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**Overview**

This document provides guidance on submitting an appeal under [Senate Regulation 6:](http://www.brunel.ac.uk/about/documents/pdf/SR6-revised-Sep-16.pdf)

 [Student Misconduct, Professional Suitability and Immigration Compliance](http://www.brunel.ac.uk/about/documents/pdf/SR6-revised-Sep-16.pdf) (SR6)

Section 5 of SR6 details the procedures for appeal and the consideration of appeals against decisions made in relation to Misconduct and Professional Suitability cases.

For guidance on appeals relating to **Misconduct and Professional Suitability** go to page 3 of this document.

Section 6 (paras 163 – 166) of the regulation details the procedures for appeal and the consideration of appeals against decisions made in relation to Immigration Status Requirements and Withdrawal of University Immigration Sponsorship.

For guidance on appeals relating to **Immigration Status Requirements and Withdrawal of University Immigration Sponsorship** go to page 5 of this document.

In case of queries, please email conduct@brunel.ac.uk.

NOTE: This process cannot be used to appeal against a decision 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. For details of the Academic Appeals process go to: <http://www.brunel.ac.uk/life/supporting-you/student-complaints-conduct-and-appeals/academic-appeals>

**Misconduct and Professional Suitability**

What can be appealed

For Student Misconduct and Professional Suitability cases considered under the process set out in Senate Regulation 6, students may appeal against decisions made by:

* the Vice Chancellor’s Representative (Academic or Non-Academic)
* the Misconduct Panel
* the Professional Suitability Panel
* the Vice Chancellor (or their delegate) to temporarily suspend and or/exclude you
* the Vice-Dean (Education) to issue you with an action plan and/or formal warning

The grounds for appeal

There are four grounds on which you may submit your request; they are:

6.120 a. there has been procedural irregularity

6.120 b. there was prejudice or bias on the part of the decision-maker or decision-

 making body

6.120 c. the decision is unreasonable and/or the sanction or outcome disproportionate

6.120 d. there is new evidence material to the case which the student can demonstrate

 was for good reason not previously reasonably available

You can submit a request to appeal on one or more the grounds shown above.

You are strongly advised to speak to the [Advice and Representation Centre](https://brunelstudents.com/advice/) of the Union of Brunel Students prior to submitting your appeal.

Submitting your Request to Appeal

If you wish to submit a request to appeal, you must advise the Secretary to the Misconduct and Professional Suitability Board in writing within 20 working days of the date of written notification of the decision being appealed against.

The date by which your request must be received will be shown in the letter you received advising you of the outcome of your case. If your request is not received by this date it is likely to be rejected as out of time.

Click [here](http://www.brunel.ac.uk/about/quality-assurance/documents/docs/New-Notice-of-Request-to-Appeal.docx) to access the Appeal Form which will help you to provide us with the right information to log your request to appeal.

The request for an appeal must refer to the grounds for appeal upon which are seeking to rely. You should also provide a brief explanation of why you think you have grounds for an appeal.

You should send your request to:

The Secretary to the Misconduct and Professional Suitability Board, Room 217, Bannerman Centre, Brunel University London, Kingston Lane, Uxbridge Middlesex UB8 3PH

Or email to: conduct@brunel.ac.uk

How your request to Appeal is considered

If your request to appeal is submitted on time, it will normally be considered by a panel consisting of a senior member of University administrative staff, appointed by the Chairman of Senate, and a senior member of academic staff without previous involvement in the case, appointed from a list approved by the Chairman of Senate.

The panel will determine, normally within 10 working days of receipt, whether or not grounds for appeal are disclosed.

If grounds are disclosed, we will inform you in writing of this, normally within 12 working days of receipt of the request for appeal. The authorised senior member of University administrative staff will instruct the Secretary to the Misconduct and Professional Suitability Board to arrange a hearing of an Appeals Panel. You will be invited to submit detailed written submissions in support of the appeal and/or any additional supporting evidence and/or information about any mitigating factors which you consider should be taken into account, normally within 10 working days. Information relating to any mitigating circumstances should wherever possible be supported by documentary evidence.

if no grounds are disclosed, you will be informed of this in writing normally within 12 working days of receipt of the request for appeal. In this instance, you may submit a request for an appeal on one further occasion, within 10 working days of the written notification to the student of this decision. Please note that your request may be considered by the same panel that considered your initial request.

If your appeal is rejected as being out of time, or if no grounds are disclosed on the second occasion you submit your request, we will write to you as soon as possible to advise you.

What happens at an Appeal Hearing

If your request to appeal is accepted, we will write to you as soon as possible with a date on which your appeal will be heard by an Appeals Panel. We will also send you a copy of all of the evidence that will be considered by the panel, and an order of proceedings which will indicate the agenda for the hearing. You will get an opportunity to address the panel in person to put your case, and to hear the University’s case against you.

Who sits on the Appeals Panel?

Appeals Panel members are appointed from the membership of the Misconduct and Professional Suitability Board.

Other information

Please ensure that we have up to date contact details for you throughout the process of your appeal. Ideally, we would like a postal address, a phone number and an e-mail address. Unless we hear from you to the contrary, we will assume that the contact details that you have provided to the University on e-Vision are correct and all correspondence will be sent to that address. Normally we send documents to you by email.

Any queries?

If you have any queries regarding the process please email conduct@brunel.ac.uk.

**Immigration Status Requirements and Withdrawal of University Immigration Sponsorship**

What can be appealed

A student is able to appeal a decision of the Immigration Sponsorship Review Panel

Panel to terminate their registration.

The grounds for appeal

There are three grounds on which you may submit your request; they are:

6.163 i. there has been procedural irregularity; and/or

 6.163 ii. there is new evidence material to the case which the student can demonstrate was for good reason not previously reasonably available; and/or

6.163 iii. the decision is unreasonable and/or the sanction or outcome disproportionate

Submitting your Request to Appeal

A student is able to appeal a decision of the Panel to terminate their registration to a Deputy Vice-Chancellor, in writing, **within 5 working days of notification of the decision** on the above grounds.

In the first instance you should email your appeal to conduct@brunel.ac.uk.

You may also post your appeal to:

The Secretary to the Misconduct and Professional Suitability Board, Room 217, Bannerman Centre, Brunel University London, Kingston Lane, Uxbridge, Middlesex UB8 3PH

However, this is not recommended due to the short timescale for submission of your appeal.

Your appeal must refer to the grounds upon which are seeking to rely. You should also provide an explanation as to why you think you have grounds for an appeal, and submit any evidence you think is relevant.

How your request to Appeal is considered

Your appeal will be passed to a Deputy Vice-Chancellor who will consider your request and will determine to:

* Reject the appeal; or
* Recommend that the case is considered by a new Immigration Sponsorship Review Panel

There is no further right of appeal.

Any queries?

If you have any queries regarding the process for your appeal please email conduct@brunel.ac.uk.

For queries regarding your immigration status please go here: <https://intra.brunel.ac.uk/s/studentcentre/visas/Pages/default.aspx>