

# Final Review Procedure for Non-Academic Decisions and Academic Appeals

<b>Approving committee:</b>	Academic Board
<b>Minute reference:</b>	A/7/19/4.3
<b>Document owner:</b>	Academic Services - Education Policy and Quality
<b>Key Contact(s):</b>	Stuart Bell; Hilary Glover
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<b>Equality Impact Assessment Outcome:</b>	No impact
<b>Latest review date:</b>	25/04/2022
<b>Next review date:</b>	31/07/2026

## 1. Purpose and scope

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1.1. The purpose of this procedure is to provide a review mechanism for students who have received the decisions about the following:

- a) special examination arrangements;
- b) to not permit a requested suspension of regulations including for late submission of a thesis;
- c) to not grant a formal period of interruption of study;
- d) to continue formal proceedings or investigation through a period of interruption of study;
- e) to reject an application for extenuating circumstances in taught courses;
- f) sanctions imposed by a Discipline Committee or a Hearing Committee for Exam Offences;
- g) an academic appeal.

1.2. Before requesting a review, students may seek advice from a member of Registry and where there are concerns or questions about a decision these may be discussed with an appropriate academic staff member.

1.3. A review may only be made on the permitted grounds:

- a) a substantive procedural irregularity that occurred during the decision-making process;
- b) the decision was unreasonable in all the circumstances;

**c)** new material evidence that affects the decision, which the student was unable, for valid reasons, to provide to the decision-makers in previous proceedings.

**1.4.** A review made outside of these grounds shall not be considered under this procedure. This includes reviews questioning the academic judgment of examiners or assessors, which cannot be questioned under any procedure. Academic results can be appealed under permitted grounds using the Academic Appeals Procedure.

**1.5.** A student is bound by and shall comply with the decisions listed in paragraph **1.1.** until the result of the review is known. Students are reminded that the Regulations state that those who do not submit their thesis by their submission deadline will have their registration as a student terminated and be ineligible to submit or be examined for the degree they registered for at any later stage.

**1.6.** The ICR shall consider all eligible reviews in accordance with this procedure within a reasonable timescale, normally within 90 calendar days from the start of formal proceedings. In exceptional circumstances, normally by student request, the time taken to consider a review may be expedited. If, for good reasons, the ICR needs to extend the timeframe, the parties involved will be notified and kept updated as to the progress of the review.

**1.7.** Where relevant, reasonable adjustments shall be made to the procedure. Students are encouraged to make the ICR aware of any disability at the earliest opportunity to ensure that reasonable adjustments are made. Where necessary, reasonable adjustments may include the student corresponding through an authorised representative.

**1.8.** All parties are expected to act reasonably and fairly towards each other, and to treat the processes with respect. This applies in relation to all correspondence and when attending formal hearings. Any unreasonable or malicious behaviour may lead to a disciplinary investigation. If a review is terminated, the student shall receive a Completion of Procedures letter. A student shall not be disadvantaged for requesting a review based on genuinely held beliefs. Any evidence of recrimination as a result of this process should be brought immediately to the attention of the Registrar.

**1.9.** Any reference to a named role-holder includes a deputy appointed by that role-holder to exercise the functions assigned to that role-holder within this procedure.

**1.10.** All decision-makers within this procedure shall not have had any previous involvement in the matter, or be reasonably perceived by the student to be biased, and shall not have had any involvement with the decision being reviewed.

**1.11.** Appropriate and proportionate written records will be kept by the 'Case Handler' (a senior member of Academic Services' staff providing administrative support) throughout the process and stored confidentially in accordance with the ICR's policies on record retention and data protection legislation.

**1.12.** The ICR shall only share information and evidence submitted in a review with staff where it is strictly necessary in order to process, investigate and consider the review. All information shall be treated in accordance with the ICR's Student and alumni privacy notice. An annual summary report on reviews shall be considered by Academic Board.

## **2. Review**

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**2.1.** Where the student is dissatisfied with a decision outlined in paragraph **1.1.**, a student may initiate a review by submitting a Review Form (Annex 1) and all relevant evidence within 14 calendar days of receiving the formal written decision. Reviews or evidence received after this deadline shall not be accepted unless there is an evidenced valid reason for delay.

**2.2.** A request for a review shall be considered for eligibility by a Case Handler, appointed by the Registrar (or deputy) who is different from a Case Handler involved at any previous stage. Providing a review is eligible to be considered, the student shall receive an acknowledgement letter, normally within 7 calendar days of initiating the review. The Case Handler will provide the student with indicative timeframes and signpost to the support available to them as appropriate (see Section 4). The student will be provided with the contact details of the Case Handler, who they can contact regarding any queries about the progress of the case.

