

REGULATION 21 STUDENT APPEALS – RESEARCH PROGRAMMES¹

City, University of London defines a research degree appeal as a request from a student for a review of a decision concerning his/her registration status or the outcome of an examination. These internal regulations of City will be operated in accordance with its Equal Opportunities and Equality and Diversity Policies.

Appeal claims can be made after a decision concerning registration status or the outcome of an examination. A student who submits an appeal claim against one decision may submit an appeal claim against another decision at a later date, as long as the appeal is submitted within the appropriate timescales.

The Regulations refer at various points to 'Officers' and 'members of staff'; Appendix A outlines who should fulfill these roles.

A. Stage 1: School-level appeal

1. Grounds for appeal

- a) A student may appeal against any of the following:
- (i) A decision concerning his/her registration status, including:
 - withdrawal or suspension of registration;
 - transfer between MPhil and PhD;
 - extension of registration beyond the maximum period of candidature;
 - transfer to writing-up status.
 - (ii) The outcome of an examination, including:
 - that s/he should not be awarded a research degree nor be permitted to resubmit for the award of either a Doctorate or a Masters degree;
 - that s/he be awarded a degree other than the degree for which s/he was registered.

Dissatisfaction with the decision or academic judgement of the Senior Tutor for Research or the examiners is not alone a valid ground for an appeal.

- b) An appeal may only be made on one or both of the following grounds:
- (i) that there was a material error, including a material procedural irregularity, an administrative error and/or prejudice, bias or inadequate assessment in:
 - the conduct of the monitoring and assessment of the student's progress; OR
 - the conduct of the examination.

¹ City, University of London taught students should refer to Regulation 20. Students at Validated Institutions should refer to Regulation 20b (taught programmes) or 21b (research programmes)

- (ii) that there were previously undisclosed circumstances affecting the student's academic progress during the period of candidature or during the examination which:
 - were not made known to the School for a demonstrated, valid and overriding reason outside the student's control AND
 - had an adverse effect on the student's performance during the period of candidature or the examination.
- c) An appeal, with appropriate evidence, should be submitted to the School Officer within 28 calendar days of the student receiving written confirmation of the decision concerning registration status or the outcome of an examination.

2. Initial scrutiny

- a) The student will receive an acknowledgement of receipt.
- b) The appeal will be scrutinised by at least two members of staff within the School.
- c) The possible outcomes of initial scrutiny are:
 - upheld (in full or part) with a recommendation for immediate corrective action by the Senior Tutor for Research ('material error' only);
 - referred for consideration by School 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 the student is warranted;
 - returned with an opportunity for the student to resubmit the appeal within 14 calendar days;
 - rejected because the form was incomplete, incorrect, not accompanied by supporting evidence, or did not demonstrate grounds for appeal.
- d) The student will be informed of the outcome of the initial scrutiny, normally within 28 calendar days of receipt. The notification will include the reasons for the decision.
- e) A student whose appeal has been rejected may be entitled to request a review of that decision under section B of these Regulations.
- f) The process and outcomes of the initial scrutiny will be documented and a record retained for report to the Board of Studies and Senate.

3. School Appeal Panel

- a) A School Appeal Panel will normally be convened within 28 calendar days of the outcome of initial scrutiny. The panel will have three members and the Chair will be the School Officer or his/ her nominee. The School Appeals Administrator or his/her nominee will attend the hearing to advise the panel concerning relevant Regulation, Policy, procedure and guidance (the Administrator will not be part of the Appeal Panel).
- b) The student will be invited to attend the School Appeal Panel hearing and can choose to be accompanied by one other person. If the student chooses to be accompanied s/he must provide information about that

person to the Secretary of the panel at least 7 calendar days in advance. The information will include the person's relationship to the student and the reason for the person's attendance. A student should note that s/he may only be represented in his/her absence in exceptional circumstances. Any request for this requires the agreement of the Chair of the Panel. If a student chooses not to attend, or fails to attend without submitting in writing valid reasons for a postponement, the panel may meet in the student's absence.

- c) The Senior Tutor for Research may attend the hearing but does not form part of the panel and will not be present during the panel's deliberations. The role of the Senior Tutor for Research is to provide information and/or clarification to the panel.
- d) If the appeal is against a decision concerning registration status the possible outcomes are:
 - (i) upheld (in full or part) with a recommendation to the Chair of the Board of Studies that its decision be amended to:
 - re-registration; OR
 - transfer between MPhil and PhD; OR
 - extension of candidature; OR
 - suspension of registration; OR
 - transfer to writing-up status;
 - (ii) upheld (in full or part) with a recommendation to the Chair of the Board of Studies that the student 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;
 - (iii) rejected as the grounds for appeal have not been demonstrated.
- e) If the appeal is against the outcome of an examination the possible outcomes are:
 - (i) upheld (in full or part) with a recommendation to the Chair of Board of Studies that the original examiners reconsider their recommendations for reasons stated by the Panel;²
 - (ii) upheld (in full or part) with a recommendation to the Chair of the Board of Studies that the student be permitted to revise his/her thesis and resubmit it for re-examination to the original examiners or to new examiners as the Panel sees fit within a specified time;³
 - (iii) upheld (in full or part) with a recommendation to the Chair of the Board of Studies that new examiners be appointed. The

