

7.6

APPEALS PROCEDURE – POSTGRADUATE RESEARCH DEGREES

# Key Details

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| **POLICY OWNER (JOB TITLE)** | Director of Registry Services |
| **UNIT / SERVICE** | Registry Services |
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# Version Control

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| --- | --- | --- |
| **VERSION** | **DATE** | **REASON FOR CHANGE** |
| 4 | 12 Jun 2024 | * Simplified language and updated terminology
* References to reasonable adjustments, supporting disabled students, pausing of corrections period
* Increased clarity on confidentiality
* Confirmed outcomes of Stage Two
* Alignment with other appeals procedures
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Appeals Procedure – Postgraduate Research Degrees

# Introduction

## This appeals procedure applies to students enrolled on the below programmes which come under the Postgraduate Research Degree regulations:

* PhD by Research
* PhD by Published Works
* MPhil
* MRes Management
* Professional Doctorate\*
* Taught Doctorate\*

*\*except in relation to taught modules, see below*

## Appeals relating to academic outcomes for all taught programmes, including the below, should be made under the 7.4 Appeals Procedure (Exam Board Decisions):

* Taught Doctorate (taught modules)
* Professional Doctorate (taught modules)
* Master’s of Research (MRes)

## The Cardiff Metropolitan University (the University) appeals procedures are for students who wish to challenge a formal outcome relating to academic progress or achievement. The [Complaints](https://www.cardiffmet.ac.uk/registry/Pages/Complaints.aspx) procedure deals with complaints and grievances against the University and/or its staff which are not seeking a revised academic outcome.

## All appeals must be submitted by the student themselves (although additional support will be available if required, see 4.7).

## All appeals are administered by Cardiff Metropolitan University Registry Services.

## Under this procedure, a student may submit an appeal in relation to:

1. an Examination (Viva) outcome, where an academic decision has been made by an Examination Board;
2. a decision made by the Research Degrees Group relating to progression within a programme, or withdrawal.

# Grounds for Appeal

## **Appeal against an Examination (Viva) Outcome**

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

1. defects or irregularities in the conduct of the examination or viva (or in the instructions, advice or administrative processes relating to the examination) which may reasonably have affected the examiners’ decision-making;
2. exceptional personal circumstances (see 3 below) which could have had an adverse impact on the student’s performance;

*Students must demonstrate good reason why personal circumstances could not have been reported to the Examination Panel before its meeting. Where there is no good reason, this cannot be cited as grounds for appeal.*

1. provision of inadequate supervision;

*Students must demonstrate good reason why this was not reported in a timely way, before examination. Where there is no good reason, this cannot be cited as grounds for appeal.*

1. evidence of prejudice or inadequate assessment on the part of one or more of the examiners.

### Students cannot appeal simply on the basis that they are dissatisfied or disappointed with an examination result; such appeals question academic judgement and will not be considered.

## **Appeal against a Research Degrees Group (RDG) Outcome**

### A postgraduate research degree student may appeal against an RDG outcome where:

1. the student has been withdrawn for a lack of adherence to the designated progression requirements, but had been experiencing exceptional personal circumstances (see 3 below) which prevented them from adhering to deadlines;

*Students must demonstrate good reason why they were unable to engage with formal mitigation processes, as set out in the Doctoral Degree Regulations and Doctoral Researcher Handbook. Where there is no good reason, this cannot be cited as grounds for appeal.*

1. the student has been withdrawn due to a failure to make sufficient progress or to meet the required academic standard.

*Such a decision may be made in the context of the student’s remaining candidature, i.e. if it is judged the student will not be able to complete the programme within the time allowed.*

# Exceptional Personal Circumstances

## Guidance on what constitutes ‘exceptional personal circumstances’ and how they can be evidenced is found here: [Academic Registry Appeals (cardiffmet.ac.uk)](https://www.cardiffmet.ac.uk/registry/Pages/appeals.aspx)

## Such circumstances are acute, unforeseen and unavoidable and can include:

* serious illness
* serious illness or hospitalisation of a partner/spouse, close family member or close friend
* bereavement
* accident

# Submission of Appeal

## Appeals must be appropriately evidenced. Guidance on the type of evidence required to support appeals based on exceptional personal circumstances can be found in the [Appeals *Frequently Asked Questions.*](https://www.cardiffmet.ac.uk/registry/Pages/appeals.aspx)

## Appeals relating to university processes should usually be evidenced with copies of programme documentation and/or copies of correspondence.

## A Postgraduate Research Degree Appeal must be submitted using the appropriate appeal form with supporting evidence, within **two months** of the date of the formal letter/email detailing the Viva or RDG outcome.

## Appeals received outside this timeframe will not be considered unless there is exceptional reason why the appeal could not be submitted on time (this is not likely to include a delay due to obtaining evidence). Late appeals will only be accepted at the discretion of Registry Services.

