

ACADEMIC APPEALS PROCEDURE FOR RESEARCH DEGREE STUDENTS ON UNIVERSITY OF BRIGHTON VALIDATED PROGRAMMES

Introduction

1. The Academic Appeals Procedure for Research Degree Students is intended to allow students on research degree programmes at the University of Suffolk leading to awards of the University of Brighton to appeal against progression decisions or examination decisions.
2. Separate appeals procedures exist for students on research degree programmes at the University of Suffolk that lead to awards of the University of East Anglia and University of Essex.
3. The Academic Appeals Procedure comprises three stages: an informal stage for early resolution; a formal stage; and a review stage which a student must follow if they are dissatisfied with the outcome of their formal stage appeal.
4. The Academic Appeals Procedure operates in accordance with the [Good Practice Framework for Handling Complaints and Academic Appeals](#) issued by the Office of the Independent Adjudicator (OIA) (2022).

Definition

5. An academic appeal is defined in the UK Quality Code as “a request for a review of a decision of an academic body around a mark, outcome or decision. Students may appeal an outcome on the basis of evidence or procedure, but not on the basis of disagreement with academic judgement.”
6. An academic appeal should relate to one of the following decisions:
 - a) an annual progression review outcome of non-progression or progression on a lesser award, following a second-attempt annual progression review
 - b) an examination outcome of fail, resubmission or option to resubmit for a lesser award.

Commitments and principles

7. The University of Suffolk takes academic appeals seriously and the procedure is designed to enable a student’s appeal to be investigated and considered fully without risk of disadvantage. As such, students who submit a case under this procedure will be treated fairly and with dignity and respect. Any student who believes that they have been disadvantaged by

submitting an appeal should contact the Office for Student Appeals, Complaints and Conduct (OSACC) immediately.

8. The University expects that students will not engage in frivolous, vexatious or malicious appeals. This could include:

- appeals which are harassing, repetitive or pursued in an unreasonable manner
- insistence on pursuing non-meritorious appeals and/or unrealistic or unreasonable outcomes
- appeals which are designed to cause disruption or annoyance
- demands for redress which lack any purpose or value.

9. In such cases outlined in paragraph 8, the Academic Registrar (or nominee) reserves the right to terminate consideration of the appeal in consultation with the Head of the Doctoral College at the University of Brighton. The student will be given an explanation, in writing, of why their appeal has been terminated and details of any further right to appeal. Where no further right of appeal is permitted, the student will be issued with a Completion of Procedures letter (COP). Where an appeal is found to have been brought with frivolous, vexatious or malicious intent, this may itself prove grounds for disciplinary action against the student under the Student Discipline Procedure.

10. In considering any appeals, appropriate attention will be paid to the requirements of the Equality, Diversity and Inclusion Policy. In particular, reasonable adjustments will be made for those with disabilities, specific learning difficulties or long-term medical conditions.

11. All parties to the appeal and individuals who have been involved in any related investigation and/or the management and/or the administration of the appeal will observe the requirements for confidentiality. Whilst confidential information may need to be disclosed in order to consider the appeal, this will only be to those staff involved in the consideration of the appeal.

12. Each case is considered on its individual merits. All those involved in considering the appeal will be properly trained and have no conflict of interest or prior involvement in the case.

13. While the appeal remains unresolved, the original decision will stand. Where the academic decision being appealed is discontinuation of studies, the student will not be permitted to continue with their research programme.

14. A student may withdraw an appeal at any point providing OSACC is advised via email, but the student may not later re-launch the same appeal.

15. All personal information will be processed in accordance with the General Data Protection Regulation (GDPR).

16. The University recognises that pursuing an appeal may be stressful. Impartial and unbiased advice and guidance, as well as signposting to internal and external specialised agencies and services where the need arises, is available through the Students' Union Advice Service and/or Student Services.

INFORMAL STAGE (EARLY RESOLUTION)

17. Students are expected to seek feedback whenever possible and to try to resolve the matter they are concerned about informally before submitting a formal appeal.

