

## **11.2**

# **REGULATIONS FOR THE DEGREE OF PhD BY PUBLISHED WORKS**

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## Research Degree Regulations PHD (By Published Works)

### 1. Introduction

- 1.1 These pages comprise the regulatory framework for the degree of PhD (by Published Works) at Cardiff Metropolitan University. A separate framework sets out the regulations for the degrees of MPhil and PhD by research.
- 1.2 The regulatory framework seeks to embody nationally recognised good practice, and policies and/or codes of practice of the Quality Assurance Agency, funding councils and research councils. The framework is therefore subject to annual review and is amended from time to time in accordance with the requirements of the Academic Board to reflect the Institutions' experience of it.
- 1.3 Candidates for the degree of PhD by Published Work at Cardiff Metropolitan University are not required to undergo a programme of induction and training during the period of their enrolment and are not required to maintain a Personal Development Portfolio.
- 1.4 Cardiff Metropolitan University's quality assurance system, of which these regulations form part, is subject to periodic review, and aims to:
  - (i) ensure standards that are comparable with those of other UK higher education establishments and consistent with the Quality Assurance Agency Framework for Higher Education Qualifications;
  - (ii) ensure that the quality of provision gives candidates a fair and reasonable chance to gain a qualification in an acceptable timeframe.
- 1.5 Regulations for the format, binding and submission of theses are set out in the appendix hereto.
- 1.6 Candidates are required to familiarise themselves with the contents of the Research Student Handbook and the Cardiff Metropolitan University Code of Practice for Research Degrees, as well as the relevant parts of the Academic Handbook. The Research Student Handbook and the University Code of Practice for Research Degrees give further advice and guidance but are subordinate to these regulations. These documents are available from Research and Enterprise Services online at:  
<http://www.cardiffmet.ac.uk/study/newstudents/Pages/research.aspx>

## **2. Comparability of Academic Standards**

- 2.1 Cardiff Metropolitan University will ensure that its awards for the degree of Doctor of Philosophy (by Published Works) are comparable in standard with those conferred throughout higher education in the United Kingdom and consistent with the QAA Framework for Higher Education Qualifications.
- 2.2 For the purpose of these Regulations, 'published works' may be defined as works which have been subject to independent academic review and publication independently of the candidate, and are in the public domain or which have at least been accepted for publication (provided that the candidate can provide adequate proof that this is the case). As a consequence, self-published work, or research reports prepared for a restricted readership and/or on a confidential basis will not be eligible normally for inclusion in a submission for this degree.
- 2.3 The criteria for the award of the Degree of PhD (by Published Works) shall be comparable with those established for the Degree of PhD by Research. The degree may be awarded by Cardiff Metropolitan University in recognition of the successful completion of a period of further study and research, the published outcomes of which are judged to constitute an original contribution to learning or knowledge and to give evidence of systematic study and of ability to relate the results of such study to the general body of knowledge in the subject.
- 2.4 The candidate is examined on the published work submitted for the degree, and the accompanying written commentary (see paragraph 6.2) which together form the thesis, for the purposes of these regulations.
- 2.5 In judging the merit of a thesis submitted in candidature for the degree of PhD (by Published Works), the examiners will bear in mind that the standard and scope of work should be comparable with what it would be reasonable to expect a capable and diligent student to present after a period of two to three years of full-time study or the part-time equivalent.
- 2.6 Candidates should note that although the work(s) submitted must constitute an original contribution to knowledge, and satisfy the criteria for the award of the degree, works submitted for examination should not normally have been published more than ten years previous to the date of enrolment and should demonstrate a continuing record of publication normally within the last three years.

## **3. Method of Candidature**

Candidates are required to be an appropriately enrolled student of Cardiff Metropolitan University and the associated fees must have been paid.

