

ACADEMIC CONDUCT AND PRACTICE HANDBOOK

Chapter 6 – Appeals

1. Right of Appeal

- 1.1 A student shall have the right of appeal against any decision taken either by a Departmental Level Panel, by a Faculty Level Panel, by a Review Panel or by a Committee of Academic Enquiry. The appeal must be received by the University Cases Office **within ten working days of the date on the formal outcome letter** informing the student of the decision. The student should submit the appropriate Academic Misconduct Appeal Form (see Annex 1 of this Chapter) to the [University Cases Office](#), indicating the grounds of the appeal and attaching any supporting evidence on which the appeal will rely. The University will not normally gather evidence on the behalf of a student.
- 1.2 Students will not be disadvantaged as a result of making an appeal. However, if it is later discovered that an appeal was frivolous, malicious or vexatious, the University may consider referring a student to its [Disciplinary Procedure – Non-academic Misconduct](#). This may include:
- Appeals which are obsessive, harassing, or repetitive;
 - Insistence on pursuing non-meritorious appeals and/or unrealistic, unreasonable outcomes;
 - Insistence on pursuing what may be meritorious appeals in an unreasonable manner;
 - appeals which are designed to cause disruption or annoyance; and/or
 - demands for redress which lack any serious purpose or value.
- 1.3 The University has a responsibility to protect itself against unacceptable behaviour and provide a working environment that is safe, respectful and tolerant. Consequently, it is expected that students, their representatives and staff members should act reasonably and fairly towards each other and treat the process with respect. Behaviour that is unreasonable, aggressive or abusive, either verbal or written, will not be tolerated and may result in a student's access to the procedure, or to staff connected with the appeal,

being limited or withdrawn. The decision to limit or withdraw this access is not taken lightly. If this decision is taken, the University will provide this in writing, including the reason(s) why this decision has been taken.

- 1.4 In the event that a student's access to members of staff or to the appeals process is limited or withdrawn, the student may appeal the decision by submitting their grounds in writing to the Divisional Director of Education and Academic Services who will review the appeal with the Dean for Taught Students, or Associate Dean for Taught Students, or Director of the University of Exeter Doctoral College or Associate Dean of Postgraduate Research (as relevant).

2. Making and Resolving an Appeal

- 2.1 This procedure is only available to students of the University of Exeter. The term "student" refers to students, trainees or apprentices who have registered or enrolled on their course. It also includes those who have recently left a provider (i.e. a student may be someone who, **within the last 25 working days**, has received notification of their final award or has been withdrawn). Students are expected to adhere to the timeframe for the submission of appeals as set out in section 1 above.
- 2.2 Students are required to submit their appeals and represent themselves in this process. Students may seek help and support from third parties, but the University is unable to accept appeals submitted by third parties, nor will it liaise with third parties regarding the content of appeals, unless explicitly stated in the procedure. Anonymous appeals or evidence will not be considered. If you wish to raise a concern, but want to remain anonymous, you can make use of the [Exeter Speaks Out](#) anonymous reporting tool.
- 2.3 Appeals submitted outside of the timeframe set out in section 1.1 above will normally be excluded from consideration, unless the student can present reasonable grounds as to why the appeal was not submitted within the normal deadline. Typically, appeals submitted outside the standard timeframes will not be considered unless there are exceptional circumstances, such as medical issues which caused a student to be unable to engage in the necessary procedures at the appropriate time. If this is the case, it is anticipated that students should provide evidence to support why they were unable to engage within the appropriate timeframes.

- 2.4 Appeals will be treated with due diligence and confidentiality but, in order to come to an informed decision, those members of staff considering an appeal will normally require access to the documentation presented in support of the application. Furthermore, during the appeal process, it may be necessary to share with those members of staff considering an appeal relevant information held by other teams to enable them to offer the best support and most appropriate outcome.
- 2.5 The University Cases Team should normally aim to resolve an academic misconduct appeal **within 25 working days of receipt of the appeal**. If this is not possible, or if the case is complex, the University will inform the student of any expected delay.
- 2.6 Students should note that an appeal against a decision taken by a Departmental Level Panel, by a Faculty Level Panel, by a Review Panel or by a Committee of Academic Enquiry will only be accepted if:
- a. There is evidence of procedural irregularity;
 - b. There is evidence of bias;
 - c. The decision reached is one that no reasonable body (properly directing itself and taking into account all relevant factors) could have arrived at; and/or
 - d. The student submits evidence of new material circumstances, and an explanation of why this evidence could not reasonably be expected to have been submitted for consideration when the original decision was made.
- 2.7 A Student Cases Officer, in consultation with the Dean for Taught Students, Associate Dean for Taught Students or Dean of Postgraduate Research (as relevant) (both of whom will not have had any previous involvement with the case) will establish whether, on the face of it, there is a case for consideration before a Senate Appeal Committee.
- 2.8 If, on the face of it, no grounds for appeal are found, the appeal will be dismissed and the student informed, in writing, of the reasons. There is no further right of appeal against such a decision. As per section 3.7 below, if the student feels that an appeal remains unresolved after the exhaustion of the University's processes, application may be made to the Office of the Independent Adjudicator for Higher Education (OIAHE). For further details see the [Office of the Independent Adjudicators website](#).

