

# **SENATE REGULATION 12 (November 2015 onwards): Academic Appeals**

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## **Scope and coverage of Academic Appeals procedures**

1. An academic appeal, under this Regulation must relate to one or more of the following decisions of a Panel or Board of Examiners or of research degree Examiners relating to the assessment of an undergraduate, postgraduate taught or postgraduate research student:

- a) a mark or grade for any examination, test, practical assignment or project, thesis, dissertation or coursework which has been formally confirmed by the Examiners; and/or
- b) a formal recommendation of the Examiners that a student should obtain or not obtain a degree or qualification of the University; and/or
- c) the class of degree or any mark of distinction recommended by the Examiners; and/or
- d) a formal recommendation by the Examiners that a student shall or shall not be permitted to proceed to the next year of a programme of study or repeat any module or programme or resubmit any material (including a thesis or dissertation) for assessment, or re-sit any examination; and/or
- e) for a postgraduate research student, the outcome of a formal progress review under Senate Regulation 5.16

2. No request for an academic appeal shall be allowed on the basis that the Examiners or Assessors conducting an assessment or progress review are alleged to have erred in the judgement of the academic standard achieved by the student.

### Academic Appeals and Complaints

3. The only rights of academic appeal provided by this Regulation are against decisions of Examiners or Assessors, as set out in paragraph 1 above. The University has also approved a Complaints Procedure, which may not be used by students as a route for the re-consideration of those decisions of examiners or assessors, but may be used to complain about any other aspects of provision. If an academic appeal and a complaint are submitted simultaneously, then the Academic Registrar will determine, as appropriate, whether each will be considered in turn, for example consideration of the complaint will be suspended whilst the appeal is considered, or whether the academic appeal and complaint will be considered in parallel.

### Timeliness

4. Students are required to adhere to the deadlines set out in this Regulation.

### Academic Appeals and conferral of awards / attendance at degree ceremonies

5. Once an award has been conferred, either at a degree congregation or *in absentia*, a student will not normally be able to submit or proceed with an academic appeal. Once an academic appeal has been submitted, any award which is relevant to the request will not be conferred until the academic appeal process has been concluded. Students will also not be permitted to attend a degree

congregation for the purpose of receiving a disputed award until their academic appeal has been resolved.

#### Fair dealing

6. Provided that academic appeals do not contravene the University's expectations regarding the conduct of students, a student's career in the University will not be prejudiced by having submitted an academic appeal. Academic appeals will be handled with due discretion by staff in the University. The University reserves the right to investigate the authenticity of any documents submitted in support of an academic appeal. Academic appeals which give rise to concerns regarding any kind of student misconduct (including the falsification of any documents submitted,) may be subject to action under Senate Regulation 6. Frivolous academic appeals will be dismissed at the earliest stage and written reasons will be given.

#### Equality Act 2010

7. In the operation of the processes set out in this Regulation the University will remain mindful of its legal obligations, including its duty of care and its obligations under the Equality Act 2010 where appropriate to make reasonable adjustments.

#### Parties acting on behalf of students under this Regulation

8. Students are normally expected to pursue their own academic appeal. The University may agree to communicate with a family member or other third party acting on behalf of a student, but will only do so with the express written agreement of the student, in accordance with Data Protection legislation. Students are not normally permitted to be represented in their absence in any hearing or meeting held under this Regulation.

#### Confidentiality

9. Raising an academic appeal gives the University permission to investigate the facts and in order to do this to be able to discuss them with appropriate people. Information students submit will remain confidential as far as this is consistent with other parties' rights to know of any allegations that are made against them. If a student makes allegations against staff or Examiners in the context of an academic appeal, the member of staff or the Examiner may be asked to provide a response to the Committee.

#### Disclosure

10. The University operates a disclosure policy, which means that a student has a right to see documents used in reaching a decision on his or her academic appeal. The student will only be able to access documents which do not compromise the privacy and confidentiality rights of third parties. Information a student submits will only be disclosed to other members of the University where it is necessary to process the academic appeal. Individuals cited in appeals normally have a right to know the allegations made about them. It might also be necessary to disclose certain information to and request information from, for example, the Disability and Dyslexia Service, in order to investigate an academic appeal. If a

student is unhappy with such disclosures he or she should state this clearly on the academic appeal form and the Clerk to Academic Appeals Committee will advise him or her as to the extent to which the academic appeal may be considered.

