

Institute of Education
University of London

Procedure for consideration of representations by research degree candidates concerning the result of the examination of the thesis

October 2008

These Regulations are made under the *General Academic Regulations* and terms and expressions used in them have the same meaning as in those regulations unless the context otherwise requires. They should be read in conjunction with the Institute's *Regulations governing representations concerning decisions of boards of examiners*.

Any reference in these Regulations to officers of the Institute shall be deemed to include a reference to any person designated by that officer for the purpose, where such delegation is not prohibited by the Charter and/or Statutes and should this be necessary, this will not invalidate the procedure.

The Institute will use its reasonable efforts to meet the time periods indicated in these Regulations. However, if for some good reason, this is not possible the Institute will inform the student that this is the case and the reason for the delay. The student will also be provided with a revised date by which the appropriate action will be taken.

A candidate's decision to submit his/her thesis for examination is entirely his/her own and this procedure, therefore, applies only to the conduct of the examination itself. Candidates are reminded that problems arising during their course of study should be raised through the Student Complaints Procedure and are not grounds for representation against the result of the examination.

1. These regulations apply to candidates for whom the result of the examination was that the degree was not awarded.
2. Candidates may make a representation against the result on one or more of the following grounds:
 - 2.1 that a candidate's performance at the oral examination was affected by circumstances such as illness, which, for good reason, the examiners were not aware of when their decision was taken and that this had produced an unfair result;

- 2.2 that there is evidence of prejudice or of bias or of inadequate assessment on the part of one or more of the examiners such that the result of the examination should not be allowed to stand;
 - 2.3 that there were procedural irregularities in the conduct of the examination (including any instance of administrative error) of such a nature as to cause reasonable doubt as to whether the result of the examination would have been the same if they had not occurred.
3. A submission under this procedure shall be made in writing by the student with supporting evidence (including medical certificate for paragraph 2.1 above) to the Academic Registrar of the Institute of Education and must be received within two months of the date of notification to the candidate of the result of the examination.

First stage

4. The Academic Registrar will refer to the chair of the Board of Examiners for Doctoral Awards any representation under Regulations 2 and 3 as soon as is practicable. The chair will consider the representation and the evidence and will inform the Academic Registrar of his or her decision within 14 working days of the referral from the Academic Registrar. The Academic Registrar will then inform the student of the decision of the chair within 14 working days of receiving the decision from the chair.
5. When, in the opinion of the chair of the Board of Examiners for Doctoral Awards, there are grounds for an appeal, the Academic Registrar shall make the necessary arrangements to convene an Appeal Committee as set out in Regulations 14 to 21 and inform the student of the chair's decision.
6. When the application does not, in the opinion of the chair (following any consultation with members of the Board which the chair considers necessary), fall within the remit of this procedure or does not disclose arguable grounds, the chair shall dismiss the representation on the basis of the candidate's submission alone, without a hearing being held and without seeking further information.
7. Where inadequate grounds for an appeal are provided or the documentation is deemed to be defective, the Academic Registrar will advise the student before Regulation 6 above is invoked and permit the student one final opportunity to submit any further evidence or information.
8. A student who is dissatisfied with the outcome of the decision notified to him or her by the Academic Registrar under paragraph 7 may invoke the second stage.

Second stage

9. A student who is dissatisfied with the outcome of the first stage as set out in Regulation 6 may invoke the second stage by submitting a written request to the Academic Registrar within 14 working days of the date of the Academic Registrar's communication to the student under Regulation 7.
10. On receipt of such a request, the Academic Registrar shall:
 - 10.1 acknowledge the request to the student and refer him or her to these Regulations;
 - 10.2 refer the matter to the Deputy Director with all appropriate information at his or her disposal.
11. The Deputy Director shall decide within 14 working days of the Academic Registrar's reference to him or her whether the representation should be rejected or whether the matter should be referred to an Appeal Committee for consideration.
12. Where the Deputy Director has rejected the representation from the candidate, the Academic Registrar will advise the student within 14 working days of receiving the Deputy Director's decision, provide the student with a Completion of Procedures letter as required by the Office of the Independent Adjudicator and draw the student's attention to Regulation 24.
13. Where the Deputy Director decides that the matter should be referred to an Appeal Committee, the Academic Registrar shall make the necessary arrangements to convene an Appeal Committee as set out in Regulations 14 to 21 and inform the student of the Deputy Director's decision.