18. A number of avenues exist through which further information, clarification or explanation can be provided which might satisfactorily answer a student's concerns. An informal approach could be made to members of the student's supervisory team, the PGR Course Leader within their academic school, Registry Services or the Research and Knowledge Exchange Directorate.

19. Students can be assisted in making an informal approach by the Students' Union Advice Service and/or Student Services.

20. Should the informal approach not resolve the matter to the student's satisfaction, the student may submit a formal academic appeal under the Formal Stage of the procedure. Attempts to resolve appeals informally should take no longer than fifteen working days from the notification of the academic decision. A student is required to notify OSACC if attempts to informally resolve a concern are likely to take longer than this.

FORMAL STAGE ACADEMIC APPEAL

21. A student must submit the completed Formal Stage Academic Appeal (Research Degree) form and any supporting documents to OSACC within twenty working days of receiving written confirmation of the decision against which they wish to appeal. Appeals received after the deadline will only be accepted at the discretion of the Academic Registrar

(or nominee), whose decision is final. For this to apply, students must be able to show, to the satisfaction of the Academic Registrar (or nominee), that circumstances beyond their control prevented them from meeting the standard time limit and that unfair treatment would result from not extending the deadline.

22. The Formal Stage Academic Appeal (Research Degree) form is available on the University of Suffolk website. The student must state the grounds on which they wish to appeal and must include all necessary supporting evidence and documentation. No evidence submitted can be anonymous.

Grounds for Formal Stage Academic Appeals

23. Students may submit an appeal on the following grounds:

- a) there were circumstances affecting the student's performance of which the progression review panel or examiners were not aware during the progression review or examination process, and of which the student could not reasonably have been expected to inform the panel or examiners in advance
- b) there was evidence of procedural irregularity in the annual progression review or examination process (including administrative error) of such a nature as to cause doubt as to whether the result might have been different had there not been such an irregularity
- c) there was prejudice and/or bias, or the appearance of prejudice and/or bias, on the part of one or more members of the progression review panel or examination team.

24. All appeals shall be considered on their merit. However, the following are not normally considered as valid grounds for appeal, and any appeal submitted on one or more of these grounds is likely to be rejected:

- a) prior informal assessments of the student's work by a member of the supervisory team or another member of staff
- b) the retrospective reporting of extenuating circumstances which a student might reasonably have been expected to disclose in advance of the annual progression review or examination
- c) concerns relating to the inadequacy of supervision or other arrangements during the period of study. Students should raise such complaints in writing, normally before the annual progression review or examination, under the University of Suffolk's Student Complaints Procedure
- d) appeals against the academic judgement of the progression review panel or examiners (progress or work will not be re-assessed except in cases of procedural irregularity).

Supporting evidence for formal stage academic appeals

25. Students should submit to OSACC all evidence and supporting documentation relevant to their appeal with their completed Formal Stage Academic Appeal form. This should include evidence to show any attempts at early resolution of their concerns and appropriate evidence to support the stated grounds for their appeal. Appropriate evidence may include independent medical evidence, reports by professionals, correspondence from the University of Suffolk, or other written evidence to demonstrate procedural irregularity. Supporting evidence should be provided in English or accompanied by an official English translation. Self-translated documents will not be accepted.

26. The Academic Registrar (or nominee) has the right to request additional written evidence from the student and/or staff and to include such additional evidence as is deemed conducive to reaching a better-informed judgement. Where additional evidence and/or clarification is requested from the student, this should be submitted to OSACC by the given deadline. Failure to provide the required supporting evidence to consider an appeal will result in the appeal being closed. A Completion of Procedures letter will not usually be issued.

27. The Academic Registrar (or nominee) has the right to terminate the consideration of academic appeals which do not include appropriate evidence relating to the grounds selected, or which include no supporting evidence. The student will be given an explanation, in writing, of why their appeal has been closed and details of any further right to appeal. Where no further right of appeal is possible, the student will be issued with a Completion of Procedures letter (COP).