#### Mediation Service

11. Where appropriate, representatives of a student's Department or College, or of the Academic Appeals Committee may discuss with a student whether they wish for a matter relating to an academic appeal (or more generally relating to academic assessment) to be referred to the University's Student Mediation Service. The mediators are all experienced members of staff who have undergone special training in mediation. An appeal may be put on hold whilst undergoing mediation.

#### Attendance of representatives or friends of students at hearings or meetings

12. A student may be accompanied to a meeting or hearing by a representative, who may present the student's case if the student so wishes, and/or by a friend who may be present to support the student. Only a current student or member of staff of the University, or an advice worker from the Union of Brunel Students, or a relevant individual in the case of reasonable adjustments being made for a disabled student, shall normally be permitted to be a representative or friend of a student. Neither the student nor the University shall normally be represented by a legal practitioner at meetings or hearings held in accordance with this Regulation.

#### Students and partnership arrangements

13. Where partnership arrangements with other organisations are in place for the delivery of learning opportunities to students, any variations to the policies or procedures set out in this Regulation shall be set out in the relevant agreement and guidance to students.

### **Academic Appeals Committee, Panels and Hearing Panels**

14. The Academic Appeals Committee is a sub-committee of Senate. The Academic Appeals Committee shall consist of a Chair who shall be a member of Senate appointed by Senate and not less than sixteen members of academic staff (not within their probationary period) also appointed by Senate of whom at least three shall be Professors. At least two members of the Committee shall be appointed as Vice-Chairs. The Academic Registrar, or equivalent Officer, shall appoint a senior member of the University administration as Clerk to the Academic Appeals Committee. The Clerk shall in turn provide a Secretary to the Committee, and provide guidance on appeals Regulations, policies and procedures to the Committee, its Panels and Hearing Panels and their Secretaries.

15. Each member of the Committee shall be appointed for three years and shall be eligible for re-appointment. The term of office of Committee members shall normally commence at the beginning of an academic year.

16. For the purpose of considering individual student cases, the Committee shall normally convene in either a Panel or a Hearing Panel:

- i) A Panel of the Committee may be convened for the purpose of a paper-based consideration of one or more individual academic

appeals in accordance with paragraphs 42 to 47 below. A quorate Panel shall consist of at least three members of the Committee (including one appointed as Panel Chair, as determined by the Committee Chair). The Academic Appeals Committee Secretary shall determine the Secretary for each Panel.

- ii) Where determined in accordance with paragraph 45(iii) below, a Hearing Panel of Academic Appeals Committee shall be convened for the purpose of considering individual appeals in accordance with paragraphs 48 to 63 below. A quorate Hearing Panel shall consist of at least three members of the Committee (including a Chair), and shall normally include at least one Professor. The Chair of the Committee should advise on the constitution of the Hearing Panel. A Hearing Panel shall normally be chaired by the Chair of the Committee or one of the Vice-Chairs of the Committee. The Academic Appeals Committee Secretary shall determine the Secretary for each Hearing Panel.

17. The Minutes of a Panel shall be confirmed by the Panel Chair. A set of the most recent Panel Minutes as confirmed by Panel Chairs shall normally be circulated on a monthly basis to all members of the Committee.

18. The Committee shall submit an annual report to Senate.

19. The Committee shall meet at least once annually to consider matters of policy arising from its work as well as the range of cases and outcomes considered in the previous period. The Committee may consider individual student cases. The quorum for ordinary meetings of the Committee shall be five, including the Chair.

20. No member who has acted as an Examiner or Assessor in connection with an academic appeal under consideration, nor any member of staff who has been involved in any of the matters giving rise to the appeal (such that a conflict of interest may be possible), shall be involved in the determination of the appeal.

