

Section

17F



Nottingham Trent  
University

# **Quality Handbook**

## **Part E: Regulations**

### **Section 17F: Research Degrees Complaints and Appeals Procedures - Requirements**

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## 1. Aim of the policy

**The University recognises the importance of a strong, diverse and inclusive doctoral community in the pursuit of research excellence and impact. The University is firmly committed to the promotion of equality and will not unlawfully discriminate, or tolerate discrimination (direct or indirect, harassment or victimisation) on grounds of age, disability, ethnicity (including race, colour, caste and nationality), gender identity, marriage or civil partnership, pregnancy or maternity, religion or belief, sex and sexual orientation; this includes discrimination by association or due to perception.**

**All research degrees at the University are mapped to the UK QAA Frameworks for Higher Education Qualifications in England and Wales.**

- 1.1 The University is committed to providing high quality research training and support to all doctoral candidates.
- 1.2 We value the views of our candidates and aim to provide a supportive environment and manage complaints and appeals in a way which is sensitive to the needs of each specific case.
- 1.3 The University is a large organisation and we are aware that problems may arise from time-to-time with regard to teaching-related or service-related provision. Academic Schools and Professional Services are both responsible for ensuring that staff and doctoral candidates are aware of the Research Degrees Complaints and Appeals Procedure.
- 1.4 The Research Degrees Complaints and Appeals Procedure has been developed to ensure that complaints and appeals are treated seriously and, if upheld, are acted upon to ensure the complainant's position is protected as far as the University is able to do so.
- 1.5 The University will ensure that due regard is given to the need to ensure that doctoral candidates with protected characteristics, as defined under the Equality Act 2010, are treated fairly and without discrimination. Doctoral candidates will not be disadvantaged as a result of making a complaint or an appeal under this procedure, provided it is made in good faith.
- 1.6 Research degrees complaints and appeals will be handled with an appropriate level of confidentiality and information will only be released to those who need it. Information relevant to the investigation may be shared between different departments under the Student Privacy Notice.
- 1.7 Doctoral candidates are encouraged to raise any issues or concerns immediately with the relevant Academic School (in particular the supervisory team and/or Director of Doctoral Programmes or Deputy Director of Doctoral Programmes) in the first instance, so that they can be dealt with at an early stage and prevent matters from becoming more complex.

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- 1.8 All formal research degrees complaints and appeals are administered through the NTU Doctoral School and are considered by the University Research Degrees Committee Complaints and Appeals sub-committee.
- 1.9 This procedure is internal to the University and does not have the same degree of formality as a court of law. As such, legal representation is not deemed to be necessary or appropriate in the circumstances.
- 1.10 The University reserves the right not to investigate complaints which are considered to be frivolous or vexatious (for example, complaints which are obsessive, harassing, repetitious, where the doctoral candidate's behaviour in submitting a complaint is unreasonable or designed to cause disruption to the University or its community).
- 1.11 A doctoral candidate may make a formal representation about decisions made in relation to:
  - a. their progress; or
  - b. a viva voce examination decision.
- 1.12 Research degrees complaints and appeals are dealt with using the two separate procedures set out in this document.
- 1.13 Where, on receipt and investigation of a research degree appeal, it appears that the matter can, in the interests of the doctoral candidate, be better dealt with via the research degrees complaints procedure, it will be transferred. The doctoral candidate will be informed of the transfer.
- 1.14 Research degrees complaints and appeals will be resolved in a timely and consistent way to ensure that doctoral candidates are not disadvantaged as a result of raising concerns with the University.
- 1.15 Where only part of the matters raised within an appeal are transferred to the complaint's procedure, the appeal will be put on hold pending the outcome of the complaint investigation. The doctoral candidate will be informed and made aware of the change in time frame for dealing with the appeal.
- 1.16 Complaints relating to University staff will be transferred to the Staff Disciplinary Policy and Procedure. Where complaints are transferred, the NTU Doctoral School will inform the doctoral candidate of this and direct them to relevant guidance and/or support.
- 1.17 Where a complaint involves multiple issues, which do not fall neatly into the category of complaint (e.g. because it also covers issues that fall within the remit of appeals or other procedures), these matters may be considered together. Depending on the individual circumstances of each incident, the University reserves the right to either suspend one procedure pending the outcome of the other or decide not to pursue a procedure in favour of the other.
- 1.18 Research degrees complaints and appeals from doctoral candidates at collaborative partners are managed in accordance with the agreed collaborative operational documentation and processes set out in the Quality Handbook Section 10.

## 2. General Principles

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## **Fairness**

- 2.1 All reasonable efforts have been made in the design of the Research Degrees Complaints and Appeals Procedure to ensure they embody the principles of fairness and are operated in a fair manner, including:
- a. giving reasons for actions taken and decisions made by the University;
  - b. removal of any potential bias by ensuring independent consideration at each stage of the process;
  - c. the operation of reasonable timescales for both submissions to and responses from the University;
  - d. an opportunity for both the doctoral candidate and the University to be equally heard and have equal access to documentation where matters proceed to a hearing.

## **Confidentiality**

- 2.2 Information provided by doctoral candidates under the Research Degrees Complaints and Appeals Procedure will be treated confidentially and only shared with those persons necessary to progress the complaint or appeal or help support a satisfactory outcome.

