THE UNIVERSITY OF LEEDS

Appeals against the results of University examinations and assessments: procedure for postgraduate research students

Scope

1. The appeals procedure set out below applies to students registered at the University on research programmes of study (or on programmes at those institutions for which the degrees are accredited by the University). An appeal must be made and pursued by you personally. You cannot delegate this responsibility to a third party. This does not, however, affect your right to a supporter. No correspondence or discussions will be entered into by the University with a third party unless you have first provided us with written consent to do so.

2. The administration of appeals is undertaken by the Student Cases team in the University Secretariat.

3. You can lodge an academic appeal under this procedure against:
   a. the decision to recommend transfer to MPhil candidature
   b. the decision to require you to withdraw from your candidature for a research degree on academic grounds
   c. the decision to refer or fail your research degree submission or to award you the degree of MPhil where the thesis was submitted for examination for award of the degree of PhD
   d. [for Doctor of Clinical Psychology research students only] the decision to fail a supervised clinical placement.

4. In those research degree programmes where taught elements are a requirement, you may appeal against marks awarded in those taught elements by submitting an appeal in accordance with the taught student appeals procedure.

5. The grounds on which you can appeal a decision described in 3(a)-(d) are set out below:
   a. that there were irregularities in the conduct of the examination or process of assessment (including administrative error);
   b. that there is evidence of prejudice or bias on the part of one or more of the examiners or assessors;
   c. that there is evidence of inadequate assessment by one or more of the examiners or assessors;
   d. that circumstances existed affecting your performance of which the Faculty/School/accredited institution or examining body had not been made aware, or taken appropriate consideration;
   e. that the supervision or other arrangements during your period of study were unsatisfactory;
   f. that a decision not to grant you a period of suspension or extension to your studies was unreasonable.

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1 For York St John University (YSJU) students, this procedure only applies to appeals against decisions at the final examination stage or to request for final review following a decision reached by a YSJU appeals panel or committee.

For students at all accredited institution utilising this procedure, please note that references to support agencies at the University of Leeds should be taken to relate to the equivalent agencies at your institution.

2 You should note that the examiners of the supervised clinical placement are not required by the Graduate Board’s Examinations Group to complete a report form. The examiners’ decision is returned to the Group in the form of a mark sheet upon which either a pass or fail is recorded.

3 Details of the procedure is available from the Secretariat (http://www.leeds.ac.uk/secretariat/documents/taught_appeals_process.pdf)
6. An appeal on 5(d), (e) or (f) above may not be permitted if it was reasonable for you to have taken action or made a complaint at an earlier stage during your candidature either to resolve the situation or to make the examiners/assessors aware of the circumstances.

7. Your application may be refused on the basis of your submission alone if it does not, in the opinion of the Head of Student Cases (or his/her delegate), consulting with the Chair of the Graduate Board’s Programmes of Study and Audit Group or Examination Group as necessary, fall within the remit of this procedure or does not put forward appropriate grounds. In this connection, an appeal which questions the academic judgement of the examiners or assessors will not be permitted. You will be notified in writing of the rejection and the reasons for it.

8. If your appeal is rejected because of 6 or 7 above, a Completion of Procedures letter will be issued which will allow you to raise the issue with the Office of the Independent Adjudicator for Higher Education (OIA) (further information about the OIA is set out below).

9. You can withdraw your appeal at any point in the process by sending a letter or e-mail marked “Withdrawal of Appeal” to the Student Cases team. Once the appeal has been withdrawn, it cannot be reinstated. Acceptance of the degree either through conferment at a degree ceremony or in absentia will be taken as definitive evidence of such withdrawal. It is your responsibility to contact the University’s Postgraduate Research and Operations team to ensure that the degree is not conferred in absentia against your wishes. The University will not consider an appeal that concerns a degree that has been conferred.

10. Details of your appeal will be kept confidential, except where the disclosure is necessary to progress your appeal or implement a decision on the appeal, or where it is required by law or in the public interest.

Advice before making an appeal

11. Before deciding whether to make an appeal you should talk to your school (this could be your supervisor(s), the postgraduate research tutor, the faculty director of postgraduate research studies or head of school). The decision will not be changed as a result of this informal discussion, but it may clarify matters. You should also be aware that a decision that has been ratified by the relevant Group of the Graduate Board cannot be changed unless an appeal is made and is successful.

12. You can also seek independent advice from the Student Advice Centre of Leeds University Union.

13. The Student Cases team can offer procedural advice but will not comment on or offer advice upon any part of the appeal itself.