21. If the disqualification and/or non-availability of members of the Committee makes it impossible to consider an individual student case in a timely manner, the Vice-Chancellor, as the Chairman of Senate, may appoint one or more additional members to the Committee for the purpose of hearing that academic appeal from among those members of the academic staff who would not, if already members of the Committee, be disqualified from sitting on the appeal under this paragraph. The Vice-Chancellor, as the Chairman of Senate, may also appoint one or two additional members to the Committee (not otherwise disqualified under this Regulation) for the purpose of considering an appeal, where it is determined by the Chair of the Committee that the Committee's deliberations require additional or specialist expertise. Persons so appointed may be external to the University. Members of the Committee appointed under this paragraph may also serve as members of Panels or Hearing Panels convened in accordance with paragraph 16 above.

### **Grounds for Academic Appeal**

22. A request for an academic appeal can be made on one or more of the following grounds only:

- a) that there exist circumstances materially affecting the student's performance which were not known to the Examiners or progress review when the decision was taken and which it was not reasonably practicable for the student to make known to the Examiners or progress review beforehand;
- b) that there were procedural irregularities in the conduct of the examinations and/or other assessment procedures, including assessment of coursework, of such a nature as to create a reasonable possibility that the result might have been different had they not occurred;
- c) (i) that there is evidence of prejudice or bias on the part of one or more Examiners or members of staff conducting a progress review; and/or  
(ii) that there is evidence of inadequate assessment on the part of one or more of the Examiners or members of staff conducting a progress review.

### **Submission of an Academic Appeal**

**23.** A student who has concerns about his or her academic results should first raise the concerns informally with an appropriate member of staff at the point the concern arises, normally **within 10 working days** after notification of his or her results. Where appropriate, a brief record of the discussions should be made by the staff member involved and shared with the student. A student who cannot demonstrate suitable prior efforts to discuss his or her concerns with an appropriate member of staff shall not normally be permitted to enter the formal appeal process.

**24.** If a student's concerns are not satisfactorily resolved through an informal early meeting, the student may submit an academic appeal within 10 working days of such a meeting (i.e. within at most 20 working days of notification of the student's confirmed results by his or her College). Notification will be taken to include the electronic publication of confirmed results, or dispatch of notification of confirmed results by post to the student's most recently notified address.

**25.** Any academic appeal must set out in full the grounds for appeal and must be submitted in writing, on the standard form, in accordance with the published procedures of the University.

**26.** A student submitting a request for an academic appeal more than 10 working days after notification of his or her results, or up to a further 10 working days after a related informal meeting, will be required to provide a satisfactory explanation as to why s/he was unable, for good reason, to submit a case within the expected timescale.

**27.** The student should clearly confirm in writing the address, typically an email address, to which correspondence relating to the appeal should be sent. To avoid delay (and unless otherwise indicated by the student) email shall be used as the primary form of communication.

### **College Appeals – eligibility check**

28. As part of the consideration of an academic appeal, the relevant College's Education Manager (or nominee) will undertake an eligibility check of the submission. Documentation included in the submission and other evidence relating to the matter may be taken into consideration; but additional comments shall not be requested from the student nor any other persons, and neither the student nor any other persons shall be formally interviewed.

29. The eligibility check shall determine one of the following outcomes:

- i) that the submission falls under the scope of academic appeals as per paragraph 1 of this Regulation, and sets out grounds as per paragraph 22, in which case the appeal shall be put forward for further consideration;
- ii) that the submission does not fall under the scope of academic appeals as per paragraph 1 of this Regulation, or does not set out grounds as per paragraph 22, in which case the appeal shall be dismissed;
- iii) that the student has failed to comply with the deadline for the submission of a College appeal under paragraph 26, and failed to demonstrate a good reason for not having met this deadline, in which case the appeal shall be dismissed.

30. If an appeal is considered eligible as per paragraph 29 (i), then it should be progressed as per paragraph 32, and the student informed of who will be following up from the College. If an appeal is not considered eligible, as per paragraphs 29(ii) or 29(iii), this decision must be ratified by the relevant Vice-Dean Education. If the Vice-Dean Education agrees, then the appeal may be dismissed, but if the Vice-Dean Education disagrees then the appeal should be progressed. In all cases, the College Education Manager shall inform the student in writing (normally within 5 working days) of the status of their appeal, giving a rationale for any dismissal.