#### **4. Entrance Requirements**

- 4.1 Except as provided in Regulations 4.3 below, any candidate for the Degree of PhD (by Published Works) shall be either a graduate of Cardiff metropolitan University or of the University of Wales of at least six years' standing prior to enrolment on such a degree or a member of academic staff of at least 2 years' standing at a University in Wales prior to enrolment on the degree.
- 4.2 A candidate for the degree must be enrolled as a student/staff candidate at Cardiff Metropolitan University prior to examination for the Degree.
- 4.3 A person shall not be eligible to proceed to the Degree of PhD (by Published Works) under these regulations if he or she has been previously approved for a PhD or other related Doctoral Degree of Cardiff metropolitan University or of the University of Wales.
- 4.4 Through preliminary enquiries, a prospective candidate for the Degree of PhD (by Published Works) shall identify the most appropriate School for enrolment and shall write to the Head of that School stating the subject with which his or her contribution to scholarship appears to be most nearly connected, and specifying the published work or works on which his or her claim to the degree is based. If the School concerned is willing to accept the candidature, three copies of each of the published works in question should be submitted to the Head of School, together with the appropriate fee for examination, a list of the works submitted, the relevant examination forms, the critical summary and any other documentation which may be required.

#### **5. Application and Enrolment requirements**

- 5.1 A candidate, in submitting an application, shall be required to (a) declare that the submission as a whole is not substantially the same as any that he or she has previously made or is currently making, whether in published or unpublished form, for a degree, diploma, or similar qualification at any university or similar institution; (b) state what parts (if any) of the work or works submitted have previously been submitted for another qualification; (c) declare that, until the outcome of the current application to Cardiff Metropolitan University is known, the work or works submitted will not be submitted for any such qualification at another university or similar institution.
  - 5.1.1 A candidate who has been examined for a Doctoral or other Research Degree either at Cardiff Metropolitan University or elsewhere, but who has not been approved for such a degree may not include any publication in candidacy for the degree of PhD (by Published Works) the substance of which was submitted for previous examination.

- 5.2 Candidates shall be required to provide a critical analysis of some 5,000 - 10,000 words giving an evaluation of the field in which they have worked, and indicating also the original contribution to learning in that field which in their opinion their work has made.
- 5.3 Candidates may submit work(s) done in collaboration with others in support of the candidature, but such work shall be accompanied by a statement signed by each collaborator indicating the nature and amount of the work done by the candidate with reference to the contribution to the conceptualisation, design, conduct of the research, analysis, and writing up of the publication.
- 5.4 The procedures for considering an application and awarding the Degree of PhD (by Published Works) will normally be completed within one year.

## **6. Supervision**

- 6.1 For each candidature, the Institution concerned shall assign an advisor or advisors nominated by the candidate's School. The advisor(s) shall provide general guidance on the presentation of the published works for examination and advice on the written commentary. An advisor must be a full-time or part-time member of academic staff of Cardiff Metropolitan University.

## **7. Examinations**

### **7.1 Prima Facie Case Panel**

The Head of the School (or equivalent), or his/her nominee, shall arrange for a Panel (comprising the Head of the School concerned, the candidate's advisor and one other internal assessor who shall normally be a senior member of the School's staff (to be appointed by the Head of School)) to consider the works submitted in order to decide whether or not there is a prima facie case to support the referral of the works to two examiners for examination. Should the panel decline to forward the works to any examiners, two-thirds of the fee paid shall be returned to the candidate, together with the three copies of the work concerned.

### **7.2 Composition of Examination Boards**

7.2.1 Should the School Assessment Panel be of the opinion that there is a prima facie case for examination they shall nominate two Examiners (one of which should be external to Cardiff Metropolitan University, in the case of non-staff candidates, or both of which should be external to Cardiff Metropolitan University, in the case of staff candidates). The Examination Board shall consist of:

The Head of School (or his/her nominee) as Chair;  
The External Examiner(s);  
The Internal Examiner (in the case of non-staff examinations only);  
The Secretary & Convenor.

7.2.2 A candidate's advisor shall not be appointed internal examiner, although he/she may be invited by the Chair of the Examination Board to attend the oral examination in an advisory capacity.

### 7.3 Criteria for the Appointment of Examiners

7.3.1 Examiner nominations are approved by the Research Degrees Committee subject to the proposed examiners:

- (i) having no direct connection with the work submitted, or close professional or contractual relationship with the candidate, and/or (in the case of the external examiner(s)) the Advisor(s) or other members of the Examination Board within the preceding 5 years;
- (ii) not being registered for a higher degree;
- (iii) being suitably qualified;
- (iv) having relevant subject experience, as demonstrated through publication, etc;
- (v) having experience of examining research degrees (at least one examiner must have previously examined at the doctoral level).

