

R17 There are two academic appeals processes available to research degrees students:

a) to appeal the PhD upgrade and MD(Res) transfer decisions

b) to appeal the outcome of the thesis and oral examination.

Neither appeal process can be used to challenge academic judgement.

Academic appeals for students on research degree programmes

- R17.1 It is expected that all parties involved in an academic appeal will act reasonably and fairly, and treat the process in a respectful manner. If inappropriate behaviour is displayed, action may be taken.
- R17.2 The College may pause or stop the consideration of any appeal submitted where the student is suspected to be in breach of the misconduct regulations (G27) or the fitness for registration and practice regulations (G29), and action should be taken under those regulations.
- R17.3 If an appeal contains matters which fall under the Student Complaints Regulations (G31), consideration of the appeal may be paused until the complaints process is complete. In such cases, the findings of the complaint investigation may be considered as evidence for the appeal.

Appeals against PhD upgrade and MD(Res) transfer decisions

- R17.4 The appeal procedure in respect of upgrade decisions should be completed at Faculty level before the College will consider any appeal by the student under the Academic Progress Regulations (G28).
- R17.5 An appeal must be requested in writing on a form provided for the purpose and lodged with the relevant Faculty or Campus academic centre or records office within 21 days of the upgrade decision. The grounds of the appeal must be clearly stated in the appeal and appropriate documentation supplied.
- R17.6 The Vice-Dean for Doctoral Studies in the Faculty will normally advise the student in writing of their decision on the appeal request within 42 days of receipt of the appeal. The Vice-Dean for Doctoral Studies in the Faculty will allow an appeal to be heard if they are satisfied that one or more of the following criteria apply:
- where there is evidence that the student's performance may have been adversely affected by mitigating circumstances which the student was unable, or for valid reasons unwilling, to divulge to the examiners before the decision was reached;
 - where there is clear evidence of a significant administrative or procedural error on the part of the College in the conduct of the upgrade process and that this accounted for the student's performance.
- R17.7 The Vice-Dean for Doctoral Studies in the Faculty will have the discretion to take into account grounds (including grounds of compassion) other than those stated above in deciding whether to allow an appeal to be heard.
- R17.8 Where a student submits an appeal that their examination was adversely affected by alleged harassment, bullying or discrimination, or by any other factor, which, in the opinion of the Vice-Dean for Doctoral Studies in the Faculty, requires an investigation which falls outside the remit of these appeal regulations and which constitutes a complaint under the provisions of the Student Complaints Regulations then the matter shall be referred for consideration under those regulations (G31). In these circumstances, the appeal may, at the discretion of the Vice-Dean for Doctoral

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Studies in the Faculty, be held in abeyance until the consideration of the matter under the Student Complaints Regulations has been concluded.

- R17.9 Any information supplied by the student at a later date will only be considered if, in the judgment of the Vice-Dean for Doctoral Studies in the Faculty, there are valid reasons why it could not have been submitted as part of the initial appeal. However, the student shall have the right to receive copies of any documents provided to the appeals panel (including the information from the upgrade panel, the statement of the student's supervisor, and any referee's reports), and may submit comments for the panel's consideration within seven days of being sent this information.
- R17.10 An appeals panel shall be established comprising:
- a) the Vice-Dean for Doctoral Studies in the Faculty or nominee, who shall act as chair;
 - b) two members of the Faculty Postgraduate Research Committee;
- and supported by a representative from the relevant Faculty or Campus academic centre or records office.
- R17.11 The panel shall not include anyone involved in the original decision not to approve the upgrade or the student's supervisors. At the discretion of the chair, the panel may be supplemented with additional member(s) with expertise in the academic area of the appeal.
- R17.12 The quorum for the panel shall be the chair and two other members. The decision of the panel shall be reached by a majority vote of the members, which may be conducted by email correspondence. The chair shall have an additional casting vote where necessary.
- R17.13 The upgrade panel which made the original decision will submit the outcome provided to the student together with a more detailed account of the factors which informed the decision.
- R17.14 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.
- R17.15 The panel will consider the upgrade outcome provided to the student, the supplementary information from the upgrade panel, the statement from the student's supervisor(s), the written submission from the student appealing against the decision, and any further comments received from the student.
- R17.16 Before making a decision the panel, at the discretion of the chair, may decide:
- a) to request a further referee's report;
 - b) to seek clarification from any party involved;
 - c) to interview the student and/or supervisor.
- R17.17 The panel is not required to meet unless it is decided to interview the student and/or supervisor. In such circumstances, the student and the supervisor will be invited to attend the meeting of the panel and may each give evidence to the panel. The student may be accompanied by a colleague, friend or representative of the King's College London Students' Union.