## Receipt of the appeal will be acknowledged by Registry Services.

## The Students’ Union can provide [advice and guidance](https://www.cardiffmetsu.co.uk/support/academic/) relating to academic processes such as appeals and may assist students in completing an appeal form.

## For students with a disability under the Equalities Act 2010, support in navigating academic procedures is available from Student Services. If an appeal form is required in an alternative format, students should email aup@cardiffmet.ac.uk

## In some cases, where there is evidence that the student’s ability to engage with the correct process is impaired, it may be reasonable for the University to make adjustments to this procedure to remove any disadvantage which the student may otherwise encounter. In such cases, these adjustments will be confirmed in writing.

# Pause of a Corrections Period

## If the academic outcome being appealed includes a specified time period for completion of thesis corrections, this corrections period will be paused while the appeal is considered (‘stop the clock’). If this applies, Registry Services will confirm the details in writing to both the student and to Research and Innovation Services (R&IS).

## If the appeal is ultimately dismissed or rejected, the corrections period will resume from where it was paused (‘restart the clock’).

## If the appeal is ultimately upheld, further instructions will be given at that stage.

# Confidentiality

## Appeals will be kept confidential except where:

### disclosure of the appeal and its contents to appropriately trained staff is necessary to progress the appeal;

### University staff must be contacted for information or comment in relation to the appeal contents, in order to properly investigate the appeal;

### it is judged that there may be concerns for the immediate wellbeing of the student, in which case Registry Services may ask the Wellbeing Team in Student Services to contact the student to establish if any support can be provided;

### information within the appeal gives rise to a safeguarding concern in relation to the student or someone else, in which case advice will be sought from the University’s Safeguarding Lead;

### R&IS need to be notified about the pausing of a corrections period;

### it is necessary for a summary of circumstances to be shared with the Chair of RDG in order for an appropriate submission deadline to be determined.

## Students must consent to the above in order to submit an application for appeal.

## For further information on Data Privacy, please refer to the Cardiff Metropolitan University [Data Privacy Statement](https://www.cardiffmet.ac.uk/about/Pages/privacy-statement.aspx) or contact the Information and Data Compliance Officer by emailing DataProtection@cardiffmet.ac.uk

## Appeal outcomes will be recorded in order to identify trends and inform the University’s review of procedures, however in sharing statistics internally, individual students are not identifiable.

## If any student wishes to query how their data is stored, please email aup@cardiffmet.ac.uk

# Stage One - Consideration of the Appeal

## Once an appeal is submitted, Registry Services will examine the appeal, and any other related evidence or information, to determine whether the appeal is eligible for consideration, and if so, whether there is a case for an appeal to be considered. This decision will be made within **three months** of the appeal being submitted.

## If the appeal is not eligible for consideration or it is determined there is no case for appeal, the appeal will be dismissed. The student will be notified by Registry Services and given reasons why the appeal cannot be considered. The student will have the opportunity to request a Stage Two review of that decision (see 11 below).

## If Registry Services determine there is a case to be considered, it will either:

1. be referred to an Appeal Board or
2. where appropriate, be referred to the Chair of the Appeal Board for a Chair’s executive decision.

## An appeal will not be rejected by the Chair, who will recommend either:

1. the case be referred back to RDG for a revised academic outcome to be considered;
2. the case be referred to a full Appeal Board for further consideration.

# Appeal Board

## The Appeal Board (at least three members) will normally be convened within twenty working days of notification to the student and will comprise:

* A member of the University Executive Group
* At least one member of Academic Board
* A senior academic familiar with postgraduate research degree processes

## If there is a delay in convening the Appeal Board (for example, due to the unavailability of a suitable panel), the student will be notified as soon as possible and kept up to date with developments.

## The Appeal Board will consider:

* information and supporting evidence provided by the student within their appeal
* statement from the Chair of the Examination Panel (if applicable)
* statement from the Chair of the RDG (if applicable)
* evidence from the School concerned (e.g. statements from relevant academic/support staff or copies of correspondence)
* any further evidence deemed relevant

## The student will be offered a personal hearing and informed of the date and time, with at least 2 weeks’ notice of the meeting.

## The student may be accompanied by a support person (e.g. friend, family member, officer of the Students’ Union or professional union). The role of this person is to support the student and they will not be able to speak for or represent the student unless it has been agreed in advance as a reasonable adjustment due to a disability. The name and status of the support person must be provided to the University at least one working day before the meeting.

## Legal representation at an academic appeal hearing would only be appropriate in very exceptional circumstances and must be agreed in advance. If a student wishes to be accompanied by anybody with legal qualifications, they must notify the University of their name and status at least five working days before the meeting.

## The University will take suitable steps to ensure that its legal position is fully protected.

## The student and the panel will be provided with the same documentation ahead of the meeting. If the student wishes to submit additional evidence to be considered, this must be received by Registry Services at least five working days before the date of the appeal hearing and will be accepted at the discretion of the Chair of the Appeal Board.

## The Chair of the Appeal Board has the right to exclude any matter introduced by the student or person accompanying them, if it is deemed to be irrelevant or not directly related to the grounds/circumstances cited in the original appeal submission.