7.3.2 Internal examiners are staff of Cardiff Metropolitan University. External Examiners are from outside Cardiff Metropolitan University. The Internal and External Examiners should, collectively, have sufficient research degree examining experience at the relevant level.

7.3.2.1 In exceptional circumstances, where it proves impossible to locate a suitable internal examiner within Cardiff Metropolitan University or a suitable external examiner outside of Cardiff Metropolitan University, staff at another University in Wales may act in either role.

7.3.3 Prior to the oral examination, examiners are required to forward to Cardiff Metropolitan University's Academic Registry a written appraisal of the thesis using the External Examiners' Thesis Report such that it may bring to the attention of the Chair of

Research Degrees Committee any issues which may need to be addressed prior to the oral examination.

7.3.4 The oral examination will normally be conducted at Cardiff Metropolitan University. Exceptionally, and with the approval of the Vice-Chancellor, the oral examination may be conducted at another place.

7.3.5 In the case of a candidate normally resident outside of the United Kingdom (Cardiff Metropolitan University awards only), the oral examination may be deferred until the return of the candidate to this country, provided that:

- (i) the candidate gives not less than two months' notice to Cardiff Metropolitan University's Academic Registry (via the Research Degrees Committee) of the dates between which he/she will be available for oral examination in this country;
- (ii) the oral examination may not be deferred for a period exceeding twelve months from the date of submission of the thesis;
- (iii) any additional expense caused by the conduct of the deferred oral examination shall be borne by the candidate.

#### 7.4 Recommendations Available to Examination Boards

7.4.1 Following the oral examination the examiners are required to provide a report on the examination and to make recommendation using the Examination Report form to Cardiff Metropolitan University's Academic Registry the choice recommendation being laid out below.

7.4.2 Examination Boards may recommend one of the following options:

- (a) That the candidate be approved for the degree of PhD subject to completion of such minor corrections as may be required by the Examination Board. Corrections should be completed within a period of 4 working weeks. The Board may stipulate that the corrections shall be scrutinised by either/both examiner(s) prior to the award being initiated.
- (b) That the candidate be not approved for the degree of PhD but that, where the critical analysis submitted for examination is satisfactory in substance but defective in presentation or in detail, the candidate be allowed to



modify it and re-submit it on one further occasion, not later than one year from the date of the official communication to him/her of the result by the Academic Registry, for the degree of PhD on payment of a re-examination fee.

- (c) That the candidate be not approved for the degree of PhD but that, where the published works have been found to be unsatisfactory, the candidate be allowed to modify by the inclusion of additional works of an appropriate quality and standard, and to resubmit within a period not exceeding 5 years, on payment of a re-submission fee.
- (d) That the candidate be not approved for the degree of PhD. (In such circumstances the award of an MPhil or equivalent may not be made.)

7.4.2.1 Options (b) and (c) above are not applicable when a re-submitted work is being examined.

## 7.5 The Oral Examination

7.5.1 The Examination Board shall be required to examine the published works submitted, and to hold an oral examination on the work submitted and on the general field of knowledge within which it falls. Normally, the oral examination shall be held in Cardiff Metropolitan University unless permission to hold it elsewhere has been granted by the Vice-Chancellor.

7.5.2 Each Examiner shall make an independent report on the published work or works before the oral examination, shall be present at the oral examination, and shall sign a joint certificate of the result of the oral examination. Forms (including a Notice of Candidature Form) for use by the candidate and the examiners will be issued by Cardiff Metropolitan University's Academic Registry upon request.

7.5.3 If the Examiners are unable to agree in their recommendations the Academic Registry shall be informed, and the procedure regarding the appointment of an arbitrating external examiner to resolve such disputes shall be initiated as laid down in the Code of Practice for Research Degrees.

7.5.4 Should the Examination Board not be satisfied with the candidate's performance in the oral examination, where a resubmission is permitted under 8.4.2 (b) above, it may allow him/her to be examined orally on one further occasion, not later than one year from the date of official communication to him/her

of the result by the Academic Registry. A re-examination fee will be payable by the candidate.