- 2.9 If there is, on the face of it, a case for appeal, any investigation may be undertaken where it is felt is necessary to establish the facts of the case. The Divisional Director of Education and Academic Services (or their nominee) will request copies of all documentation from the Faculty (or delegated School) concerned.
- 2.10 In the event that an investigation reveals that a case for appeal has not been made, the appeal will be rejected and the student informed by letter. In the event that a case of appeal has been made, the Dean for Taught Students or Associate Dean for Taught Students, or Dean of Postgraduate Research (as relevant) may, in liaison with the appropriate Faculty (or delegated School) implement an appropriate remedy. In such cases the student is informed in writing.
- 2.11 Where an appellant does not accept the resolution as offered by either the Dean for Taught Students or Associate Dean for Taught Students or Dean of Postgraduate Research (as relevant) and Student Cases, the matter will be referred to a Senate Appeal Committee, as described below.
- 2.12 If it is decided that, on the face of it, there is a case for an appeal, and the appellant has not accepted a proposed remedy, a **Senate Appeal Committee** shall be convened. The Senate Appeal Committee has the power to confirm, to set aside or to vary the penalty imposed by the Department or Faculty-level hearing, the Review Panel or the Committee of Academic Enquiry. There shall be no further internal right of appeal against the decision of the Senate Appeal Committee.

3. **Senate Appeal Committee**

- 3.1 A Senate Appeal Committee shall comprise three members (including a student representative) of the Senate. A Senate Appeal Committee shall comprise:

- The Dean for Taught Students or Associate Dean for Taught Students, or Dean of Postgraduate Research (as relevant), who shall Chair the Committee;
- An academic member of Senate;
- A Guild Sabbatical Officer.

No person shall serve as a member of the Senate Appeal Committee who is also associated with the student's Department and/or programme of study; or who has previously been involved in the matters under appeal.

- 3.2 The appellant shall be informed of the date of the meeting of the Senate Appeal Committee not less than ten working days in advance. They may choose to appear before the Senate Appeal Committee, but the Committee may also hear a case in the absence of the appellant. The appellant shall be entitled to attend the Committee meeting for the duration of the hearing but will be required to withdraw once the Committee retires to reach its decision. Proxies for appellants are not allowed. The student may be accompanied by a supporter, see Chapter 2 of this Handbook, which outlines for the role of a supporter. The use of electronic audio recording equipment will not normally be allowed, and where allowed this is at the discretion of the Chair. The student may direct questions to the Faculty (or delegated School) Representative (and any witnesses called) in an appropriate manner at the discretion of the Chair.
- 3.3 The Senate Appeal Committee shall call either a Faculty (or delegated School) Representative or the Investigating Officer and shall be empowered to call other members of the University or partner institution, as it deems necessary.
- 3.4 The Senate Appeal Committee, having considered the evidence, may uphold or reject the appeal, with such a decision being final.
- 3.5 The Senate Appeal Committee shall minute its deliberations and decisions and submit a report to Senate. If the Committee's report includes a recommendation requiring action before the next meeting of the Senate, it shall be for the Vice-Chancellor to authorise action and then report to the Senate retrospectively.
- 3.6 The Secretary of the Committee shall notify the appellant in writing of the Senate Appeal Committee's decision, within five working days giving the reasons for it. The student will also be entitled to receive a copy of the Committee's report; if this cannot be provided with the outcome, it will usually be issued **within ten working days**.
- 3.7 There are no other University appeal procedures beyond those stages detailed above. If, in the opinion of a student, an appeal remains unresolved after the exhaustion of the appropriate processes, application may be made to the Office of the Independent Adjudicator for Higher Education (OIAHE). For further details see the [Office of the Independent Adjudicators website](#).