14. If you hold a Tier 4 student visa, your immigration status will be affected by an adverse academic decision to transfer you to the MPhil candidature or to refer your thesis for resubmission for the degree of MPhil or to require you to withdraw from your studies. If you are appealing against such a decision, you should seek advice from the International Student Office. Please note that any future return to study will be dependent on you having appropriate immigration permission at that time. It is therefore essential that you take good advice about protecting your immigration status.4

Deadlines

15. The deadline for receipt of your appeal is 20 working days from the date when you have been informed in writing of the decision of the relevant Group of the Graduate Board

4 For further information, see: http://students.leeds.ac.uk/info/21506/your_visa/851/tier_4_responsibilities
against which you wish to appeal. The University will not, ordinarily, consider an appeal submitted after the set deadline.

16. Very exceptionally, an appeal may be allowed where you have provided a substantiated, valid reason for the delay, in writing and in conjunction with the late submission. If your appeal is rejected because it is out of time, you may challenge that decision by writing to the University's Complaints Officer within 10 working days of the decision. If the Complaints Officer agrees with the challenge, the appeal will be considered in the usual manner described below. If the Complaints Officer does not agree with the challenge, a Completion of Procedures letter will be issued which will allow you to raise the out of time issue with the Office of the Independent Adjudicator for Higher Education (OIA) (further information about the OIA is set out below).

17. Any correspondence from the University shall be deemed to have been delivered 48 hours after e-mailing or posting to the address notified to the University by you. You must keep the University informed of any changes of contact details.

Procedure

How to appeal

18. To submit an appeal, you must complete the Appeal Submission Form (available from the Secretariat website). Your appeal must set out all the reason(s) why you believe the decision that has been made is wrong. This should ideally be in chronological order/sequence of events. You should also state clearly the remedy you are seeking. Your appeal and supporting evidence can be as long or as short as you choose. However, do not assume that the longer the written case or the bulkier the papers the stronger is the appeal.

19. You must include in your appeal submission all the information and supporting documentation that you wish to be considered. Any information that is left out cannot be included at a later stage. Those deciding your appeal will draw any conclusions they see fit from this material.

20. You must submit your completed Appeal Submission Form together with all supporting evidence to the Student Cases team by e-mail or by post by the set deadline. You should expect to receive an acknowledgement of your appeal within 5 working days.

Initial review of the appeal

21. Your appeal submission will be forwarded to interested parties for a response.

22. The response from interested parties will address the central concerns you have raised in your appeal and will include any supporting evidence. Their response will be self-contained and will neither assume a knowledge of informal exchanges with you nor assume that additional evidence or information can be presented at a later stage.

23. Interested parties will submit their response by completing an Interested Party Response Form (which will be provided to them with your appeal submission) and send it, together with all supporting documents, by e-mail or by post to the Student Cases team within 20 working days of the date of the request for comments. If nothing is received by the deadline, your appeal will be forwarded to the Appeal Group for review, as described in 27 below.

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5 If the University cannot meet this or any of the other deadlines set out in this procedure, you will be kept fully informed of the reasons why.

6 “Interested parties” may include supervisor(s), internal and external examiners, postgraduate research tutor, Head of School, members of a transfer panel or any other relevant party identified by the Student Cases team.
24. The Student Cases team will forward the interested parties’ responses, including any supporting documents, to you so that you can provide concluding comments to the team. This is your final opportunity to comment on what the interested parties have said in their responses to the points made in your appeal. Your concluding comments can be as long or as short as you wish, and it should address only issues either already raised in the appeal and/or by the interested parties in their responses. (You may wish to seek independent advice from the LUU Student Advice Centre before writing your concluding comments.)

25. Your concluding response and any comments you might have on all the interested parties’ responses must be set out in a single Concluding Comments Form (which will be provided to you with the interested parties’ responses) and must be submitted by e-mail or post to the Student Cases team normally within 10 working days of the date of the request for concluding comments. If nothing is received by the deadline the appeal will be deemed to have been withdrawn and the decision against which you are appealing will be confirmed.

26. When your concluding comments are received or you provide notification that you have nothing to add, the case will then be reviewed by an Appeal Group established by the Graduate Board (as explained in 27 below).

27. Upon receipt of your appeal submission, the Student Cases team will convene an Appeal Group to consider your case. The Appeal Group will normally consist of three members of the academic staff: a Chair who is not a member of the Graduate Board but who is a member of the Senate or a Professor; and two other members of Senior Lecturer status or above, at least one of whom will be (or has been) a member of the Graduate Board or one of its Groups. None of the members will have had any involvement in the candidature or previous knowledge of the circumstances beyond the routine matters that come before the Graduate Board and its Groups from time to time. Membership of the Appeal Group will be approved by the Deputy Vice-Chancellor: Research and Innovation, acting on behalf of the Graduate Board.

28. The Appeal Group shall have the power to seek such further evidence as it considers necessary. This may include seeking further written comments or information from you or interested parties, and seeking evidence or advice from individuals external to the University. The Appeal Group will normally allow you and interested parties up to 10 working days in which to respond to its written enquiries.

