

Access restrictions: n/a

From: Professor David Bolton, Deputy President and Provost

Subject: **Request for Senate Approval: Regulation 21B: Student Academic Appeals (Research Programmes at Validated Institutions)**

Status: For Approval

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Sponsor: Professor David Bolton, Deputy President and Provost

Executive summary

It has been necessary to review specific student regulations and policies to underpin the different style of educational offer and student experience that we plan for 2020-21 in the context of Covid-19.

As part of the overall plan of work for 2020-21, Education & Student Committee approved an approach to policy and regulation development. This approach has been shared with Senate members.

This regulation forms an additional amendment in compliment to the tranche of regulations approved at the previous session of Senate, as there was insufficient time for approval as part of the recent policies and regulations review. It is presented here via the normal committees for approval so that it is in line with other regulations. Consultation has taken place with representatives from the sub-committees of Senate (CPC and EQC), Students' Union members and the Validated Institutions affected.

This paper provides '**Regulation 21B: Student Academic Appeals (Research Programmes at Validated Institutions)**' for review and approval as well as outlines the key material changes made. Detailed information relating to the process will be made available in separate guidance for students and staff.

Action(s) required from Senate:	Senate is asked to: <ol style="list-style-type: none"> a. To approve Regulation 21B: Student Academic Appeals (Research Programmes at Validated Institutions)
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Regulation 21b: Student Appeals (Research Programmes At Validated Institutions)

Introduction

1. In this regulation “you” and “your” means a student registered for a research degree programme taught by an institution, referred to as a “validated institution” whose research degree programmes are validated by City, University of London. “We”, “us” and “our” means the University or any of its staff, depending on context. “Validated institution” refers to the body that delivers and administers a research degree programme validated by City.
2. If you are studying for a postgraduate research degree, taught at City, University of London degree, you should refer to Senate Regulation 21.
3. The regulation sets out what you can do if you are unhappy with a decision made concerning your registration status, or the outcome of an examination.
4. We use the criteria, set out below, in considering appeals. A successful appeal must meet (at least) one of the criteria. If you are unhappy with the decision or academic judgement of your Senior Tutor for Research at your validated institution or the examiners, this is not on its own a valid ground for appeal.
5. The [Academic Appeals Policy](#) sets out more detail of
 - a. how we will manage the various stages of the process; and
 - b. how you can access support.
6. This regulation sets out the key steps and forms as part of our terms and conditions.
7. Where this regulation refers to meetings, they may be held face to face or virtually.

Overview

8. Our appeals process has two internal stages:
 - a. Consideration with your validated institution (Validated Institution -level.
 - b. An independent review of the validated institution-level review (University-level review).
9. The Office of the Independent Adjudicator provides a final level of scrutiny.

Validated Institution-level appeal

10. You can appeal against any of the following:

- a. A decision concerning his/her registration status, including:
 - i. withdrawal or suspension of your registration;
 - ii. transfer from MPhil to PhD;
 - iii. extension of your registration period beyond the maximum period of candidature;
 - iv. transfer to writing-up status.
 - b. The outcome of an examination, including:
 - i. that you should not be awarded a research degree or be permitted to resubmit for the award of either a Doctorate or a Masters degree;
 - ii. that you be awarded a degree other than the degree for which you are registered.
11. Your appeal must be made on one or both of the following reasons:
- a. that there was a material error, including a material procedural irregularity, and administrative error and/or prejudice, bias or inadequate assessment in:
 - i. The conduct of the monitoring and assessment of your progress; OR
 - ii. The conduct of the examination.
 - b. that there were previously undisclosed circumstances affecting your academic progress during your period of study or during the examination which:
 - i. your School was not made aware for a demonstrable, valid and overriding reason outside of your control AND
 - ii. had an adverse effect on your performance during the period of study or the examination.
12. You must submit an appeal on the appropriate form, with appropriate evidence, to the nominated research programmes officer at your validated institution within 28 calendar days of receiving written confirmation of the decision concerning your registration status or the outcome of an examination.
13. The Validated Institution will acknowledge receipt of your appeal, which will be given initial consideration by at least two members of staff within the Validated Institution.
14. The possible outcomes of initial scrutiny are:
- a. Your appeal is upheld (accepted; in full or part) with a recommendation for immediate corrective action by the Chair of the Course Board on the recommendation of the nominated research programmes officer at the validated institution ('material error' only);
 - b. Your appeal is referred for consideration by the Validated Institution's Appeal Panel either because the case for non-disclosure of circumstances has been accepted and/or because a hearing with the option for representation by you is warranted;
 - c. Your appeal is returned by the Validated Institution with an opportunity for you to resubmit the appeal within 14 calendar days

from the date the decision to resubmit is made;

