

# The Courtauld

## The Courtauld Institute of Art

### Procedure for Appeals Against PhD Upgrade and Transfer Decisions for Research Degrees

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#### **1.1 Introduction**

This policy applies to upgrade decisions. Students are reminded that problems arising during their course of study are matters for the appropriate internal process and are not grounds for appeal against the result of the upgrade decision.

## 1.2 Scope and Purpose

This procedure applies to students for the following degree in respect of upgrade decisions:

- The degree of MPhil

A student may appeal on one or more of the following grounds:

1. Where there is evidence that a candidate's performance was adversely affected by mitigating circumstances which the student was unable, or for valid reasons unwilling, to make known before the original decision was made.
2. Where there is evidence of prejudice or of bias or of inadequate assessment on the part of one or more of the upgrade panel such that the result of the upgrade process should not be allowed to stand.
3. Where there is clear evidence of a significant administrative error on the part of The Courtauld or where there is concern that the upgrade process may not have been conducted in accordance with the relevant Instructions and/or Regulations.

## 1.2 Duty to Make Reasonable Adjustments

In accordance with the Equality Act 2010 The Courtauld will consider any reasonable adjustment to these regulations to take into account the needs of individual students.

## 1.3 Collaborative Provision

Where a student from another institution takes an examination with The Courtauld as the host institution, The Courtauld will manage the appeal process under these regulations.

## 2.1 Representation to the Academic Registrar

Any representation must be made within **one month** of notification to the student of the upgrade decision, unless, having regard to the circumstances of a particular case, the Academic Registrar determines that a representation made outside this period be allowed.

Representations must be made in writing using the Academic Appeal Form and sent to the Academic Registrar and shall state the grounds on which the representation is made and provide evidence to support it. If the Academic Registrar determines that there is sufficient evidence to form the basis of an appeal the representation will be referred to the Research Appeal Panel.

An appeal may be rejected before forwarding to the Research Appeal Panel for consideration in the following circumstances:

1. Where the appeal is not made on the correct form or the form is incomplete.
2. Where the appeal has been submitted late.
3. Where, if appealing on grounds of reasonable adjustment there is no independent third-party evidence of the mitigating circumstances; or the evidence provided is not a certified translation.
4. Where the appeal contains no evidence that grounds for review have been met.
5. Where the appeal is frivolous or vexatious.
6. Where the appeal does not fall within the scope of this regulation and may be considered under an alternative regulation.

## 2.2 Research Appeal Panel

The Research Appeal Panel will convene to consider the outcomes of cases where an appeal has been accepted for consideration. The Research Appeal Panel will consist of:

1. The Chair will be the Head of Research Degrees or nominee, who shall act as Chair.
2. An external member of The Courtauld's Research Degrees Committee.
3. A senior internal member of staff drawn from a pool of approved staff.

No member of the Panel will have any prior knowledge of the student or personal involvement in the case. At the discretion of the Chair, the Panel may be supplemented with additional members with expertise in the academic area of the appeal. The Secretary of the Panel will be the Research Degrees Programme Officer.

The quorum for the Panel will be the Chair and two other members. The decision of the Panel will be reached by a majority vote of the members, which may be conducted by email correspondence. The Chair will have an additional casting vote where necessary.

The upgrade panel which made the original decision will submit the outcome provided to the student together with a more detailed account of factors which informed the decision.

The student's first supervisor will be asked to provide a statement indicating whether or not they support the appeal and whether they think that the student should be allowed to upgrade and the reasons for their recommendation.

The Panel will consider:

1. The upgrade outcome provided to the student.
2. Supplementary information from the upgrade panel.
3. The statement from the student's supervisor(s).
4. The written submission from the student appealing against the decision and any further comments received from the student.

Before making a decision the Panel, at the discretion of the Chair, may decide:

1. To request a further referee's report.
2. To seek clarification from any party involved.
3. To interview the student and/or supervisor.