## **Representation**

- 2.3 Representation of a doctoral candidate under the Research Degrees Complaints and Appeals Procedure cannot be made by a third party unless written consent is received from the doctoral candidate allowing an individual to act on their behalf. This includes complaints and appeals submitted by a parent, guardian or spouse of the doctoral candidate. Where consent is provided to, and accepted by, the University, all communications relating to the Research Degree Complaints and Appeals Procedure will be made through the nominated individual only.

## **Timeframes**

- 2.4 The University will use all reasonable endeavours to comply with the timeframes prescribed within this procedure, although there may be circumstances in which it cannot reasonably meet such timeframes. In such circumstances, the University will keep the doctoral candidate updated as to any variation to the timeframes prescribed within this the Research Degrees Complaints and Appeals Procedure. Similarly, the University considers that doctoral candidates will be able to meet the timeframes in communicating with the University, including by electronic means, unless affected by exceptional circumstances beyond the doctoral candidate's reasonable control.
- 2.5 Complaints and appeals submitted outside of the prescribed time limits are difficult to investigate, given the passage of time. Complaints and appeals submitted outside of those time limits therefore will not be considered unless good cause can be shown, i.e., that there has been as a result of exceptional circumstances prevention of the doctoral candidate to submit a complaint or an appeal and relevant evidence can be provided in support of this.
- 2.6 An example of such circumstances may be a serious illness, bereavement or childbirth. A busy lifestyle will not be considered an exceptional circumstance.

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- 2.7 Doctoral candidates must state reasons for the delay when submitting the complaint or appeal and provide supporting evidence to extend the normal complaint and appeal timeframes, for example doctor's letter, birth and death certificates. The University reserves the right to accept or reject a complaint or appeal submitted out of time following consideration of any supporting evidence provided. In addition, the University is not obligated to investigate a complaint or appeal where some or all of the relevant records are no longer readily accessible to the University given the lapse of time since the matter complained of took place.
- 2.8 The NTU Doctoral School will send the complainant a Completion of Procedures letter if the University do not accept your complaint or appeal for being out of time. That letter will explain why the complaint or appeal has been submitted late by reference to the time limits prescribed in this procedure.
- 2.9 References to "working days" means University working days during the working week from Monday to Friday, excluding weekends, UK Bank Holidays and all University closure days.

## Advice

- 2.10 Doctoral candidates are advised to contact the independent advice service of Nottingham Trent Students Union (NTSU); details of their services are available at the following link: <http://www.trentstudents.org>. In addition, doctoral candidates may also seek advice from members of staff at the University.

## Responsibility and Authority

- 2.11 Reference is made within the Research Degrees Complaints and Appeals Procedure to aspects of the structure and staffing of the University. It is recognised that there may be some variation in structures and nomenclature across the University. It is, therefore, implicit that those of appropriate seniority and experience will operate the Research Degrees Complaints and Appeals Procedure.
- 2.12 The University reserves the right to not respond to each and every minor point raised, and if appropriate points will be grouped together when providing an answer.

## Evidence

- 2.13 Doctoral candidates will be required to provide supporting corroborative evidence at the same time as a submission of a complaint or an appeal. Alternative forms of evidence will be considered. Submission of an appeal under the Research Degrees Complaints and Appeals Procedure does not constitute evidence in itself.
- 2.14 The evidence should normally be the original (e.g. a doctor's note) and not a copy. If the doctoral candidate has difficulty with this, they should contact the NTU Doctoral School who can provide advice and guidance.
- 2.15 Where supporting corroborative evidence needs to be submitted after the complaint or appeal, the doctoral candidate should provide a justification and an indication of what the evidence will be, the reason why it cannot be submitted at the time, and when it will be submitted.
- 2.16 Acceptance of submissions without evidence, or indication of evidence (as appropriate) is at the discretion of the Director of NTU Doctoral School who will

make a decision (or appoint a designated officer to make a decision) on such submissions and notify the doctoral candidate accordingly. This decision is final.

### 3. Research Degrees Complaints Procedure

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- 3.1 There are three levels to the formal complaints part of the Research Degrees Complaints and Appeals Procedure:
  - a. Level One: Early Resolution at Local Level
  - b. Level Two: Preliminary Panel
  - c. Level Three: Complaint Review
- 3.2 Doctoral candidates may use the Research degrees Complaints Procedure if they are, or have been, enrolled as a doctoral candidate of the University.
- 3.3 Former doctoral candidates must raise any complaint no later than **60 working days** from their last day as a doctoral candidate of the University. For the avoidance of doubt, the submission deadline will be calculated by the NTU Doctoral School.
- 3.4 If doctoral candidates are making a collective complaint with a group of other doctoral candidates, the University will request a single nominated contact for purposes of communication.
- 3.5 Anonymous complaints will not be considered unless the supporting evidence is exceptional.
- 3.6 Complaints should be resolved locally, amicably and quickly. Level Two of the process is only invoked following an attempt at local resolution.
- 3.7 Doctoral candidates are encouraged to seek independent advice from the NTSU Information and Advice Service.
- 3.8 Doctoral candidates may choose to be accompanied to any meetings related to the complaints procedure either by a representative of the NTSU Information and Advice Centre or by a friend or representative. In this case, the NTU Doctoral School should be notified of this in advance of the meeting.