- d. Your appeal is rejected by the Validated Institution because the form was incomplete, incorrect, not accompanied by supporting evidence, or did not demonstrate grounds for appeal.
15. The Validated Institution will tell you in writing the outcome of the initial consideration and the reason(s) for the decision normally, within 28 calendar days from the date your appeal is received.
 16. If your appeal has been rejected under paragraph 14(d), you may be able to request a review of that decision, please see paragraph 14(c) If the Validated Institution refers your appeal to a Validated Institution Appeal Panel under paragraph **Error! Reference source not found.** you will be invited to participate in the panel meeting. This will be normally be convened within 28 calendar days of the outcome of the initial consideration. You can see more information about the Panel in the Academic Appeal Guidance.
 17. The Validated Institution Appeal Panel will consider if the appeal is against a decision concerning registration status for which the possible outcomes are that:
 - a. Your appeal is upheld (accepted; in full or part) with a recommendation to the Board of Studies that its decision be amended to:
 - i. Re-registration; OR
 - ii. Transfer from MPhil to PhD; OR
 - iii. Extension of candidature; OR
 - iv. Suspension of registration; OR
 - v. Transfer to writing-up status.
 - b. Your appeal is upheld (accepted; in full or part) with a recommendation to the Chair of the Board of Studies that you be asked to provide additional work within a maximum specified period of time from the date of the meeting of the Panel, for further assessment of academic progress or work to date.
 - c. Your appeal is rejected as the grounds for appeal have not been demonstrated.
 18. The Validated Institution will write to you, to inform you of the decision of the Validated Institution Appeal Panel, including the reasons for the decision.
 19. If the appeal is against the outcome of an examination the possible outcomes are:
 - a. Your appeal is upheld (accepted; in full or part) with a recommendation to the Chair of the Course Board that the original examiners reconsider their recommendations for reasons stated by the Panel (Note: the Panel will not question the academic judgement of the original examiners);
 - b. Your appeal is upheld (accepted; in full or part) with a recommendation to the Chair of the Course Board that you be

permitted to revise your thesis and resubmit it for re-examination to the original examiners or to new examiners as the Panel sees fit within a specified time (The Panel should state whether or not a further period of supervised study is required and ask the Validated Institution to ensure that satisfactory supervisory arrangements are in place during the period until re-submission);

- c. Your appeal is upheld (in full or part) with a recommendation to the Chair of the Course Board that new examiners be appointed. The recommendation of the new examiners shall supersede the recommendation of the original submission (Note: the Panel should ensure that those examiners shall be no fewer in number than the original examiners and shall comprise not fewer than two examiners, one of whom at least should be external. The reports and recommendation of the original examiners shall not be communicated to the new examiners. The new examiners will be made aware that they are conducting a re-examination on appeal and that they are required to hold a viva).
- d. Your appeal is rejected as the grounds for appeal have not been demonstrated.

20. The Validated Institution will write to you, to inform you of the decision of the Validated Institution Appeal Panel, including the reasons for the decision, normally within 14 calendar days of the hearing.

21. A record of the outcome of the Validated Institution Appeal Panel hearing will be retained for report to the Course Board and Senate.

University-level Review

22. You may request a review of a Validated Institution decision on one or both of the following grounds:

- a. that there was a material error in the proceedings associated with the Validated Institution decision which affected that decision; AND/OR
- b. that new information had become available which was material to the original appeal and which could not have been made known to the Validated Institution for a demonstrated, valid and over-riding reason.

23. A University-level review is not a re-hearing of your original appeal. Your being unhappy with the outcome of the appeal will not be a sufficient reason to uphold a request for review.

24. You must submit a request for a review in writing, together with your supporting evidence, within 21 calendar days of the Validated Institution's notification to you of their decision. Your request for review should be submitted to the Quality & Academic Development team within Student & Academic Services, or their nominee.

25. We will acknowledge receipt of your appeal, which will be given initial consideration by at least two members of staff from City.
26. The possible outcomes of the University-level review are:
- a. That the case for a review is upheld (in full or part) with a recommendation for immediate corrective action (this outcome is only for 'material error' cases – see paragraph **Error! Reference source not found.**);
 - b. That the case for a review is upheld (in full or part) and referred back to the appropriate body in the Validated Institution for consideration. Following this consideration, you may then only request a further review of the decision on the ground of a material error – see paragraph **Error! Reference source not found.**;
 - c. That your request is returned with an opportunity for you to revise and to resubmit within ten working days;
 - d. That your request is rejected because the form was incomplete, incorrect, not accompanied by supporting evidence, or did not demonstrate the grounds for review;
27. We will write to you, with reasons for the decision, normally within 28 calendar days of receipt of the University-level review.

Office of the Independent Adjudicator (OIA)

28. When our internal procedures have been concluded we will send to you a Completion of Procedures (CoP) Letter.
29. Following this, if you are dissatisfied with the final decision on your case you may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education. Information and eligibility rules are available at: www.oiahe.org.uk/