## 7.6 Duties of Examiners

7.6.1 The duties of Examiners may be summarised as follows:

- (i) independently to scrutinise and evaluate the thesis thoroughly in regard to the requirements of the award and to complete and return the appropriate initial assessment form;
- (ii) at the meeting of the Examiners (where it is considered appropriate in the event of a positive prima facie case to hold an examination), to agree upon the main points to be raised during the oral examination;
- (iii) during the examination, to cover all aspects of the thesis, particularly those points selected as above. The candidate should be given an opportunity to defend any adverse points raised and the Examiners should satisfy themselves that, except as acknowledged in the thesis, the thesis is the candidate's own original work;
- (iv) to make an appropriate recommendation in regard to the award of the degree and any conditions that apply;
- (v) to ensure that all administrative requirements are duly completed and transmitted to the University's Academic Registry.

7.6.2 Conditions imposed by the Examiners may involve a further oral examination to check that amendments have been satisfactorily completed or other requirements. The Examiners are responsible for ensuring that such requirements are clearly stated and that any further developments are appropriately organised.

## 7.7 Role of the Chair

7.7.1 The role of the Chair of the examination panel is as follows:

- (i) to liaise with members of the examining team and Cardiff Metropolitan University's Academic Registry to finalise the programme, to familiarise themselves with the relevant regulations, to read the thesis and initial report from the examiners prior to the oral examination;
- (ii) to agree the structure of the questions/issues to be raised at the oral examination;

- (iii) to ensure that all examiners understand their remit in connection with the oral examination and that the examiners' recommendations are appropriate and within the regulatory framework of the relevant awarding body;
- (iv) to make the candidate feel at ease during the examination and ensure that the questioning is appropriately structured;
- (v) to ensure that the Examiners' Report form is completed and signed by the examiners and submitted to Cardiff Metropolitan University's Academic Registry immediately following the oral examination, and to ensure that any follow-up action in respect of resubmission is clearly defined;
- (vi) to confirm the arrangements for reporting the examiners' recommendations to the candidate (this should be undertaken either immediately following the examination or the next day at the latest);
- (vii) to ensure that any follow-up action associated with the examiners' recommendations is undertaken (for example approval of amendments to the thesis, and/or chairing a further examination if required): Cardiff Metropolitan University's Academic Registry will confirm any follow-up action required following the ratification of the recommendations by the awarding body.

## **8. Appeals Procedures**

All Appeals are to be administered by the University's Academic Registry.

### **8.1 Appeals against decisions of Examination Boards**

8.1.1 A candidate for the degree of PhD (by Published Works) may appeal under this procedure against the decision of an Examination Board not to recommend approval for the degree in respect of which the candidate submitted a thesis:

8.1.2 Cardiff Metropolitan University will only consider appeals on one or more of the following grounds:

- (i) defects or irregularities in the conduct of the examination or in written instructions or in advice relating thereto which are of such a nature as to cause reasonable doubt whether the examiners would have reached the same decision had such defects or irregularities not occurred;

- (ii) exceptional personal circumstances where there is a prima facie case that such circumstances could have had an adverse effect on the candidate's performance;
- (iii) evidence of prejudice or bias or inadequate assessment on the part of one or more of the examiners;
- (iv) the provision of inadequate advice by the advisor(s).

8.1.3 An appeal under (ii) above will only be entertained where the appellant can show good reason why such personal circumstances were not made known to the Examination Board before its meeting. Exceptional circumstances which could have been reported to the Examination Board prior to its meeting cannot subsequently be cited as grounds for appeal.

An appeal under (iv) above will only be entertained where there are exceptional reasons why the inadequate advice had not been reported by the candidate prior to the decision of the Examination Board.

Appeals which question the academic judgement of the examiners will not be admissible.

8.1.4 A candidate wishing to appeal shall send a notice of appeal to Cardiff Metropolitan University's Academic Registry within two months of the date of notification of the result of the examination setting out the full grounds of appeal in accordance with paragraph 9.1.2 above. Forms for use in an appeal are available from the Academic Registry.

8.1.5 If the Vice-Chancellor or nominee decides, after examining the notice of appeal and any other written evidence which the Vice-Chancellor or nominee may require, that there is a case to be considered, the appeal must be referred to an Appeal Board consisting of three persons, one of whom is to be a nominee of the Vice-Chancellor, who is to be chair, and at least two of whom are to be members of the Academic Board. Appeals under paragraph 9.1 shall normally be heard within three months of receipt of the notice of appeal.

8.1.6 If the Vice-Chancellor or his/her nominee decides that there is no case to be considered the appeal must be dismissed. The decision to dismiss in these circumstances will normally be made within three months of receipt of the notice of appeal.