29. There are three possible outcomes from the Appeal Group’s initial review of your appeal:
   a. You will be offered a remedy (as set out in 45(b)-(e) below) without any need for a hearing by the Appeal Group.
   b. The appeal to be dismissed on the grounds that your application does not indicate that there is a case to be answered.
   c. The appeal to be heard by the Appeal Group.

30. Unless there is a unanimous view to the contrary the appeal will proceed to a hearing before the Appeal Group.

31. If the Appeal Group is minded to dismiss your appeal at this stage, the reasons for the decision will be conveyed in writing to you. You will be offered the opportunity to respond in writing. If, after giving you this opportunity and considering any written response received, the Group rules that its decision still stands, your appeal will be dismissed. You and the interested parties will be informed of the decision in writing. The Appeal Group’s consideration of your appeal will then be completed.

32. If you do not accept the redress offered to you in 29(a) above then you may request a final review by the Dean of Postgraduate Research Studies as set out in 49-50 below.
33. If you accept the decision and the reasoned judgement of the Appeal Group you should e-mail the Student Cases team to confirm this (where applicable the Postgraduate Research and Operations team will be asked to make arrangements for the conferment of any award or continuation of your candidature).

**Appeal Group hearing**

34. All hearings will be conducted in private.

35. The Appeal Group will consider your case in good faith and will accept statements and answers accordingly. However, the Group will not ignore abuses of its trust or deceptions and reserves the right to take further or separate action where such abuses are found to have been perpetrated.

36. The Appeal Group may call for additional information from you or interested parties prior to, at or after the time of the hearing.

37. Where a hearing is to take place, you will be invited to appear before the Appeal Group to discuss the appeal. The Group may also invite interested parties to appear before it to answer questions. The interested parties will appear separately from you.

38. If you are requested to appear before the Appeal Group, and the date of the meeting falls on a day when you are not available you must give a satisfactory reason for your unavailability if you wish to appear before the Appeal Group at a future meeting. If it is agreed to postpone the meeting, you will be given at least 10 working days’ notice of the date of the new meeting.

39. If this new date is still not possible for you, the Appeal Group may choose to hear the case in your absence unless the reasons for the absence are, in the view of the Group, sufficiently compelling to warrant a further postponement. The absence or non-availability of a supporter will not be accepted as good reason for any postponement.

40. You may be accompanied to the meeting by one supporter of your choice who may or may not be a member of the University: for example, they could be an adviser from the LUU Student Advice Centre or a friend or relative. Your supporter cannot however be someone who has taken a part in the decision against which you are appealing. You will be asked to provide the name and capacity in which the supporter is attending in advance. Your supporter will neither be permitted to appear separately from you, nor be permitted to represent you, nor be involved in a related case. All this applies equally to any legal representative you may decide to engage.

41. It is your responsibility to invite the supporter to attend any meeting and notify the supporter of the time and place of the meeting and for providing any documentation to your supporter. You are responsible for the conduct of your supporter at the meeting and in support of the case. During the meeting you and your supporter can confer.

42. You or your supporter may make a statement at the meeting. If this is read from a prepared text, you must bring 2 copies of the text to the meeting to be given to the Appeal Group and for the files. Members of the Group may question you. Either you or your supporter may respond to the questions unless the Chair directs otherwise.

43. Although it is to be expected that new or additional information may emerge through questioning you or the interested parties, the Appeal Group will take action, including but not limited to the discounting of such information, where it is decided by the Group that the information could reasonably have been included in the appeal submission or the interested parties’ responses.
44. The Appeal Group will decide whether you have provided sufficient evidence to substantiate your claim on the balance of probabilities, i.e. that what you have claimed is more likely than not to be the case.

45. The Appeal Group will reach one of the following decisions on your appeal:
   a. Dismiss the appeal and confirm the result of the adverse academic decision.
   b. Request the examiners/assessors for reasons stated to reconsider their decision.
   c. Permit the thesis/transfer document to be revised and resubmitted for examination/assessment within a specified time limit.
   d. Set aside the examination/assessment and require a fresh examination/assessment to be conducted.
   e. Take such other steps as may be appropriate for the resolution of the appeal.

46. You will not receive a final decision on the day of the hearing. You will receive a final decision in writing, including the reasons for the decision, as soon as possible after the hearing, and normally within 7 working days after the Appeal Group’s meeting has ended. The interested parties will also be informed of the Appeal Group’s decision.

47. The Appeal Group will make a final decision on your appeal normally within two calendar months of the date of the approval of the membership of the Group.

48. If an appeal is upheld under 45(c) or (d) and a fresh examination/assessment is permitted, you are advised that all options will be open to the team of examiners/assessors, including the recommendation to fail the thesis outright or to require you to withdraw from your studies following an unsuccessful transfer assessment.