### 4. What Constitutes a Complaint

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- 4.1 Grounds for a complaint might include (but are not limited to) the following:
  - a. Dissatisfaction with standards of academic provision (for example, programme design, content and structure, supervision, resources and facilities, information provided to doctoral candidates about the research programme);
  - b. Failure by the University to meet its obligations (for example, as set out in the Student Charter, the research environment requirements specified in the UK Quality Code or other policies/processes);

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- c. Deficiencies in the standards of service (which may include problems with support facilities such as student support services or administrative support services e.g. the NTU Doctoral School);
- d. Harassment, bullying and victimisation;
- e. Other deficiencies in the quality of the doctoral degree experience.

## 5. What does not Constitute a Complaint?

5.1 The following are matters which cannot constitute grounds for a complaint under this procedure and will not be eligible for consideration:

- a. A challenge to academic judgement. The University defines academic judgement as a judgment made about an academic matter such as the viva outcome where only the opinion of an academic expert will suffice. For example, for Professional Doctorate candidates, a challenge of academic judgement cannot be made solely because the doctoral candidate believes they should have received a higher grade or mark;
- b. Disciplinary issues (which would be considered under the PGR Code of Behaviour);
- c. Complaints about the research degrees admissions process (paragraph 11);
- d. Non-academic matters raised by doctoral candidates studying at partner institutions under a collaborative arrangement. In this case, the partner's local complaints process should be followed before a complaint can be raised with the University;
- e. Complaints about the Students' Union, which should be directed to the Nottingham Trent Students' Union.

## 6. Research Degrees Complaints Timeframes

	Doctoral Candidate	Acknowledgement	Investigation
<b>Level One: Early Resolution at Local Level</b>	Raise the complaint within 60 working days of the cause for concern. Submit the Level 1 Complaint Form.	Within 5 working days of receipt of the complaint, setting out the points of complaint.	Response communicated within 20 working days of receipt of the complaint.*
<b>Level Two: Preliminary Panel</b>	Raise the complaint within 10 working days of the date of the Level 1 outcome. Submit the Level 2 Complaint Form.	Within 5 working days of receipt of the complaint, setting out the points of complaint.	Response communicated within 30 working days of receipt of the complaint.*
<b>Level Three: Complaint Review</b>	Request a review within 10 working days of the Level 2 outcome date. Submit the Level 3 Complaint Review Form.	Within 5 working days of receipt of the request for a review.	Response communicated within 15 working days of receipt of request for review.*



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<b>OIA</b>	Request a review within 12 months of the date of the Completion of Procedures Letter.	The University has no direct involvement with the complainant.	Variable – OIA timescales.
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\* if this is not possible, an alternative timescale will be provided.

- 6.1 The University normally aims to deal with all formal complaints within 90 calendar days (**approximately 60 working days**) from the start of the Preliminary Panel (Level 2).
- 6.2 Where the doctoral candidate fails to proceed within the timescales, the University reserves the right to stop the complaint from progressing.

## 7. Procedure for Level One: Early Resolution at Local Level

- 7.1 Complaints must be raised no later than **60 working days** from the incident or cause for concern using the Level 1 Complaint Form and including supporting information and evidence.
- 7.2 The form and supporting evidence need to be submitted to the NTU Doctoral School.
- 7.3 The Level 1 complaint will be acknowledged within **five working days**. A response will be conveyed within **20 working days**.
- 7.4 If the doctoral candidate considers their complaint to be unresolved following the Level 1 outcome, or there is dissatisfaction with the outcome, the doctoral candidate may choose to escalate the complaint to Level Two.

## 8. Procedure for Level Two: Formal Stage

- 8.1 A Level Two Complaint Form must be submitted within **10 working days** from the date of the Level One outcome.
- 8.2 Doctoral candidates must explain clearly on the Level 2 Complaint Form why they believe that the complaint remains unresolved. Doctoral candidates should provide detailed information to support the claims and documentary evidence where possible.
- 8.3 The NTU Doctoral School will:
  - a. consider whether the complaint is eligible and has been submitted within the time frame; and
  - b. consider whether the issues raised in the complaint should be investigated under this procedure or whether they would be more effectively addressed through another procedure.
- 8.4 If the explanation or any detail on the complaint form is unclear or ambiguous, the NTU Doctoral School may ask for further clarification or information.
- 8.5 The complaint will be acknowledged within **five working days** of receipt.