31. Where it is decided to dismiss an appeal in accordance with paragraph 29(ii) or (iii), the student may resubmit their appeal about this matter on one occasion only, provided that the submission includes new evidence and/or arguments, and is received within 15 working days of notification of the outcome of the original eligibility check. However, if a resubmitted appeal is dismissed under paragraph 29(ii) or (iii), consideration of the matter under this Regulation shall be concluded and this procedure will have been exhausted.

### **College Appeals – full consideration**

32. Once accepted, College appeals will be investigated by an academic representative from the College (on behalf of the Vice-Dean Education) who may request further specific evidence or statements from the student and/or the Department.

33. At their discretion, either the College representative or the student may request a meeting with the other party prior to determination of the appeal on behalf of the College. Such meetings should represent an opportunity for open and

constructive discussion of the case and the evidence submitted, and not be a formal interview; although a record should be kept. The student may be accompanied by a representative in accordance with paragraph 12. If the student is advised to supply further evidence in support of their appeal, this should normally be done within 10 working days of the meeting.

**34.** The College representative (on behalf of the Vice-Dean Education) will determine a formal outcome plus supporting rationale in response to the student's appeal, normally within 15 working days of receipt. The following outcomes are available:

- i) to uphold the appeal and offer a suitable remedy in resolution of it. Remedies offered may be subject to the agreement of the Chair of the relevant Board of Examiners;
- ii) to dismiss the appeal;
- iii) to recommend that the appeal be referred to a University-level Academic Appeals Panel or Hearing Panel. Such a decision may be appropriate for complex cases which appear to need further direct evidence to make a decision. The Vice-Dean Education shall confer with the Chair of the Academic Appeals Committee to ratify any such referral.

**35.** If the College upholds an appeal and offers a remedy which the student accepts, this academic appeal will be considered closed. However, should the appeal be dismissed or should the student decline to accept an offered remedy, the student shall be entitled to submit a University-level academic appeal within 15 working days of being notified of the outcome of their College appeal. If a referral to the University-level appeals process is agreed, the student shall be expected to engage with this as required.

### **University Appeals – eligibility check**

**36.** Where an academic appeal is submitted at University level, the Clerk to the Academic Appeals Committee will undertake a further eligibility check of the submission on the same basis as paragraph 28.

**37.** The eligibility check shall determine one of the following outcomes:

- i) that the submission falls under the scope of academic appeals as per paragraph 1 of this Regulation, and sets out grounds as per paragraph 22, in which case the appeal shall be put forward for further consideration;
- ii) that the submission does not fall under the scope of academic appeals as per paragraph 1 of this Regulation, or does not set out grounds as per paragraph 22, or has not previously been submitted as a College appeal, in which case the appeal shall be dismissed;
- iii) that the student has failed to comply with the deadline for the submission of a University appeal under paragraph 35, or for an earlier College appeal under paragraph 26, and failed to demonstrate



a good reason for not having met either deadline, in which case the appeal shall be dismissed.

38. If an appeal is considered eligible as per paragraph 37 (i), then it should be progressed as per paragraph 41 or 42. If an appeal is not considered eligible, as per paragraphs 37(ii) or 37(iii), this decision must be ratified by the Chair or a Vice-Chair of the Academic Appeals Committee. If the Chair or Vice-Chair agrees, then the appeal may be dismissed; but if they disagree then the appeal should be progressed. In all cases, the Secretary to Academic Appeals Committee shall inform the student in writing (normally within 5 working days) of the status of their appeal, giving a rationale for any dismissal.

39. Where the decision of the Chair or Vice-Chair is to dismiss an appeal in accordance with paragraph 37(ii) or 37(iii), the student may resubmit their appeal about this matter on one occasion only, provided that the submission includes new evidence and/or arguments, and is received within 15 working days of notification of the outcome of the original eligibility check. However, if a resubmitted appeal is dismissed under paragraph 37(ii) or 37(iii), consideration of the matter under this Regulation shall be concluded and this procedure will have been exhausted

40. University appeal submissions which are dismissed through an eligibility check shall be reported on to the Academic Appeals Committee, normally by circulation of a summary of such cases.