² The Panel will not question the academic judgement of the original examiners

³ The Panel should state whether or not a further period of supervised study is required and ask the School to ensure that satisfactory supervisory arrangements are in place during the period until re-submission

recommendation of the new examiners shall supersede the recommendation of the original submission⁴;

- (iv) rejected as the grounds for appeal have not been demonstrated.
- f) The outcome of the School Appeal Panel hearing will be provided to the student in writing, normally within 14 calendar days of the hearing. The notification will include the reasons for the decision.
- g) A record of the outcome of the School Appeal Panel hearing will be retained for report to the Board of Studies and Senate.

B. Stage 2-level review

1. Grounds for review

- a) A student may request a review of a School decision on one or both of the following grounds:
 - that there was a material error in the proceedings associated with the School decision which affected that decision; AND/OR
 - that new information had become available which was material to the original appeal and which could not have been made known to the School for a demonstrated, valid and over-riding reason.

This is not a reopening of the original appeal. Dissatisfaction with the decision of the School is not alone a valid ground for requesting a review.

- b) A review request, with appropriate evidence, should be submitted to the Stage 2-level Officer within 21 calendar days of confirmation of the School decision.

2. Review process

- a) The student will be sent a receipt of their review request.
- b) Two members of staff will scrutinise the review submission
- c) The possible outcomes of review are:
 - upheld (in full or part) with a recommendation for immediate corrective action by the Officer responsible for the School decision or his/ her nominee ('material error' cases only)
 - upheld (in full or part) and referred back to the appropriate body in the school for consideration⁵. Following this consideration, a student may then only request a review of the decision on the ground of a material error ('material error' cases only)
 - returned with an opportunity for the student to resubmit the request for review within 14 calendar days;

⁴ 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

⁵ This would normally be the Chair of the Assessment Board or the School Appeal Panel, depending on the stage at which the School decision was made.

- rejected because the form was incomplete, incorrect, not accompanied by supporting evidence, or did not demonstrate grounds for appeal;.
- d) The student will be informed of the outcome of the review, normally within 28 calendar days of receipt. The notification will include the reasons for the decision.
- e) The process and outcomes of the review will be documented and a record retained for report to Senate.

C. The Office of the Independent Adjudicator

When City's internal procedures have been concluded, a student will be issued with a Completion of Procedures (CoP) letter. Following this, a student who is dissatisfied with the final decision on his/her case may be able to apply to the Office of the Independent Adjudicator (OIA) for Higher Education. Information and eligibility rules are available at: <http://www.oiahe.org.uk>

The revised Regulations below were approved by Senate in June 2014 and will come into effect for all new and continuing students from the 2014/15 academic year.

The previous Regulations can be accessed here:

http://www.city.ac.uk/_data/assets/word_doc/0008/69227/s21.doc

The Student Appeals Regulations should be read in conjunction with the Student Appeals Policy.

Contact Student and Academic Services for information and advice on these regulations. .

APPENDIX A: Responsibilities within the Research Programmes Appeal Regulations

Schools should provide students with information on the specific people who will fulfil these roles, for example in Programme Handbooks or on the School or Programme website.

Role	Appointed by	Role holder*
School Officer	School Board of Studies	School Dean or his/her nominee
School staff undertaking initial scrutiny	School Officer	Staff within the School with knowledge of the Appeal Regulations and other relevant Regulation, Policy and procedure
School Appeals Administrator	School management	Senior administrative officer responsible for recording and reporting School appeal cases and advising the panel concerning relevant Regulation, Policy and procedure
School Appeal Panel Member	School Officer	Staff within the School (including at least one academic on every panel). Each School should have at least 4 members available at any given time.
Stage 2-level Officer	Senate	Deputy President or his/her nominee
City staff undertaking review	Stage 2-level Officer	Members of Student and Academic Services with knowledge of the Appeal Regulations and other relevant Regulation, Policy and procedure
Stage 2-level Appeals Administrator	Student and Academic Services	Senior administrative officer responsible for recording and reporting City appeal cases and advising the panel concerning relevant Regulation, Policy and procedure

*Potential conflicts of interest must be identified and remedied – the Appeals Policy provides more information on addressing potential conflicts of interest

Approved by Chair's Action (Senate) 24.08.16