Consideration of formal stage academic appeals

28. All formal stage appeals submitted will be acknowledged by OSACC on receipt and then screened to determine whether:

- a) it is submitted under the correct procedure
- b) it is made under the permissible grounds for appeal
- c) the form is fully completed, with necessary supporting evidence including evidence of an attempt at early resolution where appropriate
- d) it has been submitted within the required timeframe.

29. Where the appeal has not been submitted under the correct procedure, OSACC will refer the student to the relevant procedure (for example the Student Complaints Procedure where the matter does not relate to an academic result).

30. Where the appeal is not made under the permissible grounds or where the grounds selected by the student are not supported by the evidence or details provided, OSACC will consult with the Academic Registrar (or nominee) to determine whether the appeal should be rejected. If the appeal is rejected, the student will be provided with an explanation, in writing, for the rejection and details of any further right to appeal. Where no further right of appeal is possible, the student will be issued with a Completion of Procedures letter.

31. Where an appeal has met the requirements as detailed in paragraph 28, the appeal will be passed to the relevant Academic Appeals Panel (referred to as the Panel from hereon) for consideration. The Panel will be convened at regular intervals (normally monthly) to ensure the timely consideration of all appeals. OSACC will inform the student of the date of the Panel meeting where their appeal will be considered and the date by which they should normally expect to be advised of the Panel's decision.

Academic Appeals Panel

32. The Panel, appointed by the Academic Registrar, shall comprise:

- an Executive Dean of School, Associate Dean, Professor or Associate Professor (who will act as Chair) who was not involved in the decision being appealed and who is qualified to doctoral level (or equivalent) and has experience of research degree student supervision through to completion
- two members of academic staff from outside the student's school who have experience of research degree student supervision (including at least one with experience through to completion) but have no previous connection with the student.

33. A representative from OSACC will be in attendance to guide procedurally and to ensure consistency in decision making. OSACC will also record the Panel's decision and justification for that decision.

34. The Panel will consider all appeals based only on the documentary evidence provided. In exceptional cases, for example where reasonable adjustments are required or where the interpretation of evidence is disputed, a student may be permitted to attend the meeting to present evidence in person (this may be by physical attendance or remote attendance via MS

Teams or other appropriate means). The decision as to whether to permit a student to attend will be made by the Head of Student Complaints and Conduct (OSACC) in consultation with the Chair of the Panel.

35. The student may be accompanied at such a meeting by a supporter. A supporter is defined as a member of staff of the University of Suffolk, or a registered student of the University, or a member of staff or sabbatical officer of the Students' Union. The role of a supporter is to act as an observer, give moral support and assist the student to make their case. A supporter should not normally answer questions on behalf of the student or speak for the student. In addition, where reasonable adjustments are required, a student may be accompanied by a further supporter, for example a sign language communicator or a notetaker.

36. OSACC will provide the Panel with the documentation submitted by the student and any additional evidence gathered in accordance with paragraph 26 prior to the meeting of the Panel. The Chair of the Panel may also request that additional evidence be gathered prior to the Panel meeting in order to ensure that all information needed to make an informed decision is made available to the Panel. This may include evidence from members of the progression review panel, examiners, the student's supervisor(s) and/or other member of academic staff.

37. At any time during the panel meeting, the Chair of the Panel may decide to suspend a decision relating to an appeal in order to seek more evidence.

38. With limited exceptions (for example, where information cannot be disclosed because of the University's obligations under the GDPR), all written material considered by the Panel under this procedure will be accessible to the student if requested.

39. The Panel, having considered the evidence, will decide whether the appeal should be justified, partially justified, or not justified.

40. The decision of the Panel is final and will be reported to the student, the lead supervisor, the PGR Course Leader within the relevant academic school and the student administration team within Registry Services in writing.

Formal stage appeal outcomes

41. The student can expect to hear the outcome of the Panel, in writing via OSACC, within five working days of the Panel meeting. The student will also be informed within that time if the complexity of the case prevents an outcome being reached and advised of the likely timescale for further action and notification of the outcome.

