer than two Deans (including Executive Deans, Deputy Deans (Education), Dean/Deputy Dean of Partnerships, Dean of Postgraduate Research and Education)
and Deputy Dean (Postgraduate Research Education), but excluding the Dean who had originally approved the result, and a student member appointed by the President of the Students’ Union.

7. The candidate shall be informed by the Secretary to the Appeal Committee of the date for consideration of the appeal not less than two weeks in advance. Candidates may present their case to the Committee in person, but, if they choose not to or are unable to, the Committee may proceed in their absence. Candidates may be accompanied by a student of the University, a member of staff of the University, or an employee of the Students’ Union. A student who is unable to attend the meeting may ask a member of the University, student of the University, a member of staff of the University, or an employee or a member of the full-time staff of the Students’ Union, to attend on his or her behalf. No person may represent the student in his or her absence unless he or she has expressly been asked to do so by the student.

8. The onus shall be on the candidate to produce evidence before the Appeal Committee which substantiates the grounds of appeal set out in the original submission to the Pro-Vice-Chancellor.

9. The Appeal Committee, having considered the evidence, and taken such advice as may be necessary, may:

(i) reject the appeal, in which case the result originally recommended by the examiners shall stand;

(ii) ask the examiners to reconsider their decision for reasons specified by the Appeal Committee; the examiners' report shall be submitted to the Executive Dean or his/her deputy together with the Appeal Committee's statement of the reasons for reconsideration;

(iii) determine that the unamended thesis shall be re-examined by new examiners.

EXAMINERS’ RECONSIDERATION OF THEIR INITIAL DECISION

10. Where the Appeal Committee determines that the examiners should be asked to reconsider their decision under paragraph 9(ii), the Executive Dean or his/her deputy shall do the following on receipt of the examiners’ report and the Appeal Committee’s statement of the reasons for reconsideration:

(i) Where the examiners agree to amend their decision, accept the amended decision as the revised result of the examination and issue a new results letter to the candidate;

(ii) Where the examiners decline to amend their decision, accept that the examiners’ original recommendation stands and confirm the original result in a letter to the candidate.

RE-EXAMINATION

11. Where the Appeal Committee determines on a re-examination under paragraph 9(iii), the new examiners shall be appointed under the normal procedures. In number they should not be fewer than the original number of examiners nor fewer than two external examiners and one internal examiner. The new examiners shall be given no information about the previous examination except the single fact that they are conducting a re-examination on appeal. The new examiners shall write independent reports on the thesis and shall then examine the candidate orally. Any such re-examination should be chaired by an Independent Chair.

12. The Executive Dean or his/her deputy shall receive the report of the new examiners.

13. The candidate's supervisor shall not be appointed as an examiner.

ALL APPEALS

14. An appeal following the formal conclusion of the procedures set out above may be made on the following grounds only.

a. Procedural irregularity in the appeals process
b. consideration of whether the outcome was reasonable in all the circumstances

c. new material evidence which the student was unable, for valid reasons, to provide earlier in the process.

A student who wishes to appeal against the outcome of these procedures should write to the Academic Registrar within four weeks setting out in detail the nature of the evidence to support their claim. If prima facie there is evidence to support the claim then the case will be reviewed by the Pro-Vice-Chancellor (Education) or his/her nominee. If the Pro-Vice-Chancellor or his/her nominee determines that there are grounds for appeal, an Appeal Committee will be established, and paragraphs 6-13 above will apply. The Committee will be comprised of Executive Deans or his/her deputy and will be chaired by a Pro-Vice-Chancellor. No member of the Committee will have had any previous involvement in the case.

15. The Office of the Independent Adjudicator for Higher Education (OIA) provides an independent scheme for the review of student complaints or appeals. When the University’s internal procedures for dealing with complaints and appeals have been exhausted, the University will issue a Completion of Procedures letter. Students wishing to avail themselves of the opportunity of an independent review by the OIA must submit their application to the OIA within twelve months of the issue of the Completion of Procedures letter. Full details of the scheme are available on request and will be enclosed with the Completion of Procedures.

Appeals against a Progress Decision – Professional Doctorate Students

1. A student who wishes to appeal against the recommendation of a Research Students’ Progress Committee that they be discontinued or downgraded must do so in writing on the Form of Appeal, stating fully and precisely the grounds for appeal, within two weeks of receiving notification of the recommendation. Forms of Appeal are available from the Student Services Hub or online.

2. The main legitimate grounds for appeal are the following:

   (i) Extenuating circumstances of which the Examination Board/Research Students’ Progress Committee was unaware and of which the student could not reasonably have been expected to inform the Committee in advance, of such a nature to cause reasonable doubt as to whether the result might have been different had they not occurred.

   (ii) Procedural irregularities in the conduct of either the Supervisory Board and/or the Examination Board/Research Students’ Progress Committee (including alleged administrative error) of such a nature as to cause reasonable doubt as to whether the result might have been different had they not occurred.

   (iii) That there is prima facie evidence of prejudice, bias, or inadequate assessment on part of one or more of the members of the Supervisory Board/Examination Board/Research Students’ Progress Committee.

3. Other grounds will be considered on their merits, but the following are not considered legitimate grounds on which to appeal, and any appeals based exclusively on one or more of these grounds will be rejected automatically:

   (i) Prior informal assessments of the student’s work by the supervisor.

   (ii) The retrospective reporting of extenuating circumstances which a student might reasonably have been expected to disclose to the Research Students’ Progress Committee before Appeals where the grounds of complaint concern the inadequacy of supervision or other arrangements during the period of study; such complaints must be raised, in writing, before the Research Students’ Progress Committee meets.

