STANDING ORDERS GOVERNING RESEARCH APPEALS

1. The Standing Orders govern appeals against:
   
1.1. the recommendation of the examiners as set out in paragraphs 8.6.2 – 8.6.9 of the Regulations for Research Programmes of Study;

1.2. a recommendation made (i) by a review panel that a research candidate should not be upgraded from the degree of Master by Research and Thesis to the degree of Doctor of Philosophy; (ii) by a review panel that a research candidate should be transferred to another degree or withdraw from the University in the event of unsatisfactory progress or (iii) at submission review that a candidate, previously upgraded to the degree of Doctor of Philosophy, should submit for the degree of Master of Philosophy;

1.3. the decision to deny a research candidate permission to (i) interrupt the prescribed period of registration for a stated length of time in cases of illness or other good cause or (ii) transfer registration to another degree or otherwise vary the conditions of his/her registration or (iii) to have his/her period of registration extended for a stated period as set out in the Regulations for Research Programmes of Study;

1.4. the recommendation that a research candidate’s registration be terminated in the event of unsatisfactory progress as set out in paragraph 12 of the Regulations for Research Programmes of Study;

1.5. the decision that a research candidate is no longer eligible to submit a thesis for examination, as set out in paragraph 8.5 of the Regulations for Research Programmes of Study.

2. Grounds for appeal

   The grounds for such an appeal may include allegations of any of the following:

2.1. that there are extenuating circumstances affecting the student’s performance of which the relevant examiners or staff members were not, for good reason, aware when their decision was taken;

2.2. that there was administrative, procedural or clerical error in the conduct of the procedure of such a nature as to cause reasonable doubt as to whether the same decision would have been reached had they not occurred;

2.3. that there is evidence of prejudice or bias or of inadequate assessment on the part of one or more of the examiners or staff members concerned.

3. A research student may not appeal:

3.1. against academic judgement or;

3.2. on the grounds of poor or inadequate research supervision. Such a matter would be the subject of an academic complaint, which should have been raised and resolved at the earliest opportunity through the academic complaints procedure.

Approved by Senate and including all revisions up to April 2015

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4 Process of Appeals

4.1 Appeals should be submitted to the Faculties Support Officer and will only be considered if submitted:

- by means of the Research Appeal Form (available from http://www.kent.ac.uk/teaching/qa/regulations/index.html?tab=research-programmes);
- accompanied by a letter explaining in full the grounds for the appeal and the remedial action sought in bringing the appeal;
- providing all necessary documentary evidence (see paragraph 5 below for guidance) substantiating the grounds of the appeal;
- within 21 days after the notification of the recommended result.

4.2 The Faculties Support Officer shall determine whether it meets the technical grounds of an appeal as outlined above. If it does not, the student shall be so informed. If it does, the appeal shall be submitted to the Dean for consideration.

4.3 University staff members will treat in good faith, according to the procedures, any academic appeal which is brought forward by its students.

5 Medical Certificates and Other Supporting Documentation

5.1 Any medical documentation submitted to support an appeal must

- relate specifically to the dates and duration of the illness;
- contain a clear medical diagnosis or opinion provided by an appropriately qualified medical practitioner and not merely report the student’s claim that he/she felt unwell, nor report the student’s claim that he/she had reason to believe he/she was ill.

5.2 Acceptable supporting evidence other than medical documentation includes an original (not photocopied) document written and signed by an appropriate third party, giving details of the circumstance, its duration and where possible, its impact. An appropriate third party would be one who knows the student in a professional capacity or one who can verify the circumstances from a position of authority (e.g. lecturer, personal tutor, Student Union representative, GP, University Counsellor) and who is in a position to provide objective and impartial advice. Letters from family members and fellow students will not be acceptable.

5.3 Medical certificates and other supporting documentation should be provided in English. It is the responsibility of the student to submit a translation provided by an accredited organisation.

6 After any consultations deemed necessary, the Dean shall decide whether or not there are sufficient grounds for a case.

Note: In exceptional cases, where the Dean is the supervisor or internal examiner of the appellant concerned, the initial examination of the case will be undertaken by the sub-dean of the Faculty.
If the Dean decides that there are insufficient grounds to support a case, the appellant shall be informed accordingly, through the Faculties Support Officer.