41. The Clerk to the Academic Appeals Committee shall draw the attention of the Chair to accepted cases which may warrant consideration in a hearing as per paragraph 47. The Chair of the Academic Appeals Committee may directly determine at this stage that the appeal should progress to a hearing.

### **University Appeals – full consideration**

42. Once a University appeal has been accepted for consideration by the Academic Appeals Committee in accordance with paragraph 38, further written information or comments may be requested on the Committee's behalf by the Secretary, Clerk, Chair, relevant Panel Chair, or any other member of the Committee or relevant Panel acting on its behalf to assist in determination of the appeal.

43. Information may be requested from the student, an academic representative from the College (who will normally be asked to provide a response on behalf of the College), the Chair of the Board of Examiners (or in the case of a research degree the Examiners), or any other relevant person. The normal deadline for response to such requests within the University shall be 10 working days. The Committee/Panel shall not interview the student or any members of staff or witnesses in this process.

44. Once compiled, all written information to be used in reaching a decision shall be made available to the student in advance of the relevant Committee or Panel meeting (normally being provided at least 5 working days in advance). The student shall be invited to provide any further written comments, if he or she so wishes, on material from other sources; where provided, such comments will normally be tabled at the relevant Committee/Panel meeting.

45. Having completed its consideration of the academic appeal, and taking into account any last written comments received from the student in accordance with paragraph 44, the Committee/Panel shall determine one of the following outcomes in relation to the appeal:

- i) to uphold the appeal (in whole or part) and take one of the actions set out in paragraph 64 below;
- ii) to dismiss the appeal;
- iii) to act in accordance with paragraph 47, below, and refer the appeal to a Hearing Panel to give the appeal further consideration and to determine an outcome.

46. The Secretary shall communicate the decision of the Committee/Panel to the student, providing the reasons for that outcome, as soon as is reasonably practicable and normally within 5 working days of the decision being made; and inform the student's College and Department regarding the outcome.

47. Where the Committee or Panel considers that the complexity of the appeal warrants consideration in a hearing, and/or that particular aspects of the appeal would be best resolved through a hearing, and/or in the interests of fairness (for example, where the interpretation of evidence is disputed), the Committee or Panel shall refer the case to a Hearing Panel.

### **University Appeals – consideration by Hearing Panels**

48. When, under paragraph 45(iii), an academic appeal is referred to a Hearing Panel, the Clerk to the Academic Appeals Committee shall, based on the substance of the appeal and in consultation with the Vice-Dean (Education) of the student's College, identify a member of University academic staff (hereafter referred to as 'the Presenting Member of Staff') who shall be asked to present the case in support of the decision of the Examiners under appeal. The Presenting Member of Staff may be the Chair of the relevant Board of Examiners, another Examiner party to the decision under appeal, or another suitability qualified member of staff.

49. The student shall be given at least 10 working days written notice of the date of an appeals hearing, at which time the Secretary to the Appeals Hearing Panel shall also give the student notice of:

- i) The members of the Hearing Panel;
- ii) The student's right, in advance of the hearing, to submit a further statement and/or additional supporting evidence relevant to the case and to call witnesses;
- iii) The name of the Presenting Member of Staff and his or her right, in advance of the hearing, to submit a further statement and/or additional supporting evidence relevant to the case and to call witnesses;
- iv) The date, time and place of the hearing;

- v) The student's right to be accompanied by a representative and/or friend, in accordance with paragraph 12 above;
- vi) The right of the Hearing Panel to proceed in the student's absence if, having been given due notice of the date of the hearing and sufficient notice of the documentary evidence available to the hearing, he or she fails to appear without providing prior good reason for absence. The decision of the Chair of the Hearing Panel as to whether to proceed in the student's absence shall be final.

**50.** The Secretary to the Hearing Panel shall also enclose with this notification a set of the documentation which will be considered by the Hearing Panel. This shall normally include the student's original academic appeal submission, any documents previously considered by the Committee or its Panels (under paragraphs 42 and 43), and a copy of the sections of this Regulation governing the order and conduct of proceedings in hearings. A copy of the notification and the documentation shall also be sent to the Presenting Member of Staff. The Vice-Dean (Education) of the student's College and the student's Head of Department shall be notified of the date of the hearing.

