

Appendix 2

Procedure for Consideration of Representations by Candidates for Research Degree Examinations

- 1 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 programmes of study should be referred to the Department Postgraduate Tutor or a College Tutor at the time, and, if necessary through the College Procedure for Dealing with Complaints by Students and are not grounds for appeal against the result of the examination.
- 2 This procedure applies to candidates for the following degrees for whom the result of the examination was that the degree was not awarded:
 - a. The degrees of PhD, MD(Res), MD*, MS* and MPhil; or
 - b. EngD in respect of the final thesis or portfolio only, not the parts of the assessment taken during the programme of study for which the decision of the examiners shall be final.
- 3 Candidates may appeal on one or more of the following grounds:
 - a. That a candidate's performance at the viva voce examination and/or preparation of the thesis was affected by circumstances such as illness of which the examiners were not aware when their decision was taken and that this had produced an unfair result;
 - b. 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;
 - c. 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.
- 4 A representation under this procedure shall be made in writing by the appellant with supporting evidence (including medical certificate for paragraph 3.a above) to the Academic Registrar and must be received within two months of the date of official notification by the Registry to the candidate of the result of the examination. This will be the case unless, where the candidate has advanced substantive reasons for the delay in submitting the representation, the Vice Provost (Education), Director of Student Support and Academic Registrar determine that a representation made outside this period be allowed.

* Former degrees of the University of London.

- 5 Representations shall be made in writing and sent to the Academic Registrar and shall state the grounds on which the representation is made and provide evidence to support it. The Academic Registrar shall then refer the appeal to the Vice Provost (Education).
- 6 A hearing of a formal appeal by the candidate against the result of an exam may be allowed at the discretion of the Vice Provost (Education), in consultation with the Director of Student Support, if sufficient evidence remains providing grounds for appeal as stated in paragraph 3 above.
- 7 If the Vice Provost (Education) and the Director of Student Support determine that there are sufficient grounds to allow an appeal, the Academic Registrar shall arrange for an Appellate Committee to be established, which shall be constituted as follows:
 - a. A Chair who will be a Consul from a Faculty other than that which appointed the appellant's examiners;
 - b. A Consul from the Faculty of which the appellant is a member;
 - c. One other member normally drawn from membership of the Postgraduate Research Quality Committee;

With a Secretary determined by the Academic Registrar.

No person shall be appointed as a member of an Appellate Committee who has either been involved in the examination concerned or is from the same Department as the appellant.

- 8 Students may, if they wish, be accompanied by a member of Imperial College (either a fellow student, or a personal tutor, warden or other member of the academic staff); the friend may speak in support of the student if the latter so desires. A person who will be accompanied and/or represented must submit to the Academic Registrar, not fewer than seven days before the date appointed for the meeting of the Committee, the name, address and a description of the person accompanying/representing him/her. In keeping with the Human Rights Act (1998), students may, if they wish, request that the hearing be held in public.
- 9 The examiners shall be invited to attend the meeting of the Appellate Committee but if they decline the invitation the Appellate Committee can still proceed. The examiners are entitled to make written submissions to the Appellate Committee.
- 10 The Committee shall normally conduct the proceedings in the presence of both the appellant and the examiners. The appellant and/or his/her representative have the right to be present throughout the meeting of the Appellate Committee, as have the examiners, until such time as the Committee retires to consider its findings.
- 11 The documentation with which the Committee is provided shall include:
 - a. The written submissions of the appellant and of the examiners (should they wish to make a written submission);

- b. The final report(s) and the preliminary independent reports of the examiners;
- c. Any other documentation either the appellant or the examiners wish to submit.

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

- 12 The procedure is for the appellant to address the Committee first and, during this part of the proceedings, he/she may call witnesses, if this has been agreed in advance. The examiners shall be invited to make any observations. Any questions by the appellant or the examiners shall be put through the Chair. The appellant may make any concluding remarks. The members of the Appellate 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/she considers it just to do so.
- 13 The Appellate Committee shall take one of the following decisions:
- a. To reject the appeal, in which case the result of the original examination stands;
 - b. To request the examiners to reconsider their decision. The examiners shall normally be expected to hold another viva voce examination before reaching a decision as to whether the result should be changed;
 - c. 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.
- 14 The decision of the Appellate Committee shall be final and shall be transmitted to the appellant in writing, normally within ten days of the hearing. The Committee shall provide reasons for its decision. In keeping with the Human Rights Act (1998) should the appellant choose, the decision and reasoned judgment of the Appellate Committee will be published.
- 15 When a new examination is held in accordance with paragraph 13.c above, the new examiners shall be appointed by the Postgraduate Research Quality Committee which shall consider nominations made by the relevant Department. Two examiners should normally be appointed, or three if it is deemed appropriate, to act jointly.
- 16 Where the decision of the Appellate Committee is that the work should be re-examined and new examiners appointed the new examiners may make any of the decisions open to the original examiners. The new examiners will not be given any information about the previous examination except the single fact that they are conducting a new examination following appeal.
- 17 The result of the original examination having been cancelled, the result of the new examination shall be accepted.
- 18 Once a student has completed the College's internal procedures, the College will issue the student with a Completion of Procedures Letter. If the student is still dissatisfied, the student may direct their complaint to the Office of the Independent Adjudicator within three months of the date on which the

Completion of Procedures Letter was issued. Information on the complaints covered by the Office of the Independent Adjudicator and the review procedures is available at:

<http://www.oiahe.org.uk/>.