7. **Administrative, Procedural or Clerical Error**

Where the Dean determines that there is reasonable ground, supported by objective evidence to believe that there may have been administrative, procedural or clerical error of such a nature as to have affected the recommendation or decision against which the student is appealing: the Faculties Support Officer will investigate whether there has been such error and, where this is the case, arrange for such error to be rectified where this is possible. The Faculties Support Officer will inform the student of the outcome of these enquiries.

8. **Extenuating Circumstances**

8.1 Where the appellant claims there were extenuating circumstances (e.g. illness or other misfortune) which were not for good reason brought to the attention of the relevant members of staff (or University body) at the time of the original decision/recommendation or evidence of extenuating circumstances which was not given proper consideration by the relevant members of staff (or University body), the Dean shall determine whether sufficient grounds for a case exists.

8.2 Where the Dean determines that there are sufficient grounds for a case the Faculties Support Officer will forward the evidence to the examiners or members of staff (or University body) to ask whether, in light of the evidence, they would wish to reconsider their original recommendation or decision.

9 **Evidence of prejudice or bias or of inadequate assessment**

Where the appellant claims that there is evidence of prejudice or bias or of inadequate assessment on the part of one or more of the examiners, the Dean shall determine on the basis of the evidence presented by the student and obtained by the Faculties Support Officer whether there are sufficient grounds for review of the case.

Where the Dean determines that there are grounds, the Dean will refer the matter for consideration by a Faculty Review Panel. Where the Dean determines that there are no grounds, the Dean will ask the Faculties Support Officer to inform the student that the appeal has been rejected and of the reason for the decision.

10 Where, with regard to sections 7 (Administrative, Procedural or Clerical Error) and 8 (Extenuating Circumstances) above, the outcome does not correspond to the remedial action sought by the student, the Faculties Support Officer will refer the case to the Dean. The Dean shall determine whether on the basis of the evidence presented by the student and obtained by the Faculties Support Officer, there are grounds for review. Where the Dean determines that there are grounds, the Dean will refer the matter for consideration by a Faculty Review Panel. Where the Dean determines that there are no grounds, the Dean
will ask the Faculties Support Officer to inform the student that the appeal has been rejected and of the reason for the decision.

Faculty Review Panels

11. If the Dean's decision is that sufficient grounds for a case exists, the examiners or staff members concerned will be informed that the case is the subject of an appeal, and the matter will be passed to a Faculty Review Panel for consideration.

11.1 The Faculty Board will appoint a Review Panel to consider the case at a hearing. The Faculty Review Panel will comprise at least three members one of whom shall be appointed as Chair of the Panel. None of the panel members should have had any previous involvement with the original decision or recommendation.

11.2 The Faculties Support Officer (or his/her nominee) will be Secretary to the Review Panel and will be responsible for organising the hearing, producing a written record of the hearing (to be approved by the Chair), communicating the outcome of the hearing to the student.

11.3 The appellant and examiners or staff members involved with the original decision or recommendation against which the student is appealing will be invited to appear in person at the hearing. They will be informed that they may submit evidence to the Review Panel in writing and/or person, and that except where the Chair of the Review Panel decides that evidence provided by either party should remain confidential to the Review Panel, they will each be provided with copies of the written evidence submitted by the other and they will both be permitted to hear the other's verbal evidence.

11.4 The Panel may, at its discretion, receive written or oral evidence from any other such persons as it feels would assist it in its enquiries.

11.5 In the case of an appeal against the recommendation of the examiners (as outlined in paragraph 1.1 above), written evidence will include the examiners’ original reports, and if the examiners so prefer, a report specially prepared by them for the Review Panel.

11.6 The appellant and members of staff or examiners concerned should all be given adequate notice of the date of the hearing.

11.7 The appellant and members of staff or examiners invited to attend the hearing shall be advised of the following in writing in advance of the hearing:

- date, time, location and purpose of the hearing;
- composition of the Faculty Review Panel;
- others persons who will be attending the hearing and their roles within the process;
- the process the hearing will follow and their role within this process;
- documentation to be considered by the Panel.