42. In all cases, regardless of whether the appeal was justified, in full or in part, or not justified, the outcome letter will give a full and clear explanation of the decision, the rationale and any conditions that are attached to the decision. If a student's status is altered, a copy of the relevant written statement of arrangements for supervision must be included and the supervisor requested to ensure that the student fully understands these.

43. Where the Panel determines that an appeal should be justified, in part or in full, they may:

- a) ask the progression review panel or examiners to reconsider their decision for reasons specified as part of the consideration of the appeal
- b) determine that the student should be allowed one further attempt at progression, with a deadline determined by the appeal Panel (either with the existing progression review panel or with a new progression review panel)
- c) determine that the unamended thesis shall be re-examined by new examiners.

44. For appeals against an examination outcome:

- a) Where the Panel determines that the examiners should be asked to reconsider their decision under paragraph 43.a), the examiners must either:
 - (i) agree to amend their decision, in which case a new results letter with the revised result will be issued to the student, or
 - (ii) decline to amend their decision, in which case the examiners' original recommendation stands and the original result will be confirmed in a letter to the student.
- b) Where the Panel determines that a re-examination under paragraph 43.c) is required, the new examiners shall be appointed under the normal procedures. The new examiners shall be given no information about the previous examination except the single fact that they are conducting a re-examination on appeal. The re-examination will follow the standard examination procedure.

45. Registry Services will notify the student, in writing, of the decision of the progression review panel or the examiners and any appropriate action, along with the rationale for the decision, within fifteen working days of the date of the letter informing the student of the Panel's decision, except in the case of re-examination of the thesis where the timelines will be in accordance with the standard examination procedure. A copy of the letter will be added to the student's record (OASIS) for information and shared with the University of Brighton.

REVIEW STAGE ACADEMIC APPEAL

Submitting a review stage academic appeal

46. A student who is not satisfied with the outcome of their formal stage appeal (whether or not it was justified) may decide to move to the review stage of the Academic Appeals Procedure for Research Degree Students.

47. The student must submit a completed Review Stage Academic Appeal (Research Degree) form and any supporting evidence to OSACC within ten working days of the notification of the outcome of the formal stage appeal (either the decision of the Panel referred to in paragraph 41 where the appeal was rejected, not justified or partially justified, or the letter from Registry Services referred to in paragraph 45 where any part of the appeal was justified). The student should contact OSACC immediately if they are unable to meet this deadline. The Academic Registrar (or nominee) will determine whether a late appeal can be accepted.

48. The Review Stage Academic Appeal (Research Degrees) form is available on the University of Suffolk website. The student must state the grounds on which they wish to appeal and must include all necessary supporting evidence and documentation. No evidence submitted can be anonymous.

Grounds for review stage academic appeal

49. The grounds on which a review stage appeal can be considered are:

- a) there is new information put forward by the student that, for good reason, could not have been provided earlier in the process which might have materially affected the outcome
- b) there was procedural irregularity in the conduct of the formal stage
- c) there was prejudice and/or bias or the appearance of prejudice and/or bias, in the conduct of the formal stage
- d) evidence put forward at the formal stage was not fully and properly considered meaning the outcome was not reasonable in all the circumstances.

50. A student whose original viva examination result was fail, resubmission or option to resubmit for a lesser award cannot appeal against the original examination result following their resubmission and re-examination. Any subsequent appeal can only be made against the outcome of the re-examination and not against the original examination.

Supporting evidence for review stage academic appeals

51. Students should ensure they submit all appropriate evidence to support the stated grounds for their appeal. Examples of acceptable evidence are provided in paragraph 25 above. The Academic Registrar (or nominee) has the right to request additional written evidence from the student and/or staff and to include such additional evidence as is deemed conducive to reaching a better-informed judgement.