R17 ACADEMIC REGULATION (APPENDIX)

2018/19

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R17.18 The panel shall normally reach a decision on the appeal within 60 days of receipt, subject to the need to compile the above information and to meet as appropriate.

R17.19 The panel may take one of the following decisions:

a) reject the appeal and uphold the decision to terminate the student's registration;

b) reject the appeal and uphold the decision that the student's registration should continue at MPhil level;

c) uphold the appeal and allow the MPhil to PhD upgrade

d) uphold the appeal and allow the student a further opportunity to attempt the MPhil to PhD upgrade

R17.20 In the event of a) being the decision of the panel, removal proceedings shall commence under the Academic Progress Regulations (G28). The student has the right to appeal against the removal in accordance with the Academic Progress Regulations.

Appeals concerning decisions of examiners: thesis and oral examination

R17.21 Students should submit an Appeal Form within 21 days of the release of the examination result. Appeals received after this deadline will only be accepted at the discretion of the Principal.

R17.22 A student may appeal on either or both of the following grounds:

a) where there is evidence that the student's performance at the oral examination may have been adversely affected by mitigating circumstances which the student was unable, or for valid reasons unwilling, to make known before the decision was reached;

b) where there is clear evidence that the examination may have been adversely affected by a significant administrative or procedural error on the part of the College.

R17.23 The Principal will normally advise the student in writing of their decision on the appeal within 42 days of receipt. If it is determined that an appeal should be heard, an Appeal Committee will be arranged, in accordance with the Appeal Committee Structure.

R17.24 The student may be represented at the Appeal Committee by another member of the College, a member of the student's professional organisation (where applicable), or a member of the King's College London Students' Union (KCLSU).

R17.25 Additionally, the student may be accompanied by a family member or a friend, who will not be able to speak on the student's behalf, unless this is a reasonable adjustment, such as a sign language communicator or interpreter.

R17.26 If the student is to be represented or accompanied then the name of the person who is to attend must be received in writing by the Head of Student Conduct and Appeals (HoSCA) at least 48 hours in advance of the Committee. The Chair of the Appeal Committee may accept or reject a request, and their decision will be final. The Chair may refuse to permit a representative, friend or family member to attend where 48 hours' notice has not been received.

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- R17.27 Written notice of the date of the hearing will normally be sent to the student, together with the names of the Committee members and the Chair, and all documentary evidence, at least 14 days before the hearing date. Any concerns regarding documentation or membership of the Committee should be raised in writing by the student at the earliest opportunity to the HoSCA.
- R17.28 New evidence that has not already been submitted as part of the appeal will not normally be considered by the Appeal Committee; should either party wish to submit new evidence, this must be done at least seven days before the Committee date. The Chair of the Appeal Committee may accept or reject new evidence, and their decision is final.
- R17.29 The Appeal Committee shall consider the documentary evidence, and invite the student and the examiners (or their nominee) to give evidence. Other persons shall be asked to attend to give evidence if the Committee wishes.
- R17.30 The absence of the student or the examiners will not prevent the Hearing from taking place nor invalidate the proceedings. In the event that a student has indicated they will attend but then cannot do so for good reason, an adjournment would generally be considered.
- R17.31 The Appeal Committee shall take one of the following decisions:
- to reject the appeal, in which case the result of the original examination stands;
 - to request the examiners to reconsider their decision. The examiners shall normally be expected to hold another oral examination before reaching a decision as to whether the result should be changed;
 - to determine that the original examination be cancelled and that a new examination be conducted. The new examination shall be conducted by examiners who were not involved in the original examination or the appeal.
- R17.32 When a new examination is to be held, new examiners shall be appointed in accordance with the Academic Regulations and associated policies for Research Degrees. However, all examiners should be external to the College. The examiners may make any of the decisions open to the original examiners. The examiners will not be given any information about the previous examination except the fact that they are conducting a new examination following an appeal. The result of the original examination having been cancelled, the result of the new examination will be considered by the RDEB.
- R17.33 The decision of the Appeal Committee shall normally be communicated in writing by the HoSCA to the student and the examiners, within seven days of the decision of the Appeal Committee.
- R17.34 The decision of the Appeal Committee shall be final. There is no further right of appeal.

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Useful Links

[Office of the Independent Adjudicator \(OIA\)](#)

[Academic Progress \(G28\)](#)

[Student Complaints \(G31\)](#)

[Committee Structure](#)

[Student Conduct and Appeals webpages](#)

[Academic appeals for students on taught programmes - for research degrees with taught elements \(T44\)](#)

[Glossary](#)

Exemptions: not anticipated. For advice contact appeals@kcl.ac.uk.

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