11.8 The appellant shall be advised of his/her right to be accompanied to the hearing of the review panel by a member of staff (his/her supervisor for example) or a student of the University or member of staff from the Students’ Union (e.g. sabbatical officer or student adviser) or a relative. Review Panels are not legal proceedings and a student may not be accompanied by a legal representative even if the legal representative is a member of staff.
or student of the University or member of staff from the Students’ Union (e.g. sabbatical officer or student adviser) or a relative.

Individual members of academic staff may accompany an appellant to a hearing but they should not take on a formal role of representing or advocating the interests of the appellant. Where the appellant wishes to be represented, representation should be conducted by the Students’ Union or other non-legal body.

11.9 The Chair of the Review Panel shall have the right to decide that evidence submitted verbally or in writing should be ignored by the Review Panel on the grounds that it is irrelevant or inappropriate and shall give reasons for doing so.

11.10 An appellant who does not take up the opportunity of a Review Panel hearing will forego his/her right to such a hearing and will have no further right of redress within the appeals procedures. Where non-attendance is thought to be for reasons beyond the student’s control, the Chair of the Review Panel will have discretion to proceed with the hearing in the student’s absence or to reconvene the Review Panel at a later date.

11.11 The Panel will meet privately to make a decision.

Decisions

12. Appeal against the Recommendation of the Examiners

12.1 In the case of appeals against the recommendation of the examiners (see paragraph 1.1 above) the Panel may take any of the following decisions:

12.1.1 to reject the appeal, in which case the student shall be informed in general terms of the reason;

12.1.2 to give the student permission to revise the thesis and re-submit for re-examination by the original examiners within a specified time limit;

12.1.3 to declare the examination null and void and direct the Faculty to conduct a fresh examination using the original examiners;

12.1.4 to recommend to the examiners that, for reasons stated, they should reconsider their decision (see paragraph 12.2 below);

12.1.5 to recommend that the thesis be re-examined by new examiners (this decision would normally only be taken when the student has submitted the appeal on the grounds outlined in paragraph 2.3 above). See paragraph 12.3 below.

12.2 In cases where decision 12.1.4 has been taken, the Panel shall meet on a further occasion to consider the responses of the examiners, and whether or not, in the light of all the available evidence, the degree should be awarded.

12.3 In the event that the Panel reaches decision 12.1.5, the relevant Faculty shall proceed to make the necessary arrangements for examiners to re-assess the candidate’s thesis:

12.3.1 The new examiners shall be no fewer in number than those who originally assessed the thesis.

12.3.2 They shall be given no information about the previous examination except the fact that they are conducting an examination on appeal.
12.3.3 The examiners should submit independent reports on the appellant’s thesis, conduct an oral examination if appropriate and submit a joint report after this has taken place. These reports, together with those of the original examiners, shall be considered at a further meeting of the Faculty Review Panel which, in the light of all the available evidence, shall decide whether or not the degree should be awarded.

13. **Appeal against a Recommendation for Termination of Registration**

   In the case where a Faculty Review Panel is considering a research student’s appeal against the recommendation that his/her registration be terminated, the Panel make take any of the following decisions:

   13.1 confirm the termination of registration;
   13.2 in the case of a candidate for the degree of Master by Research and Thesis or Doctor of Philosophy, offer him/her registration as a candidate for another degree or postgraduate diploma;
   13.3 decide that the registration should not be terminated.

14. In the case of **appeals under paragraphs 1.2 - 1.4** above, the Faculty Review Panel shall be authorised to confirm or vary the original decision provided that one or more of the grounds for appeal has been demonstrated.

15. **Further right of appeal**

   Where an appeal is considered by the Faculties Support Officer not to meet the technical grounds for an appeal as outlined in section 4 above, or where it is rejected by a Dean (or sub-dean) or Faculty Review Panel, the student shall have a further right of appeal to the Senate Academic Review Committee, which will consider only whether the original appeal was considered properly and fairly.

16. **Falsified Evidence**

   Where there are grounds to consider that documentary evidence submitted in support of an appeal has been falsified, the Dean of Faculty will disregard such evidence and the appeal will thereafter be considered on the basis of the remaining evidence. The submission of falsified evidence will be referred for consideration by the Master of the student’s College under the *Regulations on Student Discipline in Relation to Non-Academic Matters*. The referral will include a recommendation as to whether the matter should be regarded as a ‘minor’ or ‘major’ offence.