8.1.7 Where a case is referred to an Appeal Board for hearing, the Board must identify the grounds for the appeal and base its decision on the evidence of the appellant's submission, the

testimony of the Chair of the Examination Board, evidence from a representative of the School concerned and any further evidence which it considers relevant.

An appellant must be offered a personal hearing by the Appeals Board, and informed of the time and date of such a hearing. The appellant may be accompanied, but not represented, by a member of Cardiff Metropolitan University academic, welfare or advisory staff, or a student or officer of Cardiff Metropolitan University's Student Union.

The Chair of an Appeal Board has the discretion to declare inadmissible any matter introduced by the appellant, or any member of staff or student accompanying the appellant, if the matter is not deemed to be directly related to the grounds of the appeal previously lodged in writing within the stipulated deadline.

8.1.8 The Appeal Board is empowered to make either of the following decisions:

- (i) that the appeal be rejected and no further action be taken;
- (ii) that the appeal be upheld.

8.1.9 When an appeal is upheld, the Appeal Board may take one of the following courses of action:

- (i) to recommend to the Examination Board that, for the reasons stated, the original, or a properly constituted, Board should reconsider the decision of the previous Board;
- (ii) to recommend that an entirely new Examination Board should reconsider the decision of the previous Board;
- (iii) to give the candidate permission to rewrite the thesis and to re-submit for re-examination by the original, or a properly constituted, Examination Board within a specified time-limit.
- (iv) to give the candidate permission to re-write the thesis and to re-submit for re-examination by an entirely new Examination Board within a specified time limit.

8.1.10 Following any re-examination under (iii) and (iv) above it is within the discretion of the Examination Board to recommend that the candidate be allowed one further opportunity to re-submit the thesis either at the full or a reduced fee.

8.1.11 When a re-examination is undertaken as a result of paragraph 9.1.2 (ii) or (iv) above, two new external examiners will be appointed. The external examiners will not be provided with any information about the previous examination other than that they are conducting a re-examination of the candidate's submission on appeal.

8.1.12 Where a case is referred back to the Examination Board, the Appeal Board may, where appropriate to the circumstances of the case, require an officer of the Academic Registry to attend the meeting of the Examination Board as observer.

The decision of the Appeal Board is final.

8.1.13 The decision of the Appeal Board and recommendations or advice where appropriate to the circumstances of the case (and of the re-examination if applicable) must be notified at the first opportunity to the appellant, the Chair of the Examination Board and Cardiff Metropolitan University's Academic Registrar.

8.1.14 When an appeal falls within the provisions of paragraph 9.1.11 above, the Academic Registrar must arrange for the decision and recommendations of the Appeal Board to be implemented. The Examination Board's decision must be reported to the Appeal Board and is to be final. On receipt of the decision the Academic Registrar may, in exceptional cases, refer the case to the Chair of the Appeal Board for review of the procedures followed. If it transpires that a serious procedural irregularity has occurred, the case may be referred back to the relevant Examination Board for reconsideration.

8.1.15 If, as a consequence of a successful appeal, a candidate is regarded as having qualified for a degree the candidate shall be admitted to the degree at the next opportunity, unless in a case where all other necessary conditions for admission have been met the Vice Chancellor deems such a candidate to have been admitted to the degree on a prior occasion.

8.1.16 The Appeal Board may make recommendations for consideration by the Research Degrees Committee or the Academic Board as appropriate on any matter arising from the consideration of appeals.

## 8.2 Appeals against decisions of the Research Degrees Committee

8.2.1 A research degree candidate may appeal against a decision of the Research Degrees Committee where the Committee has not accepted a research proposal for enrolment on the degree of PhD (by Published Works). The candidate may appeal against

the decision to reject such a proposal if the decision is based on entrance requirements or project specification.

8.2.2 To appeal against a decision the candidate must write to the Vice-Chancellor detailing the grounds of appeal in full. Such appeal is to be made within two months of notification by the Committee of the decision. The Vice-Chancellor is to arrange for written independent opinion external to Cardiff Metropolitan University which in the case of project specification will be an expert in the field from another higher education establishment. The results of such enquiry are to be final and must be notified by the Vice-Chancellor directly to the candidate.

8.3 Appeals under paragraph 9.2 shall normally be heard within three months of receipt of the notice of appeal.

**END**