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- 8.6 If the complaint is eligible, the NTU Doctoral School will nominate a Complaint Investigator who will assess the claims against the evidence provided, consulting other staff and /or the complainant further where appropriate.
- 8.7 The Complaint Investigator may decide that the complaint is best considered by a Complaint Panel. Should this be the case, the doctoral candidate will be informed of this decision and the following will apply:
- a. The Complaint Panel will comprise of:
    - i. The NTU Doctoral School Standards and Quality Manager;
    - ii. A member of University Research Degrees Committee from outside the School in which the doctoral candidate is enrolled;
    - iii. One member of staff from outside the School in which doctoral candidate is enrolled (or others involved in the complaint);
    - iv. A representative from the Students' Union Executive committee.
  - b. The doctoral candidate may be accompanied to the Panel Meeting by a friend or representative and the area of concern may be represented by up to two NTU members of staff. If the complaint relates to the actions of an NTU staff member (or more than one staff member), that NTU staff member may attend the Panel Meeting and has the right to bring a friend or representative.
  - c. All relevant papers will be provided to the members of the Panel and to the doctoral candidate. The doctoral candidate will be informed of the composition of the Panel **five working days** before the Panel Meeting. If the doctoral candidate feels that a Panel member has a conflict of interest, the doctoral candidate can submit a request in writing to the Complaint Investigator for a replacement.
  - d. If the doctoral candidate fails to attend the Panel Meeting, the Panel will decide whether to consider the complaint in their absence, dismiss the complaint, or invite the doctoral candidate to a re-convened Panel Meeting.
  - e. Where a Complaint Panel Investigation is deemed appropriate by the Complaint Investigator or nominee, the doctoral candidate will be provided with an amended date of response since the Level Two timeframe will not be applicable.
- 8.8 If any named individuals in the Complaints Panel are directly implicated in the case, they will be replaced.
- 8.9 The doctoral candidate will receive an outcome within **30 working days** from receipt of the Level Two Complaint Form. If the investigation into the complaint will take longer, the doctoral candidate will be notified of the reasons and be provided with an expected date of response. The outcome will be sufficiently detailed for the doctoral candidate to understand the response.
- 8.10 If the complaint is upheld (in full or in part), a proposed remedy or other form of redress will be offered to the doctoral candidate.
- 8.11 If the complaint is not upheld, the doctoral candidate will be provided with an explanation for the decision.
- 8.12 Other staff at the University may be informed of the complaint outcome with due regard to confidentiality, as appropriate.

## 9. Level Three: Complaint Review Stage

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- 9.1 Should the doctoral candidate feel dissatisfied with the outcome of the Level Two complaint, the doctoral candidate may request a Complaint Review by completing the Level Three Complaint Review Form. The doctoral candidate must complete Level 2 before they can request a Complaint Review.
- 9.2 The request for a Complaint Review must be received within **10 working days** from the date of the Level 2 outcome.
- 9.3 The only permissible grounds for a Complaint Review are:
  - a. That there was a procedural irregularity in the consideration of the complaint which has materially affected the outcome; or
  - b. That the doctoral candidate has new material evidence which could not have previously been made available, for valid reasons.
- 9.4 The doctoral candidate's request for a Complaint Review will be acknowledged within **5 working days** of receipt.
- 9.5 The Complaint Investigator will nominate a member of staff (not involved in any previous stages) to undertake a review of the complaint.
- 9.6 The Complaint Review will not consider new or previous issues of the complaint afresh, nor will it involve further investigation. It will consist of a review of the evidence submitted in relation to the permissible grounds.
- 9.7 The doctoral candidate will receive a Completion of Procedures Letter within **15 working days** from receipt of the request for a Complaint Review. This letter will confirm that the doctoral candidate has completed the University's internal procedure and will indicate how they may submit a complaint to the OIA. This is the end of the University's internal procedure.

## 10. Office of the Independent Adjudicator (OIA)

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- 10.1 If a doctoral candidate remains reasonably dissatisfied with the outcome once the University's internal processes have been completed, then the doctoral candidate may request an independent external review of the case by the OIA. The doctoral candidate must complete the University's internal procedures before they can request an OIA review.
- 10.2 The complaint must be submitted to the OIA within **12 months** from the date of the Completion of Procedures Letter from the University and must be submitted using the OIA's form. The doctoral candidate must include the Completion of Procedures Letter with their submission.
- 10.3 Further information can be found on the OIA's website at [www.oiahe.org.uk](http://www.oiahe.org.uk).

## 11. Research Degrees Admissions Appeal Procedure

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### Specific expectations related to Admissions Appeals

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- 11.1 The University expects that all interactions between prospective candidates, supporters and staff are conducted with mutual understanding and respect. Any unacceptable behaviour will not be tolerated and may prejudice an application or appeal. In exceptional cases, where the seriousness of the behaviour has breached accepted norms, further action may be taken including, but not limited to, withdrawing an offer.
- 11.2 In exceptional circumstances, the University may feel morally or legally obliged to report its findings to other authorities.
- 11.3 The University is committed to the provision of an admissions service to all prospective candidates which is fair, efficient and transparent. However, the University recognises that there may be instances where a prospective candidate feels aggrieved with the research degrees admissions decisions or processes and wishes to bring their concerns to our attention either formally or informally.

## Applicant Admissions Appeals Procedure

- 11.4 This procedure can only be used by applicants applying for admission to the University (where the admissions procedure is the sole responsibility of the University).
- 11.5 The University, where possible and whilst being sensitive to the concerns of the prospective candidate, will aim to deal with issues informally. Many issues can be dealt with appropriately in this manner and the University's admissions appeals procedure has been designed with this in mind. This is not to say they will be treated with less importance and will still form an important part of the University's regular review of its service delivery.
- 11.6 Any admissions appeal will be handled in isolation from the application and will not prejudice current or future applications.
- 11.7 The University will only normally accept an admission appeal directly from the prospective candidate, unless a third party has the explicit consent to act on their behalf.
- 11.8 Prospective candidates who feel that they have grounds for appeal should raise the matter within **10 working days** of the last action/correspondence or admissions decision of the University.
- 11.9 For the purposes of this procedure, an appeal is defined as a request from an unsuccessful prospective candidate to review the outcome of an admissions decision and should only be submitted on the following grounds:
  - a. they can evidence that the University has deviated from its own policy, procedures and practice; or
  - b. further information, which was not available at the time of application, is presented to the University; or
  - c. there is a perception or indication that the prospective candidate has been treated differently from another applicant in a similar situation.
- 11.10 It should be noted that prospective candidates have no right of appeal against decisions that are based on the academic or professional judgement of the University about suitability for admission. For example, academic judgement may be used to determine the suitability of prior learning (accredited or otherwise) for

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entry in lieu of formal qualifications, or an assessment of the suitability of subject knowledge from less traditional qualifications.