## Further guidance is available in the Procedures for the Conduct of an Appeal Hearing within the Academic Handbook: [Academic Handbook Ah1\_07 (cardiffmet.ac.uk)](https://www.cardiffmet.ac.uk/registry/academichandbook/Pages/Ah1_07.aspx)

# Outcomes of an Appeal Board

## Having considered all available evidence, the Appeal Board will decide either:

## that the appeal should be rejected and no further action be taken;

## that the appeal be upheld and the case be referred back to the RDG, with recommendations where appropriate.

## If the appeal is rejected, the student will be given reasons for the decision. Regardless of the outcome, the student will have the opportunity to request a Stage Two Review of the decision (see 11 below).

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

* 1. to recommend to the Examination Panel that, for the reasons stated, the original panel should reconsider the previous decision;
	2. to recommend that an entirely new Examination Panel should reconsider the decision of the previous panel;
	3. to give the student permission to rewrite the thesis and to resubmit for re-examination by the original Examination Panel within a specified time-limit;
	4. to give the student permission to re-write the thesis and to resubmit for re-examination by an entirely new Examination Panel within a specified time limit;
	5. to recommend to RDG that a student be reinstated on their programme.

## When a re-examination is undertaken under (ii) or (iv) above, new examiners will be appointed. The new examiners will not be provided with any information about the previous examination other than that they are conducting a re-examination of the student’s submission on appeal.

## The student and other relevant parties (including the Chair of the Examination Panel, the Chair of RDG and the supervisory team) will be notified of the decision of the Appeal Board in writing within five working days.

## Informed by the course of action identified by the Appeal Board, R&IS will confirm the details of the next steps to the student, including any enrolment and progression requirements, signposts to additional academic support and resubmission deadline (if applicable).

# Actions following Resolution of an Appeal

## Registry Services, in conjunction with R&IS, will arrange for the recommendations of the Appeal Board to be implemented.

## The Appeal Board may make recommendations for consideration by the RDG or the Academic Board, as appropriate, on any matter arising from the consideration of an appeal.

## It may be that as a result of issues raised within the appeal, the Chair of the Appeal Board and/or the Director of Registry Services feel there are additional recommendations to be made within the University, in the interests of quality enhancement or improving student experience.

## If a procedural irregularity has occurred, the Director of Registry Services may take further action to avoid possibility of irregularities in the future.

# Stage Two - Requesting a Review of the Appeal Outcome

## Once the student has received the formal appeal outcome, they will have the right to request a review of the outcome. The Stage Two review constitutes a review of the process of the formal academic appeal to ensure that appropriate procedures were followed and that the decision made was reasonable.

## A student may not request a review simply due to being dissatisfied of the outcome, but only if one of the below applies:

## there is evidence that the appeal procedures were not correctly followed and that this had a material effect on the outcome of the appeal;

## the student has new and relevant evidence which could not have been submitted by the student with their original appeal.

## Students cannot cite new grounds or present significant new evidence at this stage unless there are exceptional reasons which prevented such disclosure at an earlier stage.

## A student may initiate a Stage Two review of their appeal by emailing Registry Services within **14 days** of their Stage One outcome letter/email. They should state on which of the above two grounds they are requesting a review and include any relevant details and additional evidence, where appropriate.

## The Stage Two review will be carried out by Registry Services within four weeks and will result in one of the below outcomes:

## there is no evidence of procedural irregularities or other grounds for reconsidering the appeal, and therefore no change to the Stage One outcome;

## there are grounds for part or all of the appeal to be reconsidered, in which case it will be referred to the Appeal Board Chair for a final recommendation.

## When the review is concluded, a Completion of Procedures letter will be issued to the student and no further action will be taken by the University in relation to the appeal.

# Office of the Independent Adjudicator

## The Office of the Independent Adjudicator for Higher Education (the OIA) is designated as the operator of an independent scheme in Wales for the review of student complaints and appeals, as per the Higher Education Act 2004.

## Once all the relevant university procedures above have been exhausted, a student may submit a complaint to the OIA if they are dissatisfied with the outcome of their appeal.

## Any such complaint must be submitted by sending an OIA complaint form together with all relevant information to the OIA within **twelve months** of the date on the ‘Completion of Procedures Letter’ from the University, which is sent on completion of its internal procedures.

## Details of how to submit a complaint and contact details are available on the OIA website: www.oiahe.org.uk

# Related Policies and Procedures

## [Appeals procedures](https://www.cardiffmet.ac.uk/registry/academichandbook/Pages/Ah1_07.aspx)

## [Postgraduate Research Degree regulations](https://www.cardiffmet.ac.uk/registry/academichandbook/Pages/Ah1_11.aspx)

# Review and Approval

## This procedure will be reviewed every three years, in line with institutional guidance. Updates may be made more frequently, if required.

## Updates will be brought by Registry Services to Academic Quality and Standards Committee for approval.