

REQUESTS FOR THE REVIEW OF EXAMINATION DECISIONS – RESEARCH DEGREE CANDIDATES

SUMMARY OF PRINCIPAL CHANGES

General changes

- Document revised to take account of the winding-up of Research Institutes

(Amendments to version 03.0, UPR AS16, are shown in italics.)

Structure

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1 INTRODUCTION

Unless indicated otherwise in the text, the amendments to the policies, procedures and regulations in this document *were approved* by the Academic Board with effect from 1 September 2006¹ and have been amended subsequently to take account of changes in internal structures.

2 GROUNDS FOR THE REVIEW OF AN EXAMINATION DECISION

- 2.1 Following the oral examination, candidates have the right to appeal against decisions taken by the Research Degrees Board of the Academic Board upon the recommendations made by the examiners.
- 2.2 The grounds upon which a candidate may appeal are set out in the research degree regulations to which he or she is subject. An appeal against a particular decision may be based on one or a combination of any of the grounds given in the relevant research degree regulations.

(NOTE:

- A Inadequacy of supervision or other arrangements at any stage prior to submission, known before the candidate's oral examination, are not admissible grounds for appeal and should be dealt with by means of the complaints procedure for research degree candidates set out in UPR SA16².

¹ **Research Degrees Committee Minute:** 229.18, 9 March 2000, refers. **Academic Board Minutes:** 731.3, 15 March 2000; 795.2, 14 March 2001; 867.3 6 March 2002; 139.6, 9 March 2005; 479, 12 March 2008; 667, 10 March 2010, 123, 14 March 2012, refer.

² UPR SA16, 'Student and Applicant Complaints'

B Requests for reviews of progress assessment decisions should be dealt with by means of the procedure for research degree candidates set out in UPR AS20³.)

2.3 Candidates may not challenge the academic judgement of the examiners.

3 PROCEDURE

3.1 The candidate shall give notice in writing to the Secretary and Registrar of his or her request for a review within ten (10) working days of the date on which he or she was notified of the decision of the Research Degrees Board on the outcome of the examination or re-examination.

3.2 The Secretary and Registrar will notify the Chairman of the Research Degrees Board that notice of review and appeal has been received.

3.3 The candidate shall submit the case to the Secretary and Registrar for review within a further three (3) calendar months from the date of giving notice.

3.4 The Secretary and Registrar, in consultation with the Chairman of the Research Degrees Board, will be responsible for the general interpretation and application of University regulations as they relate to appeals by research degree candidates and will exercise these responsibilities as specified in this procedure.

3.5 Where an appeal is inconsistent with the relevant grounds for appeal

The Secretary and Registrar, acting in accordance with the provisions of section 3.4, reserves the right to refuse or to disallow appeals which are inconsistent with the relevant grounds for appeal (section 2.2, refers).

3.6 Where an appeal is permitted

3.6.1 Where the Secretary and Registrar deems the appeal to fall within the permitted grounds for appeal, the procedure for considering the matter shall be as follows.

3.6.2 Appeal Review Panel

i The Vice-Chancellor, acting in his or her capacity as Chairman of the Academic Board, will establish an Appeal Review Panel.

ii Composition

The Appeal Review Panel will be composed as follows:

Not fewer than three (3) senior academics with experience of research degree awards who may or may not be members of the University's staff and who are not members of the Research Degrees Board, one (1) of whom shall be appointed Chairman by the Vice-Chancellor.

The Secretary and Registrar (or nominee) shall be Secretary to the Panel.

iii All members of the Panel shall have experience of supervising and examining research degrees and shall have had no previous involvement in the candidate's registration for a research degree.

³ UPR AS20 'Request for the Review of a Progress Assessment Decision – Research Degree Candidates'