## Procedure for Submitting an Admissions Appeal

- 11.11 **Stage One: request for feedback or clarification:** Before submitting an appeal, a prospective candidate should normally contact the NTU Doctoral School in writing, to request feedback or to discuss their concerns.
- 11.12 **Stage Two: Admissions Appeal:** Before submitting an admissions appeal, the prospective candidate should ensure that they have read the grounds permitted for an admissions appeal. They should then submit an appeal using the appropriate form to the NTU Doctoral School using the following address:  
[RDcomplaintsandappeals@ntu.ac.uk](mailto:RDcomplaintsandappeals@ntu.ac.uk).
- 11.13 **Stage Three:** Where the prospective candidate remains dissatisfied with the outcome at Stage Two, they may request a review of the Stage Two decision. The prospective candidate must provide clear reasons/evidence for requesting a review (for example, evidencing that information had not been taken into account at Stage Two). The outcome of Stage Three will be considered final and, therefore, the prospective candidate is unable to take the matter further with the University. A review can be requested from the Director of NTU Doctoral School using the following address: [RDcomplaintsandappeals@ntu.ac.uk](mailto:RDcomplaintsandappeals@ntu.ac.uk).
- 11.14 As a minimum guideline, an Admissions Appeal (Stage Two) should include the following information:
- Prospective candidate's name and any relevant application reference numbers provided by the University;
  - Contact details;
  - Details of the grounds for the Admissions Appeal;
  - Any further information that the prospective candidate feels relevant to their case.
- 11.15 An acknowledgement of an Admissions Appeal (Stage Two) or Review of an Admissions Appeal (Stage Three) will normally be made within **five working days**. The NTU Doctoral School Administration Manager, or their nominee, will investigate in conjunction with any relevant Academic School(s) and the outcome will be communicated within **ten working days** from acknowledgement. If, for any reason, these timescales for response cannot be met, the prospective candidate will be updated with the expected timescales within the **ten working days** from acknowledgement.
- 11.16 Where the Admissions Appeal relates to a selection decision, and is upheld, the University cannot guarantee admissions to the academic year initially requested; however, where possible, an alternative point of entry may be offered.

## 12. Research Degrees Appeals Procedure

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### Scope and Coverage

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- 12.1 This Research Degrees Appeals Procedure allows for a doctoral candidate to bring an appeal against decisions made by a School Research Degrees Committee to the University, where the decision relates to the doctoral candidate's performance and progress and enables investigation of those concerns by the University.
- 12.2 This procedure applies to all NTU doctoral candidates.
- 12.3 Separate procedures and frameworks also exist for the following:
- a. Procedure for investigating alleged research misconduct;
  - b. Disciplinary issues – Student Code of Behaviour;
  - c. Doctoral candidates pursuing a Nottingham Trent University award at another institution under the University's collaborative provision arrangements are referred to Section 20 of this procedure.
- 12.4 Doctoral candidates are reminded that this procedure may only be used to request a review of a formal decision about a doctoral candidate's performance or progress made by a School Research Degrees Committee. This procedure should not be used where doctoral candidates wish to report dissatisfaction about supervision-related or service-related provision, which should be dealt with under the Research Degrees Complaints Procedure.
- 12.5 Disagreement with the academic judgement of a School Research Degrees Committee cannot in itself constitute a reason to appeal. Academic judgement is a judgement that is made about a matter where only the opinion of an academic expert will suffice.
- 12.6 An appeal can only be made in relation to fairness of procedure or facts of a case.

## 13. Key Stages of the Research Degrees Appeals Procedure

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- 13.1 There are two stages to the Research Degrees Appeal Procedure as follows:
- a. **Stage One:** A doctoral candidate may wish to appeal against the decision of a School Research Degrees Committee or viva voce examination outcome. Such an appeal must be made within the permitted grounds set out in paragraph 15.2; and
  - b. **Stage Two:** A doctoral candidate may submit an appeal against the outcome of the subsequent outcome of Stage One. Such an appeal must be made within the permitted grounds set out in paragraph 17.2.
- 13.2 The following are matters which cannot constitute grounds for either Stage One or Stage Two and will not be eligible for consideration:
- a. Disagreement with the academic judgement of a School Research Degrees Committee, as detailed in the introduction to this procedure;
  - b. Claims that academic performance was adversely affected where there is no contemporaneous, independent, medical or other evidence to support the application;
  - c. Frivolous vexatious or mischievous appeals.

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## 14. Research Degrees Appeals Timeframe

	Doctoral Candidate	Acknowledgement	Investigation
<b>Stage One</b>	Raise the appeal within 10 working days of the cause for concern. Submit a Stage One Research Appeal Form.	Within 5 working days of receipt of the complaint, setting out the points of appeal.	Response communicated within 20 working days of receipt of the research appeal*. If this is not possible, an alternative timescale will be provided.