Consideration of review stage academic appeals

52. OSACC will acknowledge receipt of the review stage appeal and undertake an initial assessment in consultation with the Academic Registrar (or nominee) to check that the appeal meets at least one of the grounds in paragraph 49 and that the form is fully completed with necessary supporting evidence and submitted within the required timeframe. If one or more of these are not met, the Academic Registrar (or nominee) may reject the appeal (see paragraph 61) or ask the student for further clarification and/or additional evidence.

53. Where the appeal has been submitted outside of the timeframe as detailed in paragraph 47, it will not normally be considered without good reason for the delay. The Academic Registrar (or nominee) will determine whether a late appeal can be accepted. This decision will be final. If a late appeal is not accepted, the student will be issued with a Completion of Procedures letter normally within twenty working days of receipt of the review stage academic appeal.

54. Where additional evidence and/or clarification is requested from the student, this should be submitted to OSACC by the given deadline. Should it not be received by this date, the appeal will be assessed on the evidence provided with the original submission.

55. Following the initial assessment, the Academic Registrar (or nominee) will determine whether the review stage appeal should be reconsidered by a newly convened Panel or, in consultation with the Head of the Doctoral College at the University of Brighton, be rejected.

Reconsideration by the Panel

56. Where the Academic Registrar (or nominee) determines that a review stage appeal should be reconsidered by a Panel, the Panel will be convened as detailed in paragraph 32 with different membership to the original Panel who considered the appeal at the formal stage. The new Panel shall include a senior representative of the University of Brighton not previously involved in the case. The Panel will normally meet within twenty working days of receipt of the review stage appeal.

57. OSACC will send a copy of the review stage appeal form and supporting evidence submitted by the student along with the documentation submitted and considered at the formal stage to the new Panel.

58. On receiving a review stage appeal, the Panel will reconsider the decision made at the formal stage in accordance with paragraphs 34 to 40. The Panel will notify the Academic Registrar (or nominee) of their decision, giving a clear rationale for the decision.

59. If the Panel decides that the appeal should be justified, OSACC will notify the student, the lead supervisor, the PGR Course Leader within the relevant academic school and the student administration team within Registry Services of the decision, normally within five working days of the Panel meeting, and the appeal will proceed in accordance with paragraphs 41 to 45.

60. If there is no change to the formal stage decision, the Academic Registrar (or nominee) will consult with the Head of the Doctoral College at the University of Brighton to agree that the appeal is not justified. OSACC will notify the student in writing, through the issue of a Completion of Procedures (COP) letter, normally within ten working days of the Panel meeting. The lead supervisor, the PGR Course Leader within the relevant academic school and the student administration team within Registry Services will also be notified of the outcome in writing.

Rejection of review stage appeals

61. Where the Academic Registrar (or nominee) determines that the appeal should be rejected, the appeal will be referred to the Head of the Doctoral College at the University of Brighton for consideration.

62. If the Head of the Doctoral College at the University of Brighton determines that the appeal should be reconsidered by a Panel, the appeal should proceed in accordance with paragraphs 56 to 60.

63. If the Head of the Doctoral College at the University of Brighton confirms that the appeal should be rejected, the student will be informed in writing of the outcome of their review stage appeal through the issue of a Completion of Procedures (COP) letter. Students can expect to receive this letter from OSACC within twenty-five working days of receipt of the review stage appeal.

64. If the review stage appeal is rejected or found not justified, this decision is final and there is no further right of appeal within the University of Suffolk or the University of Brighton. Students may be able to seek an external review by the OIA (see paragraph 65).

Further right to appeal

65. Students who are dissatisfied with the outcome of their review stage appeal may be able to seek a review by the Office of the Independent Adjudicator for Higher Education (OIA) should the case be eligible under the OIA's rules (see <http://www.oiahe.org.uk/>). Details will be provided in the Completion of Procedures letter advising the student of the final outcome of their review stage appeal.

Monitoring and evaluation

66. The University of Suffolk will monitor and evaluate the effectiveness of the Academic Appeals Procedure for Research Degree Students and reflect upon the outcomes for enhancement purposes. A report will be submitted annually to the Equality, Diversity and Inclusion Committee, Quality Committee and Senate. The report will include equality monitoring data.