4. Any other officer of the University who receives a formal complaint from a research student concerning his/her progress shall forward it to the Academic Registrar. The Academic Registrar will refer to the Executive Dean or his/her deputy any appeal that meets the criteria stated (see 2-3 above). The Academic Registrar will acknowledge the appeal within five working days of receipt.
5. Any such appeal will be considered by the Executive Dean or his/her deputy, who may consult such persons as he/she thinks fit, including the student who has lodged the appeal. The Executive Dean or his/her deputy will determine whether or not the appeal is well-founded.

6. In some cases, where the circumstances of the case merit it, the Executive Dean or his/her deputy may arrange a formal hearing to consider the appeal.

7. Such an Appeal Committee shall consist of the Executive Dean or his/her deputy (as Chair), and two members from outside the student's department who had no previous connection with the student. The Committee shall be serviced by a Secretary.

8. The Appeal Committee may consult such persons, including the student and his or her supervisor, and take such advice as it thinks fit.

9. The student will be invited to be present at the committee whenever oral evidence is being heard by the Committee, and will receive all the papers. He/she may be accompanied by a student of the University, a member of staff of the University or an employee of the Students' Union to help him/her in presenting their appeal to the Committee.

10. All decisions of the Executive Dean or his/her deputy /Review Committee must be notified to the student, the supervisor and the Director of Research Students in writing, together with a statement of any conditions that are attached to the decision. A copy must also be sent to the Head of Department. If a student's status is altered, a copy of the relevant written statement of arrangements for supervision must be included and the supervisor requested to ensure that the student fully understands these.

11. An appeal following the formal conclusion of the procedures set out above may be made on the following grounds only.

   a. Procedural irregularity in the appeals process
   b. consideration of whether the outcome was reasonable in all the circumstances
   c. new material evidence which the student was unable, for valid reasons, to provide earlier in the process

A student who wishes to appeal against the outcome of these procedures should write to the Academic Registrar within four weeks setting out in detail the nature of the evidence to support their claim. If prima facie there is evidence to support the claim then the case will be reviewed by the Pro-Vice-Chancellor (Education) or his/her nominee. If the Pro-Vice-Chancellor, or his/her nominee, determines that there are grounds for appeal, an Appeal Committee will be established, and paragraphs 7-10 above will apply. No member of the Committee will have had any previous involvement in the case.

12. The Office of the Independent Adjudicator for Higher Education (OIA) provides an independent scheme for the review of student complaints or appeals. When the University’s internal procedures for dealing with complaints and appeals have been exhausted, the University will issue a Completion of Procedures letter. Students wishing to avail themselves of the opportunity of an independent review by the OIA must submit their application to the OIA within twelve months of the issue of the Completion of Procedures letter. Full details of the scheme are available on request and will be enclosed with the Completion of Procedures.

Appeals Committee for Research Students

APPEAL COMMITTEE
Membership of an Appeal Committee
A1.
An Appeal Committee will be appointed by the Pro-Vice-Chancellor and will consist of a Pro-Vice-Chancellor as Chair, not fewer than two Deans (including Executive Deans, Deputy Deans (Education), Dean/Deputy Dean of Partnerships, Dean of Postgraduate Research and Education and Deputy Dean (Postgraduate Research Education), but excluding the Executive Dean or his/her
deputy who had originally approved the result, and a student member appointed by the President of the Students’ Union.

A2.
The Appeal Committee will be serviced by a Secretary.

**Order of Proceedings**

B1.
The Chair of the Committee shall have the authority to determine the order of proceedings and exclude any material which appears irrelevant to the case.

B2.
The usual pattern of proceedings is:

  a. The members of the Committee have a preliminary discussion without the student, the student’s representative or any persons who have been called to give evidence being present.
  b. The student and the student’s representative enter the room and the Chair introduces all those present.
  c. The Chair checks that the student has received details of the case and any supporting documentation.
  d. The Chair explains the order of proceedings to the student.
  e. The Chair summarises the evidence relating to the appeal and members of the Committee are invited to put questions to any persons who have been invited to the Committee to give evidence.
  f. The Chair then invites the student to make a statement orally if he or she wishes to do so including any mitigation, and members of the committee are invited to put questions to the student.
  g. The Chair invites the student’s representative to put forward any additional statement.
  h. The Chair invites the student to make any final response.
  i. The student, the student’s representative and any persons who have been invited to the Committee to give evidence are then asked to leave the room.
  j. The Committee then, having considered the evidence, and taken such advice as may be necessary, comes to a decision regarding the outcome of the appeal. Please see D1.
  k. The student is then recalled to the room to be told the decision as to whether the appeal is well-founded. The outcome of the appeal and the reasons why are explained to the student.

B3.
The Committee may proceed in the absence of the student or the student’s representative provided that the Chair is satisfied that due notice has been given to the student.

B4.
Only members of the Committee and the Secretary shall be present while a committee is reaching a decision of the outcome of the Appeal Committee.

**Adjournment**

C1.
The Appeal Committee may adjourn where this is necessary to obtain further information.

**Outcomes of an Appeal Committee**

D1.
The Appeal Committee, having considered the evidence, and taken such advice as may be necessary, may:

  (i) reject the appeal, in which case the result originally recommended by the examiners shall stand;
  (ii) ask the examiners to reconsider their decision for reasons specified by the Appeal Committee; the examiners’ report shall be submitted to the Executive Dean or his/her deputy together with the Appeal Committee’s statement of the reasons for reconsideration;
  (iii) determine that the unamended thesis shall be re-examined by new examiners.