**51.** The student and the Presenting Member of Staff may each nominate witnesses to attend the hearing. The student and the member of staff shall inform the Secretary to the Hearing Panel of the identity of all witnesses and brief details of the reason for calling the witness no later than 5 working days before the date of the hearing. In order to seek clarifications that may be useful in determining the outcome of the appeal, the Chair of the Hearing Panel (in consultation with its Secretary/ Clerk) may also nominate witnesses to attend the hearing.

**52.** The Secretary to the Hearing Panel shall inform all parties in writing of the identity and names of all witnesses in advance of the hearing. It is the responsibility of the party calling the witness to ensure their attendance at the hearing. The University will not be responsible for ensuring the attendance of witnesses and nor will any witness be compelled to attend. The Hearing Panel reserves the right to proceed in the absence of any particular witness and the ruling of the Chair of the Hearing Panel on this matter shall be final. The student, the member of staff and the Panel shall have the opportunity to ask questions of all witnesses called.

**53.** If the student wishes, by no later than 5 working days prior to the date of the hearing, he or she may provide to the Secretary with an additional statement concerning the appeal and/or any additional supporting evidence relevant to the case.

**54.** The Presenting Member of Staff shall be invited to submit, no later than 5 working days before the date of the hearing, a statement concerning the matter of the appeal and/or any additional supporting evidence relevant to the case.

**55.** The ruling of the Chair of the Hearing Panel shall be final on the admission of all evidence for consideration by the Panel, including the admission of written evidence and of oral evidence from witnesses or other parties at the hearing. This shall include the power to refuse to admit evidence or hear witnesses on the basis of lack of relevancy.

56. The Chair of the Hearing Panel may determine that a hearing should be postponed or adjourned if any evidence is supplied without sufficient notice for it to be circulated and properly considered by all relevant parties.
57. A meeting of a Hearing Panel shall be held in closed session.
58. The ruling of the Chair of the Hearing Panel on any point of procedure relating to the conduct of the hearing shall be final.
59. Once a hearing has commenced the Chair of a Hearing Panel may, if he or she determines that there is good cause, adjourn the hearing for a period of not normally more than 10 working days. If a hearing is adjourned, the Secretary to the Hearing Panel shall notify all parties in writing of the date, time and place of recommencement of the hearing, giving notice of at least 2 working days. A reconvened hearing may proceed in the absence of the student if the Chair is satisfied that due notice has been served of the recommencement and there is in the Chair's view good reason for doing so.
60. The student and his or her representative and/or friend (if any) and the Presenting Member of Staff shall be present in the hearing while any witnesses give evidence and are questioned. Each witness shall normally be present at the hearing only while giving evidence and being questioned.
61. A hearing shall normally proceed as follows:
- a) The Chair shall outline the procedure for the hearing;
  - b) The Chair will ask the student (or representative) to present his/her case in support of the appeal; members of the Hearing Panel and the Presenting Member of Staff may then ask questions of the student (or representative);
  - c) The Chair will ask the Presenting Member of Staff to make any initial comments concerning the appeal; members of the Hearing Panel and the student (or representative) may then ask questions of the member of staff;
  - d) The Chair will invite each party in turn to call witnesses to give evidence and/or answer questions. The Hearing Panel, student (or representative) and Presenting Member of Staff shall have an opportunity to ask questions of each witness;
  - e) The Chair will ask the Presenting Member of Staff to make any final comments relating to the appeal;
  - f) The Chair will ask the student (or representative) to summarise his/her case;
  - g) The student (and any representative or friend) and the Presenting Member of Staff shall be asked to leave the hearing and the Hearing Panel will consider the evidence that has been heard. If it is unable to determine an outcome to the appeal, the Hearing Panel may at this

stage choose to adjourn the hearing and reconvene on a later date in order to obtain further evidence from the parties.

62. A Hearing Panel shall determine to take one or more of the following outcomes in relation to each appeal:

- i) to uphold the appeal (in whole or part) and take one of the actions set out in paragraph 64 below;
- ii) to dismiss the appeal (in whole or part).