Request for final review by the Dean of Postgraduate Research Studies

49. If you remain dissatisfied with the decision of the Appeal Group, you may request a final review by the Dean of Postgraduate Research Studies (through the Student Cases team) within 20 working days from the date of the letter notifying you of the decision of the Appeal Group. The Dean (or his/her nominee) will review the case and decide upon it. This decision is final and the appeal is then at an end in the University. You and the interested parties will be informed of the decision.

50. The Dean (or nominee) will review the decision on the following grounds only:
   a. The decision of the Appeal Group was unreasonable in the light of the evidence supplied.
   b. The procedure for the Appeal Group’s initial review or the hearing of the appeal was deficient in a way which materially prejudiced your case.
   c. New evidence has emerged which was not available when the appeal was lodged and which was not brought to the Appeal Group’s attention during its initial review or the hearing of the appeal.

51. The Dean (or nominee) will have the right to summon you for interview (you may be accompanied by a supporter). The Dean (or nominee) will base his/her decision on the written material submitted to the Appeal Group, a written statement of the outcome of the appeal, your written case, and the outcome of any interview. He/she will not normally consider new grounds of appeal or new evidence (unless it has been clearly demonstrated that such evidence was unavailable at the time of the submission of the appeal).

52. The Dean (or nominee) will issue his/her decision as soon as possible and normally within six weeks of receipt of your request for final review. You will receive with the Dean’s decision a Completion of Procedures letter. If you remain dissatisfied, you have 12 months from the date of the letter to apply for a review by the OIA.
Office of the Independent Adjudicator for Higher Education (OIA)

53. To seek an OIA review of your case, you should first ensure that you have been sent a Completion of Procedures letter (COP), which the OIA requires as proof that you have exhausted the University's procedures. You must send the COP to the OIA within 12 months of the date of the letter, together with a completed copy of its Complaint Form (downloadable from its website), which it will use to assess whether your case is eligible for review under its Rules.

54. Further and specific details about the OIA can be obtained from its website:
www.oiahe.org.uk

Other related matters

Study pending the outcome of your appeal

55. If you submit an appeal against a decision to refer your thesis at the final examination stage or to transfer your registration to MPhil status your studies will normally be suspended by the University pending the outcome of your appeal. This will ensure that you do not lose any study time whilst your appeal is under consideration. If you wish to undertake the corrections to your thesis following referral or to work towards an MPhil pending the outcome of your appeal you should first discuss this with the Student Cases team.

Awards

56. You cannot have a degree conferred which is the subject of an appeal until either the appeal has been concluded or the appeal has been withdrawn.

57. No certification or academic transcript will be issued where the degree is the subject of an appeal.

Complaints and appeals

58. You cannot pursue a complaint and an appeal simultaneously where the subject is common to or has a significant bearing on both cases. Where a complaint is being pursued, an appeal on the same or related matter cannot therefore be initiated until the complaint has either been resolved or formally abandoned permanently. The timescale for any appeal will continue to apply (see 15 above) unless otherwise agreed in advance by the Student Cases team. If in doubt you should seek advice from the Student Cases team.

University e-mail account

59. If you have been asked to withdraw from your studies, the Student Cases team will on receipt of your appeal submission request that your University e-mail account remains open until the appeal is concluded in the University.

Papers

60. You are responsible for retaining copies of your case papers, correspondence and other records. The University will not provide copies or replacements of documents to you or your supporter.

Costs

61. The University will not charge you for the consideration or the hearing of an appeal. Neither will the University, as a general rule, pay any expenses incurred by a student as a result of an appeal.
Contact details

62. General information about appeals and the relevant appeal forms can be obtained from the Secretariat at: http://www.leeds.ac.uk/secretariat/student_cases.html
E-mail: studentcases@leeds.ac.uk; Tel: 0113 343 1276.

63. The Student Cases team and the University’s Complaints Officer can be contacted on the e-mail address and telephone number set out above or at:

The Secretariat
Level 11, EC Stoner Building
University of Leeds
Leeds LS2 9JT

64. Contact details for the LUU Student Advice Centre (which is located on the first floor of the Union building) is set out below. Their website can be found at www.leedsuniversityunion.org.uk/helpandadvice
E-mail: advice@luu.leeds.ac.uk Tel: 0113 380 1290

65. Advice on postgraduate research student administrative matters can be obtained from the Postgraduate Research and Operations team at:
E-mail: rsa.communications@leeds.ac.uk (for general enquiries)
progress.temp@adm.leeds.ac.uk (for progress enquiries)
rp_examinations@leeds.ac.uk (for final examination enquiries)

66. Advice relating to student visas is available from the International Student Office at: http://students.leeds.ac.uk/info/10500/international_students/877/international_student_office
Tel: 0113 343 3930

Student Cases Team
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