Proceedings of Appeal Committee

14. The Appeal Committee shall be constituted as follows:
 - 14.1 a Chair who shall be the Assistant Director for Learning and Teaching or his/her nominee;
 - 14.2 a senior member of the academic staff, appointed by the Director;
 - 14.3 a member from outside the Institute normally drawn from membership of one of the other University of London colleges.

No person shall be appointed as a member of an Appeal Committee who is from the same Faculty of the student or who has been involved in the examination or supervision of the candidate.

15. The student has the right to appear before the Appeal Committee. The student may be accompanied to the hearing and/or represented by a person of his/her choice. At least seven working days prior to the Appeal Hearing, the student will be asked to inform the Academic Registrar
 - 15.1 whether he or she wishes to appear in person;
 - 15.2 whether or not he or she wishes to be accompanied by a person;
 - 15.3 of the full name and address of the person who will accompany the student, the person's relationship to the student and must state whether that person is a member of the Institute or University of London.
16. The examiners and the independent chair shall be invited to attend the meeting of the Appeal Committee.
17. The Appeal Committee shall normally conduct the proceedings in the presence of the student, the independent chair and the examiners. The student and/or his/her representative have the right to be present throughout the meeting of the Appeal Committee, as have the independent chair and examiners, until such time as the Appeal Committee retires to consider its findings.
18. The Appeal Committee, the student, the examiners and independent chair shall be provided with documentation at least 10 working days before the hearing and this shall include:
 - 18.1 the written submissions of the student, of the independent chair and of the examiners (should they wish to make a written submission);
 - 18.2 the final report(s) and the preliminary independent reports of the examiners;
 - 18.3 the report on the viva by the independent chair;
 - 18.4 any other documentation either the student or the examiners wish to submit.

In addition the Appeal Committee may request to see any other documents it considers relevant to the appeal.

19. The procedure is for the student to address the Appeal Committee first and, during this part of the proceedings; he/she may call witnesses, if this has been agreed in advance. The independent chair and examiners shall be invited to make any observations. Any questions by the student, the independent chair or the examiners shall be put through the Chair. The student may make any concluding remarks. The members of the Appeal

Committee may put questions to any of those present at any time during the proceedings. The Chair has the discretion to vary the procedure in any case where he or she considers it just to do so.

20. The Appeal Committee shall take one of the following decisions:
 - 20.1 to reject the appeal, in which case the result of the original examination stands;
 - 20.2 to request the examiners to reconsider their decision. The examiners shall normally be expected to hold another oral examination before reaching a decision as to whether the result should be changed;
 - 20.3 to determine that the original examination be cancelled and that a new examination be conducted. The new examination shall be conducted by examiners who did not take part in the original examination and were not involved in the appeal, and with a different independent chair.
21. The decision of the Appeal Committee shall be final and shall be transmitted to the student in writing within 14 working days of the decision having been reached. The Appeal Committee shall provide reasons for its decision. The Academic Registrar will provide the student with a Completion of Procedures letter as required by the Office of the Independent Adjudicator and draw the student's attention to Regulation 24.
22. When a new examination is held in accordance with paragraph 20.3 above, new examiners and independent chair shall be appointed by the Board of Examiners for Doctoral Awards. Two examiners should normally be appointed, or three if it is deemed appropriate, to act jointly.
23. The examiners should be external to the Institute and at least one should be external to the University of London. Otherwise the new examination shall be conducted in accordance with the Regulations and Instructions to Examiners for the appropriate degree in force at the time the student originally entered the examination. The examiners may make any of the decisions open to the original examiners. The examiners will not be given any information about the previous examination except the single fact that they are conducting a new examination following appeal.
24. The result of the original examination having been cancelled, the result of the new examination shall be considered by the Board of Examiners for Doctoral Awards and the outcome shall be transmitted to the student in writing.
25. If the student is dissatisfied with the decision under these Regulations, he or she may be able to complain to the Office of the Independent

Adjudicator for Higher Education (OIAHE). The OIAHE provides an independent scheme for the review of student complaints about a final decision of a University's disciplinary or appeal body. Full details of the OIAHE and how to make a complaint are available from the Academic Registrar of the Institute, or on the website of the OIAHE <http://oiahe.org.uk>.