- iv For the purposes of these regulations, 'previous involvement' is defined as having supervised, advised or counselled the candidate about the project or advised or counselled the supervisors about matters pertaining to the project.
 - v Consideration of the candidate's registration and training programme, either as *Associate Director (Doctoral College)* or as a member of the Research Degrees Board, does not constitute previous involvement.
 - vi The Vice-Chancellor shall appoint a substitute member to the Panel where it becomes evident that an existing member has had previous involvement in the case.
 - vii The proceedings of the Appeal Review Panel are confidential.
 - viii The Appeal Review Panel shall consider the written evidence (where relevant) which shall include:
 - a the candidate's written evidence;
 - b a report prepared by the Secretary and Registrar (or nominee);
 - c the examiners' preliminary and final reports and recommendations;
 - d the textual part of the candidate's submission.
 - ix With limited exceptions, all written material (section viii, refers) considered by the Appeal Review Panel will be provided to the candidate.
 - x The candidate shall have the right to be heard in person and to speak to his or her submission.
- 3.7 The candidate may be accompanied at any hearing by one (1) other person of his or her choice. That person may either act as the candidate's adviser or the candidate may nominate that person to act as his or her representative.
- 3.8 Where the candidate has nominated a representative to speak on his or her behalf (either in the candidate's presence or in his or her absence) the candidate is required to submit the name and address of the representative to the Secretary and Registrar not less than seven (7) days before the appointed date for the hearing.
- 3.9 It should be noted that, regardless of the profession of a candidate's adviser or representative, that person attends the hearing solely as an adviser or representative (as appropriate) and not in his or her professional capacity.
- 3.10 If it so wishes, the Appeal Review Panel shall have the power to invite the examiners and supervisors to present oral and/or written reports to it.
- 3.11 At the time of the Panel's establishment, the Secretary and Registrar (or nominee) will inform the examiners that an appeal has been made and advise them that the Panel may find it necessary to approach them concerning the issues raised by the candidate and will confirm to the examiners that the issues to be considered by the Panel will be confined to those which fall within the scope of these regulations and procedures (UPR AS16).
- 3.12 The Appeal Review Panel shall examine the case presented by the candidate and shall submit a written report of its findings to the Vice-Chancellor in his or her capacity as the Chairman of the Academic Board. The Appeal Review Panel will make one of the following recommendations in its report. That:
- i the appeal should be rejected by the Vice-Chancellor;
 - ii in accordance with the powers delegated to it by the Academic Board, the Research Degrees Board should invite the original examiners to reconsider their decision in accordance with the relevant research degree regulations (section 2.2, refers);

- iii the Research Degrees Board should proceed as though the submission for examination has not been made, in which case the candidate shall submit for examination in accordance with the requirements of the research degree regulations to which he or she is subject (section 2.2, refers).
- iv the Research Degrees Board should proceed as though the examination has not taken place and that new examiners should be appointed, in which case new examiners shall be appointed in accordance with the prevailing regulations and the candidate shall then submit for examination in accordance with the requirements of the research degree regulations to which he or she is subject (section 2.2, refers).

The Appeal Review Panel has no powers to recommend that the recommendation of the examiners be set aside.

- 3.13 The Vice-Chancellor, acting upon the advice of the Appeal Review Panel, will be responsible for reaching a final judgment on the outcome of the candidate's appeal. The Vice-Chancellor will draw the attention of the Research Degrees Board to his or her report and recommendation.
- 3.14 The Secretary and Registrar shall inform the candidate, the examiners, the supervisors and the Dean of Students, in writing, of the decision of the Vice-Chancellor, whose decision is final.
- 3.15 If the Vice-Chancellor has referred the candidate's case back to the Research Degree Board for further consideration, in accordance with section 3.12, the decision of the Research Degrees Board is final.
- 3.16 At the conclusion of this process, the Dean of Students will issue the candidate with a **Completion of Procedures Letter** which may be used in relation to any future dealings with the Office of the Independent Adjudicator.

4 THE ACADEMIC BOARD

- 4.1 In very exceptional circumstances, for example, where it believes that the Research Degrees Board has misused or otherwise contravened its authority or there are procedural irregularities, the Academic Board has the power to consider and, if appropriate, change the decision of the Research Degrees Board. In such exceptional circumstances, the delegation of authority made to the Research Degrees Board by the Academic Board would be temporarily revoked.
- 4.2 Candidates should note that the procedures set out elsewhere in this document, which have been approved by the Academic Board, provide the mechanism whereby they may progress those queries which fall within the scope of this document.

5 FURTHER REPRESENTATIONS

Having exhausted the University's internal procedures and subject to the provisions of legislation, the student has the right to request the Office of the Independent Adjudicator to review his or her case.

Mrs S C Grant
Secretary and Registrar
Signed: 1 August 2016