\* Substantiated submissions will be referred back to the School Research Degrees Committee for reconsideration. The NTU Doctoral School will inform the doctoral candidate of the action that the University intends to take, within 10 working days of receiving the decision from the URDC Complaints and Appeals Committee.

	Doctoral Candidate	Acknowledgement	Investigation
<b>Stage Two</b>	Raise the complaint within <b>10 working days</b> of the date of the Stage One outcome. Submit a Stage Two Appeal Form.	Within <b>5 working days</b> of receipt of the complaint, setting out the points of appeal.	Response communicated within <b>30 working days</b> of receipt of the appeal. If this is not possible, an alternative timescale will be provided.

Notable milestones in Stage Two	
<b>Part 1 – Consideration of the Appeal</b>	A request to provide further information/documentation may be requested within 10 working days of the date of such a request. Where an appeal outcome has been determined, the Chair of the School Research Degrees Committee will communicate that decision to URDC Complaints and Appeals Committee within 10 working days of the Appeal being referred back to the School Research Degrees Committee. The NTU Doctoral School will confirm the outcome to the doctoral candidate within 3 working days of receipt of the decision from the Chair of the School Research Degrees Committee. Where the decision of the URDC Complaints and Appeals Committee is that the Appeal should proceed to an Academic Appeal Hearing, an Academic Appeal Panel will be set up within 30 working days of the date of the decision.



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## Part 2 – Appeal Hearing

The Secretary to the Panel will ensure that all appropriate information is provided at least 10 working days prior to the date of the Appeal Hearing.

The doctoral candidate must submit any such evidence or documentation at least 5 working days prior to the date of the Appeal Hearing.

Full documentation will be circulated to the doctoral candidate, the Appeal Panel, and other relevant parties 4 working days prior to the date of the Appeal Hearing.

The NTU Doctoral School will be notified of the outcome of the Appeal Hearing within 5 working days of it taking place, with reasons.

The School Research Degrees Committee if required to be reconvened, will be expected to meet within 30 working days of the decision of the Appeal Panel.

## Stage One: Appeal Procedure

### 15. Permitted Grounds for Stage One

- 15.1 A doctoral candidate may formally request a review of:
- a viva voce examination outcome; or
  - the decision of the School Research Degrees Committee to terminate registration on a doctorate.
- 15.2 After notification of an outcome after a School Research Degrees Committee or viva voce examination, a doctoral candidate may request a review of a decision on the following grounds only:
- That there has been a material irregularity in the conduct of progress reviews of the candidate undertaken by the School Research Degrees Committee, or in the conduct of the viva voce examination; or
  - That there exist extenuating circumstances affecting the candidate's performance of which the School Research Degrees Committee or viva voce examination team were not aware when their decision was made.
- 15.3 A request for review must be submitted in writing using the appropriate form provided by the NTU Doctoral School and must be addressed to the Director of the NTU Doctoral School. Such a request must be submitted not later than **10 working days** from the date of notification of the viva voce examination decision or termination of registration and must demonstrate that it meets one or more of the permitted grounds for appeal. Where a doctoral candidate is unable to meet this timescale, they must state in their request why they have not been able to meet the deadline and provide the appropriate evidence to corroborate this. It will be the decision of the Chair of the Complaints and Appeals Sub-Committee (of the University Research Degrees Committee) whether or not the submission is accepted and considered.



## 16. Process for Stage One

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- 16.1 Where a request for review is submitted by a doctoral candidate, they will receive an acknowledgement confirming receipt of the request.
- 16.2 The doctoral candidate's request will be considered by the Complaints and Appeals Sub-Committee of the University Research Degrees Committee. To ensure no conflict of interest, the Chair will not have been and will not be involved in the doctoral candidate's studies. The NTU Doctoral School will undertake initial investigation and provide the relevant paperwork to the Complaints and Appeals Sub-Committee.
- 16.3 The Complaints and Appeals Sub-Committee will determine whether the submission:
  - a. is made on the permitted grounds; and
  - b. appears to be substantiated by the evidence provided.
- 16.4 The Complaints and Appeals Sub-Committee may consult with the relevant supervisory team, the Chair of the relevant School Research Degrees Committee, Professional Doctorate Course Leader, Director of Doctoral Programmes and any other relevant persons where the Committee believes that it is appropriate to do so.
- 16.5 The decision of the Complaints and Appeals Sub-Committee, including reasons for that decision, will be communicated to the doctoral candidate (with a copy being provided to the Director of Doctoral Programmes, Professional Doctorate Course Leader if applicable, Director of Studies/lead supervisor and NTU Doctoral School) within **20 working days** of receipt of the doctoral candidate's request and supporting evidence.
- 16.6 The decision of the Complaints and Appeals Sub-Committee may include, but is not limited to, one of the following:
  - a. the submission is deemed not to have been made on one or more of the permitted grounds;
  - b. the submission is not deemed to be substantiated by the evidence presented;
  - c. the submission is deemed to be substantiated.
- 16.7 If the Complaints and Appeals Sub-Committee deems a submission to be substantiated, it will be referred back to the School Research Degrees Committee for reconsideration.
- 16.8 The NTU Doctoral School will inform the doctoral candidate of the action that the University intends to take, within **10 working days** of receiving the decision from the Complaints and Appeals Sub-Committee. This action may include request for further evidence in which case, the Chair of the Committee shall have discretion to either take Chair's action and amend the original decision or convene an Exceptional Meeting of the relevant committee.
- 16.9 Any such determination that the School Research Degrees Committee should review its original decision does not guarantee a subsequent change to that original decision.