63. The Secretary to the Hearing Panel shall notify the student of the appeal outcome and the reasons for that outcome in writing as soon as is reasonably practicable and normally within 5 working days of the hearing.

### **Upheld decisions of Academic Appeals Panels or Hearings**

64. Where it determines to uphold an appeal under paragraphs 45(i) or 62(i) above, the Academic Appeals Committee, or one of its Panels or Hearing Panels, may act as follows:

*In the case of an appeal by an undergraduate and taught postgraduate student*

- a) require the Board of Examiners reconsider its decision, taking into account such information or findings as the Committee / Panel or Hearing Panel may deem appropriate.

*In the case of an appeal by a research student concerning an examination*

- b) **either** require the Examiners to reconsider their decision, taking into account such information or findings as the Committee / Panel or Hearing Panel may deem appropriate; **or**
- c) require that the student be permitted to revise and re-submit his or her thesis within a specified time limit with entitlement to such support or supervision as shall be specified by the Committee / Panel or Hearing Panel; **or**
- d) require the thesis to be re-examined.

*In the case of an appeal by a research student concerning a progress review*

- e) require the review Assessors to reconsider their decision, taking into account such information or findings as the Committee / Panel or Hearing Panel may deem appropriate; **or**
- f) require that the student be permitted a specified period of time to prepare for a further review of his or her progress with entitlement to such support or supervision as shall be specified by the Committee / Panel or Hearing Panel; **or**
- g) require the progress of the student to be re-assessed.

65. In the case of a research degree examination, if a re-examination is required under paragraphs 64(c) or (d), the Committee, Panel or Hearing Panel may require one or more new examiners to be appointed. Where one or more new examiners are appointed, the following procedures will apply:

- a) The total number of examiners for the re-examination shall not be fewer in number than for the original examination and shall normally include at least two external examiners;
- b) Where the recommendations of the original examiners and examiners conducting the further examination following the appeal differ, the recommendation of the latter will be binding on the University and the examinee.

66. In the case of a progress review of a postgraduate research student, if a further progress review is required under paragraphs 64(f) or (g), the Committee, Panel or Hearing Panel may require one or more new Assessors to be appointed, who may be internal or external to the University.

67. The Vice-Dean (Education) of the student's College, the student's Head of Department and the Chair of the relevant Board of Examiners or the relevant internal and external Research Degree Examiners shall be notified regarding the decisions of the Committee, its Panels and Hearing Panels.

68. Where a Board of Examiners or any other body within the University, or member of staff declines to act in accordance with a decision taken under paragraph 64, the matter shall be reported to the Chairman of Senate. The Chairman of Senate may seek the advice of members of the staff of the University without prior involvement in the matter and may determine how the matter is to be resolved, or alternatively may determine to refer the matter to a meeting of Senate for its resolution. The decision of the Chair of Senate or of Senate thus arrived at shall be final.

### **Review procedure for the outcomes of Academic Appeals**

69. A student who considers that his or her academic appeal has not been given full and proper consideration by either the Academic Appeals Committee, a Panel, or a Hearing Panel may submit a written representation to an Officer of the University without prior involvement in the case, designated by the Chairman of Senate, within 10 working days of receiving the final decision (under either paragraph 45 or 62 above). If the Officer of the University considers that there is good cause to do so, he or she shall take steps to review the concerns raised by the student and shall normally complete the review within 10 working days and may ask one or more members of University staff to assist. Having completed any review, the Officer of the University may make recommendations to the Chair of the Academic Appeals Committee regarding any further actions which should be taken to ensure that the student's academic appeal receives a full and proper consideration, or may dismiss the student's representation.

### **Office of the Independent Adjudicator**

70. Guidance published by the Office of the Independent Adjudicator for Higher Education (OIA, [www.oiahe.org.uk](http://www.oiahe.org.uk)) shall be followed in issuing of Completion of

Procedures Letters to students further to the procedures set out in this Regulation. Once a Completion of Procedures Letter has been issued, a student may apply for external review of their concern by the OIA, in accordance with the OIA's scheme.

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