**2.3.** If the Case Handler considers a review is not eligible to be considered because: the reason for delay is not valid; it has not been made within the permitted grounds; it is malicious or vexatious; or for some other reason, then the review shall not be considered and the student shall be issued a Completion of Procedures letter or be referred to an alternative procedure, for example, the Student Complaints Procedure.

**2.4.** Where a review is eligible, the Case Handler will request a copy of the decision previously made, the reasons for the decision and all documentation and evidence considered when reaching that decision. The original decision-maker will provide the decision documentation normally within 7 days.

**2.5.** Eligible reviews shall be sent to a Reviewer, who will be a trained member of staff appointed by the Registrar (or deputy) or the Academic Dean. The Registrar (or alternate appointer) shall determine whether it is necessary for the Reviewer to be an academic member of staff and must assure themselves that the Reviewer has sufficient training on internal principles and procedures to participate fully and fairly. The student shall be notified of this appointment and given an opportunity to raise any objection to the Reviewer, which will be considered by the Case Handler. The Reviewer shall receive the decision documentation, the student's request for the Review, and if necessary, the Reviewer may request further information. If the student has not seen any of the decision documentation or further information, the student shall be sent a copy and normally given 7 calendar days to provide further comments.

**2.6.** The Reviewer may make a decision regarding the review, or in exceptional circumstances, the Reviewer may request that the Registrar (or deputy) appoint a further 2 Reviewers so that a Review Committee may be convened, with the first appointed Reviewer as Chair. The student (accompanied, if requested, by an ICR colleague or student representative) shall be invited to attend the Committee at the Chair's discretion in exceptional circumstances. Where the student has been invited, the Chair may also invite other relevant persons.

**2.6.** The Reviewer or Review Committee shall consider the review documents and make one of the following decisions:

- a)** to uphold the review, on the basis that it has met at least one of the permitted grounds;
- b)** To dismiss this review, on the basis that it has not met any of the permitted grounds.

**2.7.** Where a review is upheld, the Reviewer or Review Committee shall refer the case back to the decision-makers. In doing so, the Reviewer or Review Committee shall specify whether:

For academic appeals:

- a)** the examiners or assessors shall be the same or different to the ones who made the original decision;
- b)** a further examination shall be permitted to take place;
- c)** any previous decision is rescinded;

**d)** the original examination, thesis or assessment shall be re-considered, or that the student is permitted to submit a revised version;

**e)** the examiners or assessors shall have access to any of the appeal paperwork when conducting the re-consideration.

For all other decisions:

**a)** the decision-makers shall be the same or different to the ones who originally considered the decision;

**b)** any previous decision is voided and replaced by the new consideration, or that the re-consideration is a further consideration;

**c)** the original application shall be re-considered, or that the student is permitted to submit a revised version;

**d)** the decision-makers shall have access to any of the review paperwork when conducting the re-consideration.

**2.8.** Within 7 days of the Reviewer or Review Committee reaching a decision, the Case Handler shall communicate in writing to the student the decision of the Reviewer or Review Committee and the reasons for the decision (see Section 3).

## 3. End of Procedure

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**3.1.** Once a decision has been reached, a Completion of Procedures Letter will be issued. This will include: the date of the end of the ICR's internal complaints procedure; a summary of the issues considered under the complaints procedure; and advice on the right of the Complainant to submit a complaint to the Office of the Independent Adjudicator (OIA) within 12 months of the date on the letter.

**3.2.** The OIA provides an independent scheme for the review of student complaints about a final decision of a higher education institution's disciplinary or appeal bodies provided that the complaint to the OIA is eligible under its rules. More information about making a complaint to the OIA, the complaints it can and can't look at and what it can do to put things right if something has gone wrong can be found here:

<https://www.oiahe.org.uk/students>

## 4. Advice and Support

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**4.1.** The ICR offers a range of support services – including a free 24-hour counselling service, support from the Registry team, the Employee (and Student) Assistance Programme and student wellbeing advisers. Find out more about these services on Nexus.

## Annex I

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Application form.

## Final Review Form (for Non-Academic Decisions and Academic Appeals)

The purpose of this procedure is to provide a review mechanism for students who have received the decisions about the following:

- a) special examination arrangements;
- b) to not permit a requested suspension of regulations including for late submission of a thesis;
- c) to not grant a formal period of interruption of study;
- d) to continue formal proceedings or investigation through a period of interruption of study;
- e) to reject an application for extenuating circumstances in taught courses;
- f) sanctions imposed by a Discipline Committee or a Hearing Committee for Exam Offences;
- g) an academic appeal.

Before requesting a review, students may seek advice from a member of Registry and, where there are concerns or questions about a decision, these may be discussed with an appropriate academic staff member.

