

CODE OF PRACTICE ON POSTGRADUATE RESEARCH DEGREES: APPENDIX 2

PROCEDURE FOR APPEALING AGAINST THE OUTCOME OF A POSTGRADUATE RESEARCH DEGREE EXAMINATION

1. Introduction

- 1.1 The Liverpool School of Tropical Medicine (LSTM) is committed to providing a high quality educational experience for all students, with appropriate academic support, administrative structures and good welfare services and facilities. This procedure is Appendix 2 of an inter-related framework of procedures under the *Code of Practice on Postgraduate Research Degrees*.
- 1.1. This procedure deals with appeals against decisions made by the examiners of a submitted thesis. Students wishing to appeal against decisions made by the PGR Progress Panel with respect to transfer of registration or termination of studies should refer to the *Procedure for Monitoring the Academic Progress of Postgraduate Research Students*. Students registered on taught programmes should refer to the *Procedure for Dealing with Academic Appeals (Taught Programmes)*.

2. Scope

- 2.1. This procedure applies to all current PGR students registered with LSTM, whether based on-site, off-site or split-site, and studying full-time or part-time. Former students may appeal only if they were prevented by exceptional circumstances from raising the matter while registered.
- 2.2. The procedure covers examination of a thesis leading to one of the following awards:
 - Master of Philosophy (MPhil)
 - Doctor of Philosophy (PhD)
 - Doctor of Medicine (MD)

3. Grounds for Appeal

- 3.1. In considering academic appeals, the following general principles shall apply:
 - 3.1.1. Appeals will be dealt with fairly and consistently.
 - 3.1.2. The outcome of an appeal will be communicated promptly to the student with clear reasons given for the decision.
 - 3.1.3. Students will not be disadvantaged in any way as a result of making an appeal.
- 3.2. A student may appeal against any of the following decisions made by the examiners appointed to examine a thesis but only on the grounds details in Section 3.3.
 - 3.2.1. That the student be deemed not to have attained the standard required for the degree and that no further opportunity be allowed for examination.
 - 3.2.2. That a different award be made from that which the student was attempting to achieve.
 - 3.2.3. That a student be required to resubmit the thesis either for the intended award or for a lesser award.

- 3.2.4. That a student's studies are terminated or the student is required to re-submit the thesis based on a breach of academic integrity.
- 3.3. A student may appeal only on the following grounds:
 - 3.3.1. That there were procedural irregularities in the conduct of the *viva voce* examination (including alleged administrative error) of such a nature as to cause reasonable doubt as to whether the examiners would have reached the same conclusion if they had not occurred.
 - 3.3.2. That there were exceptional circumstances affecting the student's performance in producing the thesis or in the *viva voce* of which the examiners were not aware when their decision was made. Appeals made under this clause will only be considered if there are valid reasons why the student did not take action through the Annual Progress Review process or why the student did not alert the examiners to any exceptional circumstances
 - 3.3.3. That there was evidence of prejudice or of bias or of inadequate assessment on the part of one or more of the examiners
- 3.4. A student may not appeal on any grounds that dispute the academic judgement of the examiners.
- 3.5. Students should not use the appeals procedure to make complaints about supervision or supervisory arrangements. Students who are dissatisfied with their supervision should raise concerns through the Annual Progress Monitoring process.

4. Submitting an appeal

- 4.1. A student wishing to submit an appeal must:
 - 4.1.1. Within ten working days of receiving formal notification of the result of the examination, give notice in writing to the Academic Registrar of their intention to appeal, stating on what grounds the appeal is being lodged. This may be submitted electronically or in hard copy via the Student Support Desk.
 - 4.1.2. Within a further ten working days, submit a written statement of appeal accompanied by supporting evidence to the Academic Registrar.
- 4.2. A student who has submitted an appeal cannot accept an award whilst the appeal is under consideration and will be removed from the list of graduating students until the appeals procedure is concluded. LSTM aims to resolve appeals within four months of their submission. If this is not possible, the student will be informed and provided with reasons.
- 4.3. Based on the information provided by the student, and with reference to Section 3.3, the Director of Education will determine whether or not the student has made a *prima facie* case for an appeal to be heard. This may involve discussions with those responsible for the original decision to establish matters of fact only.
- 4.4. If the Director of Education considers that there are no grounds for appeal, the Academic Registrar will inform the student, in writing, of this decision. A student may request an independent review of a decision to dismiss an appeal at this point by writing to the Academic Registrar within ten working days of receiving the written notification. The student must state the grounds on which they consider that a review is justified but may not introduce new information at this stage. A review panel of two LSTM academic staff at professorial level who have not been involved in supervising or monitoring the progress of the student concerned will consider whether or not the decision to dismiss

the appeal is consistent with Section 3.3 of this procedure. If the panel considers that the procedure has been applied appropriately, the Academic Registrar will inform the student, in writing, that the decision will stand and will issue a 'Completion of Procedures' letter. If the panel considers that the procedure has not been applied appropriately, the student will be informed that the decision has been overturned and Section 4.6 will apply.