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16.10 The NTU Doctoral School Administrator will record the outcomes on the doctoral candidate's file.

## Stage Two: Appeal Against The Outcome Of Stage One

### 17. Permitted Grounds for a Stage Two Appeal

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17.1 Following the outcome of a Stage One Appeal, a doctoral candidate may submit a Stage Two Appeal against:

- a. The decision of the Complaints and Appeals Sub-Committee to reject the doctoral candidate's request; or
- b. The decision of the School Research Degrees Committee, following referral there.

17.2 An appeal may only be made on one (or more) of the following grounds:

- a. That the University failed materially to follow its procedures at Stage One within this procedure;
- b. That the doctoral candidate now has material new information that has not been considered and there is a valid reason why the doctoral candidate did not present it sooner.

17.3 A doctoral candidate cannot introduce any new issues into their appeal at this stage which would involve further investigation.

### 18. Submitting an Appeal

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18.1 An appeal against the outcome of Stage One must be submitted in writing using a form which will be provided by the NTU Doctoral School and must be addressed to the Director of the NTU Doctoral School.

18.2 Appeals must be submitted not later than **10 working days** from the date of last communication from the University from the Stage One outcome.

18.3 Where a doctoral candidate is unable to meet this timescale, they may seek an extension to the timescale from the Director of the NTU Doctoral School. In exceptional circumstances, the Director of the NTU Doctoral School (or nominee) has the discretion to accept late submissions where the doctoral candidate has shown serious and valid reasons for the late submission and the failure to seek an extension earlier.

18.4 The NTU Doctoral School collate the necessary investigation and relevant paperwork in relation to the doctoral candidate's appeal.

### 19. Process for Stage Two Appeal

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19.1 The appeal process against the outcome of Stage One is a two-part process:

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- a. **Part 1** - Consideration of the Appeal by the Director of the Doctoral School (or nominee);
- b. **Part 2** - Appeal Hearing.

## Part 1 – Consideration of the Appeal

- 19.2 Following receipt of an appeal, the Director of the Doctoral School (or nominee) will decide, taking advice as appropriate, within **30 working days** of its receipt, whether the appeal has been submitted within the permitted grounds and is therefore entitled to be considered. On behalf of the Director of the Doctoral School (or nominee), the NTU Doctoral School will inform the doctoral candidate of this decision, giving reasons.
- 19.3 To assist in this process, the Director of the Doctoral School (or nominee) may request further information from the doctoral candidate. If the doctoral candidate is requested to provide further information/documentation, they will be asked to provide this within **10 working days** of the date of such a request. In these circumstances, the timescale for the Director of the Doctoral School (or nominee) to give their decision on the appeal will begin from the receipt of such additional information from the doctoral candidate.
- 19.4 If the decision of the Director of the Doctoral School (or nominee) is that the appeal has not been made on any of the permitted grounds, the NTU Doctoral School will notify the doctoral candidate in writing, giving reasons. This decision is final and there is no further right of appeal within the University's procedures.
- 19.5 If the Director of the Doctoral School (or nominee) considers that the appeal is submitted within the permitted grounds, they will either:
- a. Refer the submission back to the School Research Degrees Committee for further consideration and action and inform the doctoral candidate of the decision and actions; or
  - b. Convene an Appeal Hearing.
- 19.6 Where an appeal has been referred back to the School Research Degrees Committee for further consideration and action, and the outcome is that the appeal is upheld, the Chair of the School Research Degrees Committee shall have discretion to take Chair's Action and amend the original decision (where appropriate).
- 19.7 Where an appeal outcome has been determined, the Chair of the School Research Degrees Committee will communicate that decision to the Director of the Doctoral School (or nominee) within **10 working days** of the appeal being referred back to the School Research Degrees Committee. The NTU Doctoral School will confirm the outcome to the doctoral candidate within **three working days** of receipt of the decision from the Chair of the School Research Degrees Committee. This decision is final, and a Completion of Procedures Letter shall be issued, if requested by the doctoral candidate.
- 19.8 Where an appeal has been not upheld, the NTU Doctoral School shall provide the doctoral candidate with a Completion of Procedures Letter.
- 19.9 Where the decision of the Director of the Doctoral School (or nominee) is that the appeal should proceed to an Appeal Hearing, an Appeal Panel will be set up within **30 working days** of the date of the decision. The Doctoral candidate and the

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School Research Degrees Committee will be provided with detailed guidance on the Appeal Hearing Procedure by the NTU Doctoral School.