The Research Appeal Panel is not required to meet unless it is decided to interview the student and/or supervisor. In such circumstance the student and the supervisor will be invited to attend the meeting of the Panel.

The student will be informed of the date of the meeting with the Research Appeal Panel not less than 10 working days in advance. The student may choose to appear before the Panel but the Panel may also hear a case, by mutual agreement, in the absence of the student. The student will be informed that they have the right to bring a family member or friend for support or a Students' Union representative to the meeting. Disabled students may also be accompanied by a support worker e.g. sign language interpreter or mental health worker/disability adviser as appropriate to their needs. Any reasonable adjustments will also be considered. Proxies for students will not normally be allowed.

Documentation in support of the request for review will be circulated to the Research Appeal Panel, the student and the supervisor and not less than 5 working days before an interview of the student and/or supervisor.

The Research Appeal Panel will normally reach a decision on the appeal within 30 working days of receipt, subject to the need to compile the above information and to meet as appropriate.

The Research Appeal Panel will minute its deliberations and decisions. The Panel may take one of the following decisions:

1. To reject the appeal and uphold the decision to terminate the student's registration.
2. To reject the appeal and uphold the decision that the student's registration should continue at MPhil level.
3. To uphold the appeal and allow the MPhil to PhD upgrade.
4. To uphold the appeal and allow the student a further opportunity to attempt the MPhil to PhD upgrade.

In the event of the Research Appeal Panel decision being to reject the appeal and uphold the decision to terminate the student's registration, removal will commence under the appropriate procedure. The student has the right to appeal against the removal in accordance with these regulations.

The student will be informed of the outcome in writing by the Chair and the letter will provide clear reasoning for the outcome within 5 working days of the Panel making its decision (or the date of interview if the student was interviewed) together with a Completion of Procedures (COP) letter. Supply of a COP letter is a requirement of our membership of the Office for the Independent Adjudicator for Higher Education (OIA). The decision of the Research Appeals Panel is final and will conclude The Courtauld's consideration of the matter.

Students have no automatic right to continue with their studies or to progress to the next stage of their programme pending the outcome of an appeal. The Courtauld may exercise its discretion to allow this attendance, if applicable and permitted by the programme regulations.

### 3.1 The Office of the Independent Adjudicator for Higher Education (OIA)

If the student has exhausted all the internal process at The Courtauld regarding the appeal and is still dissatisfied with the outcome, the student can contact the Office for the Independent Adjudicator for Higher Education (OIA).

The Office of the Independent Adjudicator for Higher Education (OIA) runs an independent scheme to review student complaints. The Courtauld Institute of Art is a member of this scheme. If the student is unhappy with the outcome the student may be able to ask the OIA to review the case. Further information can be found here: <https://www.oiahe.org.uk/students>.

Normally the final stage of the procedure must be completed before a complaint can be made to the OIA. When there are no further steps that can be taken internally The Courtauld will issue a student with a Completion of Procedures Letter automatically. More information about Completion of Procedures Letters and when a student should expect to receive one are here: <https://www.oiahe.org.uk/providers/completion-of-procedures-letters>.

### 4.1 Procedure for Appeals Against Decisions of PhD and Upgrade Decisions for Research Degree Timeline

Ref	Stage	Action	Working Days
2.1	Representation to the Academic Registrar	Representations made in writing to the Academic Registrar, stating the grounds on which the representation is made and providing evidence to support it.	1 month from the date of notification to the student of the upgrade decision.
3.1	Research Appeal Panel	A Research Appeal Panel will be convened to consider the representation. The Panel will review the case, make a decision and notify the student in writing of the outcome. The student will also receive a Completion of Procedures Letter.	30
4.1	Referral to Office for the Independent Adjudicator for Higher Education (OIA)	If the student does not accept the outcome of the Appeal Panel, referral may be made to the OIA.	(12 months from receipt of Completion of Procedures Letter)

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