- 4.5. If the Director of Education considers that there are grounds for appeal, a Research Degrees Appeals Board (RDAB) will be convened. The RDAB will comprise three members of LSTM academic staff at professorial level who have not been involved in supervising or monitoring the progress of the student concerned and will normally include the Director / Deputy Director of LSTM or a Faculty Dean who will serve as Chair.
- 4.6. The Academic Registrar will convene a meeting of the RDAB according to the following procedures and timelines:
 - 4.6.1. The meeting should be convened as soon as possible and normally no longer than thirty working days after receipt of the student's appeal, unless there are exceptional reasons for a longer period, in which case the student must be informed.
 - 4.6.2. The student will be given notice of at least ten working days of the date of the meeting and will be invited to make representation in person. This communication will be sent to the student's LSTM email address and to their home and study addresses recorded in the student information system.
 - 4.6.3. The student has the right to be accompanied by another member of LSTM staff (who must not be a member of the supervisory team) or by a friend or supporter. The student must give the name of any accompanying person to the Academic Registrar at least five working days before the meeting and is responsible for giving the accompanying person details of the meeting and for securing their attendance. Students are not permitted to bring legal representation to the meeting but are entitled to seek legal advice at their own expense and their statements can be compiled on their behalf by persons legally qualified.
 - 4.6.4. The student may call witnesses to attend the meeting. The students must give the names of any witnesses to the Academic Registrar at least five working days before the meeting and is responsible for giving the witnesses details of the meeting and for securing their attendance.
 - 4.6.5. If the student does not attend the meeting, the RDAB may proceed in their absence provided the Academic Registrar has made every reasonable effort to inform the student that the meeting is taking place.
 - 4.6.6. The Primary Supervisor and the examiners will be invited to submit written statements to the Academic Registrar no later than seven working days prior to the meeting. They will be provided with the student's statement of appeal as part of this invitation, together with copies of relevant regulations.
 - 4.6.7. The Director of Postgraduate Research may be invited to attend the RDAB in order to provide information on the background to the student's case but will not play any role in determining the outcome.
 - 4.6.8. Where the appeal is heard on grounds 3.3.2, appropriate parties may be asked to provide a statement commenting on the fact that the student did not take

action via the Annual Progress Review or alert the examiners to the exceptional circumstances in question.

- 4.6.9. Where the appeal is heard on grounds 3.3.3, an External Advisor may be appointed to advise the RDAB. The External Advisor would be asked to read the thesis and provide an independent evaluation of the examiners' reports. It is not the role of the External Advisor to re-examine the thesis.
- 4.7. The Academic Registrar will circulate the names of all those attending and all papers submitted by all parties to all parties, except witnesses, at least five working days before the meeting. The documentation circulated will comprise:
 - The student's letter of appeal and any supporting evidence
 - Copies of the relevant regulations
 - Written reports from the Examiners
 - Any other relevant information or statements
- 4.8. The student will be invited to present their case to the RDAB, calling witnesses as appropriate. Normally witnesses will attend the meeting only at the appropriate time in the procedure. Members of the RDAB may put questions to anyone attending the meeting. Any other person wishing to ask questions may request to do so via the Chair.
- 4.9. The Academic Registrar will serve as secretary to the meeting and take notes.

5. Decisions of the Research Degrees Appeals Board

- 5.1. The RDAB will consider its decision in private. The student will be invited to be informed of the outcome in person by the Chair of the RDAB at the conclusion of the meeting but no further discussion of the case will be permitted at this point. The Academic Registrar will write to the student within ten working days confirming the outcome and detailing the specific evidence taken into account by the RDAB in reaching its decision. If the appeal has been upheld, the student will be informed of any action to be taken according to Section 5.2. If the appeal has not been upheld, the student will be informed of their further right of appeal (Section 5.4).
- 5.2. The RDAB may make one of the following decisions:
 - 5.2.1. Where the appeal is on the grounds stated in 3.3.1 or 3.3.2:
 - 5.2.1.1. To dismiss the appeal.
 - 5.2.1.2. To recommend to the examiners that, for reasons stated, they should reconsider their decision.
 - 5.2.1.3. To give the student permission to re-submit the thesis for re-examination under conditions to be determined by the RDAB. This may include further revision to the thesis.
 - 5.2.2. Where the appeal is on the grounds stated in 3.3.3:
 - 5.2.2.1. To dismiss the appeal.
 - 5.2.2.2. To determine that the thesis should be re-examined in accordance with Section 5.3.
- 5.3. If the RDAB decides that the thesis should be re-examined, the following procedures will be followed:
 - 5.3.1. One new internal examiner and two new external examiners will be appointed, who will be informed that they are conducting a re-examination on appeal and

shall be given no other information about the original examination.

- 5.3.2. The decision of the new examiners following examination of the thesis will replace all other decisions.
- 5.4. A student may appeal against the decision of the RDAB only on the grounds that there was a procedural irregularity that prevented the student from having a fair hearing. The written appeal must be received by the Academic Registrar within ten working days of receipt of the written decision of the RDAB and will be considered by the Chair of the LSTM Board of Trustees. If the appeal is upheld, the RDAB will be asked to reconsider the student's case taking into account the impact of the procedural irregularity. If the appeal is not upheld, the Academic Registrar will inform the student in writing, giving reasons, and issue a Completion of Procedures letter.
- 5.5. If a student has been issued with a Completion of Procedures letter and is dissatisfied with the outcome of their appeal, further appeal may be made to the Office of the Independent Adjudicator for Higher Education (OIA). Further details and advice on how to do this are available from the OIA website www.oiahe.org.uk.