A review may only be made on the permitted grounds:

- a) a substantive procedural irregularity that occurred during the decision-making process;
- b) the decision was unreasonable in all the circumstances;
- c) new material evidence that affects the decision, which the student was unable, for valid reasons, to provide to the decision-makers in previous proceedings.

The student must submit the completed Review Form and all relevant evidence within 14 days of receiving the formal written decision.

A student is bound by and shall comply with the decision made listed above until the result of the review is known. Students are reminded that the Regulations state those who do not submit their thesis by their submission deadline will have their registration as a student terminated and be ineligible to submit or be examined for the degree they registered for at any later date.

A student shall not be disadvantaged for submitting a review based on genuinely held beliefs. The ICR shall consider all eligible reviews in accordance with this procedure within a reasonable timescale, normally within 90 calendar days. In exceptional circumstances, normally by student request, the time taken to consider a review may be expedited.

At the end of the procedure, the ICR shall issue the student with a Completion of Procedures letter. This letter confirms the conclusion of the ICR's internal procedures and enables the student to raise a complaint with the Office of the Independent Adjudicator if dissatisfied with the outcome.

Before submitting this form, please carefully read the ICR's **Final Review Procedure for Non-Academic Decisions and Academic Appeals**.

Please submit the completed form along with your results/decision letter/email and any documentary evidence electronically by email to [studentcasework@icr.ac.uk](mailto:studentcasework@icr.ac.uk) ; OR in hard copy to the Registry Office, Room D2N7, Sir Richard Doll Building. Please mark your envelope **“STUDENT REVIEW”**.

### 1. Student Details

Student ID Number:	
Title:	
Forename:	
Surname:	
Date on your Outcome Letter/Communication:	
ICR email address:	
Telephone number:	
Programme of study:	
Year of study:	

#### **Request for reasonable adjustments to Review Procedure**

*If you consider that you may require reasonable adjustments due to a disability or chronic condition, please complete the section below. A member of the team will contact you to discuss this.*

I have a disability/ chronic condition which I have disclosed to the ICR	<input type="checkbox"/>
I have a disability/ chronic condition BUT I have not disclosed this to the ICR	<input type="checkbox"/>

The adjustments to the process that I need in order to fully engage with the Review Procedure are:

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## 2. Grounds for Requesting a Review against your Decision

Please indicate under which grounds you are submitting your review:	
a) A substantive procedural irregularity that occurred during the decision-making process;	<input type="checkbox"/>
b) The decision was unreasonable in all the circumstances;	<input type="checkbox"/>
c) New material evidence that affects the decisions, which the student was unable, for valid reasons, to provide to the decision-makers.	<input type="checkbox"/>

<p><b>Explanation of grounds of review</b></p> <p>Please use the box below to describe the reason for the review of your decision. You must clearly and concisely explain what you consider has occurred (or not):</p>
<p>If there are time-critical factors that the Registrar and Case Handler should be aware of, please record them here.</p>

**Summary of Documentation**

Please use the box below to list the documentation you are submitting as part of your appeal review.

*Please be aware that it is a student's responsibility to provide evidence in support of the review, and documentation submitted after the deadline shall only be accepted at the discretion of the Registrar.*

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**3. Declaration**

I confirm that the information given in this form and any additional documentation which I have provided is true, accurate and correct. I also confirm that I consent to having my personal data processed, by such academic and administrative staff as may be necessary, for the purpose of processing my appeal. My personal data may include, amongst other information, any relevant medical details such as medical information which I have provided as evidence in support of my application for appeal. I also consent to my personal data held by the ICR departments for the purposes of assessing my appeal. For further information on personal data handling please see the ICR Data Protection Policy.

<input type="checkbox"/>	I have read and understood the ICR's <b>Review Procedure for Non-Academic Appeals</b> and have completed all sections of this form accurately and to the best of my knowledge.
<input type="checkbox"/>	The information I have given on this form is accurate and true to the best of my knowledge.
<input type="checkbox"/>	I have enclosed a copy of the relevant letter/email which confirms the decisions I am appealing against and I have included any relevant documentary evidence.

<b>Student Name:</b>	
<b>Student Signature:</b>	
<b>Date:</b>	

**Please submit the completed form along with your results/decision letter/email and any documentary evidence electronically by email to [studentcasework@icr.ac.uk](mailto:studentcasework@icr.ac.uk) ; OR in hard copy to the Registry Office, Room D2N7, Sir Richard Doll Building. Please mark your envelope "STUDENT REVIEW".**

**You shall receive an acknowledgement letter, normally within 7 calendar days of initiating the review, setting out next steps.**