## Part 2 – Appeal Hearing

- 19.10 The appeal will be considered by a Panel of five members. Appeal Panel membership will be decided by the Pro Vice-Chancellor (Research and International) or nominee, with advice from the NTU Doctoral School, and will normally comprise:
- a. The Chair - Pro Vice-Chancellor (Research and International) or nominee.
  - b. A representative of Nottingham Trent Students' Union (NTSU).
  - c. At least three other members of academic staff who have appropriate research degree experience and who must be from Academic Schools not connected with the doctoral candidate.
- 19.11 The Chair may also request the presence of a further person, who has not been involved in Stage One, for the sole purpose of providing appropriate advice to the Panel. That "adviser" may not participate in the discussions of the Panel nor are they entitled to vote in any decision.
- 19.12 A nominee appointed by the Pro Vice-Chancellor (Research and International) will act as Secretary to the Panel and will appoint a servicing officer to clerk the Hearing.
- 19.13 A decision may be reached by a majority vote.
- 19.14 The servicing officer will ensure that the doctoral candidate, the Panel, and other relevant parties are informed of the Appeal Hearing and provided with all appropriate information at least **10 working days** prior to the date of the Appeal Hearing.
- 19.15 The doctoral candidate is entitled to submit additional relevant documentary evidence or a statement in support of their appeal submission. The doctoral candidate must submit any such evidence or documentation at least **five working days** prior to the date of the Appeal Hearing. Late evidence may be submitted only with the consent of the Chair of the Panel.
- 19.16 The School Research Degrees Committee may be invited to submit relevant documentation and be represented by up to two people to respond to the doctoral candidate's appeal.
- 19.17 Full documentation will be circulated to the doctoral candidate, the Appeal Panel, and other relevant parties **four working days** prior to the date of the Appeal Hearing.
- 19.18 Should the doctoral candidate be unable to attend the Appeal Hearing, the Chair may make the decision to proceed with the doctoral candidate 'in absentia' and on the information already supplied to the Appeal Panel. If a documented acceptable reason for absence is received, the Appeal Hearing date may be re-arranged.
- 19.19 The doctoral candidate is entitled to be accompanied or represented at the Appeal Hearing by one other person. This person may be a friend, partner, parent, Nottingham Trent Students' Union representative or any other person not acting in a legal capacity. The University does not permit doctoral candidates to be legally represented at Appeal Hearings except in exceptional circumstances. For the

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avoidance of doubt, the definition of exceptional circumstances in this context is a matter for determination by the University. The doctoral candidate must inform the Secretary to the Panel (or their nominee) of the name and capacity of any person accompanying them to the Appeal Hearing at least **five working days** prior to the date of the Appeal Hearing.

19.20 The Panel may reach any of the following three decisions:

- a. The appeal is rejected; or
- b. The appeal is upheld, in which case one of the following courses of action will be recommended:

Where the appeal was in relation to the outcome of a viva voce examination, re-examination is appropriate, and the Panel determines that either:

- v. the examiners are invited to reconsider their decision along with any additional recommendation made by the Panel; or
- vi. new examiners are to be appointed.

Where the appeal was in relation to progression decision made by a School Research Degrees Committee, the decision be referred back to the School Research Degrees Committee for reconsideration.

- c. There is evidence which raises doubts about the competence of, or the standards and/or procedures being applied by, the viva voce Examination Board, or School Research Degrees Committee. In such cases, the Appeal Panel will submit a recommendation to the Academic Board that the original decision be annulled, substituting it with a decision of its own and request that the Academic Board authorise a full and proper investigation into the conduct of the School Research Degrees Committee.

19.21 The doctoral candidate, the doctoral candidate's School and the NTU Doctoral School will be notified of the outcome of the Appeal Hearing within **five working days** of it taking place, with reasons, by the **NTU Doctoral School on behalf of the Secretary to the Panel**.

19.22 The outcome of an Appeal Hearing will be confidential and will only be shared with those persons necessary to progress the outcome of the Appeal Hearing or help support a satisfactory outcome within the doctoral candidate's Academic School.

19.23 Notes of the Appeal Hearing will be produced and circulated to the Panel Members only.

19.24 The School Research Degrees Committee, if required to be reconvened, will be expected to meet within **30 working days** of the decision of the Appeal Panel.

19.25 The decision of the Appeal Panel shall be final. There is no further right of appeal against any subsequent decision of a School Research Degrees Committee or the NTU Doctoral School.

## 20. Collaborative Arrangements

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- 20.1 Submission of request for review or an appeal should be to the host institution and further guidance can be found in the collaborative operational documentation as part of the joint collaboration agreements. These are managed in accordance with the processes set out in the Quality Handbook Section 10.

## **21. The Office of the Independent Adjudicator (OIA)**

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- 21.1 At the conclusion of the University's internal processes connected with this procedure, the NTU Doctoral School on behalf of Interim Pro Vice-Chancellor (Research and International) or nominee will issue a letter to the doctoral candidate in the manner prescribed by the OIA, informing the doctoral candidate that the University's procedures in the matter are completed.

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### Policy owner

NTU Doctoral School

### Change history

<i>Version:</i>	<i>Approval date:</i>	<i>Implementation date:</i>	<i>Nature of significant revisions:</i>
Sept 2020	16.09.20	01.10.20	Complete revision to reflect the research degree regulations changes approved at Academic Board (June 2020)
Sept 2021	07.09.21	01.10.21	None
Sept 2022	22.09.22	01.10.22	Minor amendments including further information regarding complaints submitted outside of the prescribed timeframe, clarification regarding complaints relating to University to staff, complaints involving multiple issues, and complaints/appeals from candidates at collaborative partners. Postgraduate tutors (PGRTs) renamed Directors of Doctoral Programmes.
Sept 2023	14.09.23	01.10.23	None.
Sept 2024	19.09.24	01.10.24	Minor change of responsibility in the Process for Stage Two Appeal.

### Equality Impact Analysis

<i>Version:</i>	<i>EA date:</i>	<i>Completed by:</i>
Sept 2020	TBC	TBC