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1 Introduction and General Principles

College Research Appeals Committee

1.1 The College offers an appeals system which allows registered postgraduate research students to appeal against a decision of the College Research Committee about progression or withdrawal or against a decision of the Principal following the recommendation of the Examiners regarding the outcome of an oral examination.

1.2 Such appeal is made to a body known as the College Research Appeals Committee ("CRAC") which is a committee comprising members drawn from members of the Faculty, adjunct Faculty, the College Teaching and Learning Panel or College Management Committee.

1.3 Members of staff involved in all stages of the process will be independent of the appeal with no prior knowledge of the matter.

1.4 There is no appeal against academic judgement. Academic judgement is a decision of an academic body about a matter, such as assessment, degree classification, research methodology, or course content/outcome. It is a judgement made about a matter where only the opinion of an academic expert will suffice.

1.5 CRAC has the authority to consider and address other issues which may not be a substantive part of the appeal, but come to light as part of CRAC's deliberations.

Confidentiality

1.6 The College will take all reasonable steps to limit the disclosure of information as is consistent with investigating the issue(s) raised and the provisions of the Human Rights Act 1998, the General Data Protection Regulation 2016, the Data Protection Act 2018, the Freedom of Information Act 2000 and any other relevant legislation. All staff and students who become involved in the appeal process are required to respect the integrity of the process and the confidentiality of information arising from it both during and after the conclusion of the process, unless there is an overriding reason to disclose information. Information will only be released to those who need it for the purpose of investigating or responding to an appeal; no third party will be told any more about the investigation than strictly necessary in order to obtain the information required from them.

Communication

1.7 The College will normally communicate by email with anyone involved in an appeal. In the case of registered students or College staff, this will normally be to their College email address. Where correspondence is sent to a registered student by post it will be sent to the address registered with the College.

Defamatory or Derogatory Comments

1.8 When submitting an appeal, a student should be careful not to make unsubstantiated or defamatory allegations or comments about other students, members of College staff or any other person. If the College considers that an allegation or comment may be deemed to be defamatory, it may require it to be retracted or deleted before accepting an appeal.

Duty of Candour/Fabricated Evidence

1.9.1 Anyone involved in any College process will treat all others involved with respect and courtesy and will behave honestly and with integrity throughout the process. Any evidence (written or oral) provided to CRAC by any person in connection with an appeal will be true to the best of that person's knowledge and belief.

1.9.2 Any student who is shown to have acted dishonestly or to have provided false evidence in connection with an appeal may be referred for investigation under the Student Discipline Procedures.

Evidence

1.10 The College reserves the right to request and consider independent evidence or professional opinion, including medical evidence and/or medical opinion, as it deems appropriate. Where considered necessary, a committee may adjourn in order to allow time for such further evidence or professional opinion to be obtained.

Standard of Proof

1.11 At all times, the principles of natural justice shall be observed and the standard of proof shall be on the balance of probabilities.

Equality, Diversity and Fair Treatment

1.12 The College has a legal, as well as a moral duty, to treat all students fairly. The College values and promotes equality and diversity and will seek to ensure that it treats all individuals fairly and with dignity and respect.

Less Favourable Treatment

1.13 No person who submits an appeal will be treated less favourably as a result, whether or not the appeal is upheld. Victimisation shall be grounds for a further, separate complaint.

Support and Right to Be Accompanied

1.14 A student has the right to be accompanied at the hearing of the Appeal by one person. The role of the person accompanying the student is one of support, not representation, and such person has no right to address CRAC. The student will be expected to answer questions themselves and make their own representations.

Reasonable Adjustments

1.15 Students will be invited to notify the College Office if they require any reasonable adjustments in order to make the process accessible. This may include consultation with the College Disability Officer.

Meeting of Deadlines/Timescales by the College

1.16 The College Office will endeavour to meet all timescales set out in this procedure. It may however prove impossible to meet these timescales when key staff are on leave, or otherwise indisposed, or where the complexities of the case warrant extended scrutiny. Where it is not possible for the College to meet the deadlines, for whatever reason, the student will be informed.

Notification of Decisions

1.17 Unless otherwise stated, notification of a decision will be sent to the student and copied to relevant persons normally within eight working days of the decision being taken. If there is a delay in the decision being made, the student will be advised.

No Double Appeal

1.18 No student may appeal the same decision on more than one occasion.

Further Information and Forms

1.19 Advice on these regulations may be obtained from the Head of Academic Administration. Appeal forms are available from the Head of Academic Administration.

2. Commencing an Appeal

2.1 Students have the right to appeal to the CRAC against

2.1.1 a decision of the College Research Committee on the progression of a student to doctoral study or

2.1.2 a decision of the College Research Committee requiring a student to withdraw from their current course of study, including cases where the student is offered a transfer to another postgraduate degree programme, or

2.1.3 a decision of the Principal, following the recommendation of the Examiners, regarding the outcome of an oral examination.

2.2 A student can only bring an appeal by lodging with the Head of Academic Administration a completed CRAC Appeal Form signed by the student and specifying the Grounds of Appeal.

2.3 Subject to paragraph 2.4, an appeal must be brought within 10 working days from the date of the written communication, addressed to the student, advising the student of the decision which is the subject of the appeal.

2.4 If the Head of Academic Administration is satisfied from a written statement with supporting evidence presented by a student at the same time as the CRAC Appeal Form that the student prevented from bringing the appeal within that time limit by reasons beyond their control, the Head of Academic Administration may decide to accept the appeal notwithstanding it is

outside the time limit. The decision of the Head of Academic Administration is final in this regard,

3. Grounds of Appeal

3.1 The following are the only grounds on which an appeal may be brought:

3.1.1 New evidence has become available which could not have been provided by the student to the College before the decision which is the subject of the appeal was made [Note: evidence that a student chose to withhold from the College will not normally constitute new evidence];

3.1.2 There has been a procedural irregularity which has had a demonstrable impact on the progress/assessment/award outcome;

3.1.3 There is evidence of inadequate assessment on the part of one or more examiners in an oral examination;

3.1.4 There is evidence of inadequate adherence to College regulations, procedures and codes of practice for the supervision of postgraduate research students.

3.2 A student who relies on paragraph 3.1.4 as a ground of appeal must either show that they took action at the earliest possible stage to deal with any alleged supervisory problems, or explain why they did not take such action.

4. Conduct of Appeal

4.1 On receipt of an appeal, the Head of Academic Administration will send the Appeal to the student's Head of Department for a response.

4.2 The student's Head of Department shall make a response within 5 working days from receiving the Appeal from the Head of Academic Administration. The Head of Department shall attach to the Department's response copies of all correspondence relating to the case and other relevant information, as required.

4.3 The Head of Academic Administration shall send the Appeal and the Department's response to CRAC which shall fix a date for the hearing of the appeal and shall give not less than five working days' notice of the date and time of the hearing to the student and the Department concerned.

4.4 The student must in any event attend the hearing in person to present the Appeal, and, if so required by CRAC, a representative of the Department concerned shall also attend the hearing to provide information relating to the provision of the research degree programme, student performance and the basis on which the progression, withdrawal, assessment, or award decision was taken.

4.5 Not less than 2 days before the date of the hearing of the Appeal, the student must confirm to CRAC whether or not they intend to attend the hearing; in the absence of such confirmation being given to CRAC, the student will be deemed to have withdrawn the Appeal.

4.6 If the student is unable to attend the hearing of the Appeal, they may apply to CRAC to postpone the hearing, and, if satisfied that the student has established good cause as to why the student is unable to attend the Appeal, CRAC may adjourn the Appeal and fix it for hearing

on another date. The onus is on the student to establish good cause. Where the student is unable to attend the hearing for medical reasons, as confirmed by a medical certificate, the proceedings will normally be adjourned until the student is certified as fit to attend by a medical professional, or the student confirms that they wish to proceed.

4.7 If the student fails to attend the Appeal without good cause, CRAC may consider the Appeal and reach a decision on it in the absence of the student.

4.8 If CRAC considers that it requires further evidence to be presented to it to enable it to determine the Appeal, it may give directions as to the additional evidence which it requires and adjourn the hearing to a future date to allow such evidence to be given and considered.

4.9 The student and the Department representative (if in attendance) may only be present while evidence is being given and representations made. Only members of the CRAC and of the secretariat shall be present while the decision is made.

5 Disposal of Appeal

5.1 The CRAC may:

5.1.1 dismiss the Appeal, with reasons, and confirm the original decision against which the appeal is made; or

5.1.2 where the Appeal relates to progression or withdrawal, uphold the appeal in part or full either by:

5.1.2.1 declaring the Annual Progress Review (APR, including differentiation) null and void and directing that a new APR be conducted, or

5.1.2.2 recommending to the College Research Committee that, for reasons stated, it reconsiders its decision; or

5.2.2 where the appeal relates to the final examination (assessment/award) decision, uphold the appeal in part or full by one of the following:

5.2.2.1 declaring the oral examination null and void and directing that a new oral examination be conducted, or

5.2.2.2 recommending to the examiners that, for reasons stated, they reconsider their decision or

5.2.2.3 giving the student permission either to revise the thesis and re-submit it for re-examination within a specified time, or to re-register for a further period of time to undertake more research before re-submitting the thesis, or

5.2.2.4 applying on the student's behalf for a concession to the Regulations for PhD Programmes.

5.3 If CRAC makes a declaration in the terms of paragraph 5.2.2.1, the College shall appoint new examiners, including at least one external examiner, to conduct the new oral examination. There shall be no fewer examiners than for the original examination. The College shall not inform the examiners that they are conducting a re-examination on appeal. There shall be an oral examination, and the examiners shall submit independent and joint reports in the normal way.

5.4 If CRAC gives the student to revise and resubmit the theses in terms of paragraph 5.2.2.3, it shall specify whether the thesis is to be re-examined by the same or new examiners.

5.5 If the appeal is upheld on the ground of inadequate supervision, CRAC shall recommend to the Department concerned that one or more supervisors be replaced.

5.6 On the hearing of an appeal, CRAC shall have no authority to alter assessment/award decisions.

5.7 The decision of the CRAC shall normally be confirmed in writing to the student, with reasons, within eight working days of the decision having been taken.

5.8 There is no further internal appeal against a decision of CRAC.

6. Central Monitoring and Record Keeping

6.1 Minutes of the meeting, including an individual note of each decision, shall be taken as a formal record of the appeal and retained.

6.2 The Head of Academic Administration shall make an annual report on academic appeals to the Faculty, the Presbyterian Theological Faculty, Ireland, and the College Research Committee. Individual students shall not be identified in the report.

6.3 Students are not permitted to make electronic or digital audio or visual recordings of any meetings or proceedings under these regulations without the express written consent of all participants.
