

## APPEALS REGULATIONS FOR RESEARCH STUDENTS

*These Regulations are approved by the Academic Board.*

*They apply to any new and continuing research student who wants to appeal against a decision made by LSE academic departments (in relation to upgrade and de-registration) and by examiners (in relation to a final examination outcome) in and after the 2015/6 academic year. They do not apply to MRes students who should use the Appeals Regulations for taught students <http://www.lse.ac.uk/intranet/LSEServices/TQARO/Calendar/AppealsRegulations.pdf>*

### Procedure for making an appeal

1. You can appeal against upgrade and de-registration decisions made by LSE academic departments and decisions made by examiners appointed by the LSE following an MPhil or PhD examination.
2. These Regulations govern the procedure for making an appeal. They do not apply to complaints about issues affecting the provision of teaching, learning and supervision. For information on such complaints, see the [Student Complaint Procedure](#).
3. If you want to make an appeal, you must do so within 20 working days from when the School has confirmed a final upgrade outcome, a de-registration decision or an MPhil or PhD examination outcome. To make an appeal, you should complete the appeal form.
4. This appeal procedure is an internal process and not a legal process. We expect you to represent yourself. However, you can get advice from the LSE Students' Union Advice Centre.
5. You can withdraw your appeal at any stage without completing the procedure by confirming this in writing (by email) to the Research Degrees Manager.

### Decisions you can appeal against

6. You can appeal against:
  - 6.1 your department's decision that you have not met the requirements to be upgraded to the PhD;
  - 6.2 your department's decision that you have not met the progression requirements of your programme and should be de-registered from it;
  - 6.3 your examiners' decision not to award you an MPhil or PhD degree;
  - 6.4 your examiners' decision that you are required to complete major revisions to your thesis and be re-examined for the MPhil or PhD degree.

### Grounds for an appeal: departmental decision on upgrade or de-registration

7. For an appeal against a departmental decision on upgrade or de-registration, you can make an appeal on any or all of the following grounds (reasons):
  - 7.1 that the department did not follow the correct procedure such that there is reasonable doubt that the decision would have been the same if the department had followed the correct procedure;
  - 7.2 that there is evidence of bias, prejudice or inadequate assessment on the part of one or more members of the panel involved in the decision such that the result should not be allowed to stand;
  - 7.3 that there is new information about exceptional circumstances affecting your performance that the panel was not aware of when it took its decision and that this produced an unfair result.

8. There are no other reasons for making an appeal. Specifically, you cannot appeal because you want to question the academic judgement<sup>1</sup> of academic staff involved in making a decision or of individual examiners.

#### **Grounds for an appeal: examiners' decision on MPhil or PhD award**

9. For an appeal against the examiners' decision about an MPhil or PhD award, you can make an appeal on any or all of the following grounds (reasons):
- 9.1 that the examiners did not follow the correct examination procedure such that there is reasonable doubt that the decision would have been the same if the examiners had followed the correct procedure;
  - 9.2 that there is evidence of bias, prejudice or inadequate assessment on the part of one or both examiners such that the result of the examination should not be allowed to stand;
  - 9.3 that your performance at the oral examination (viva) was affected by exceptional circumstances of which the examiners were not aware when they took their decision and that this produced an unfair result.
10. There are no other reasons for making an appeal. Specifically, you cannot appeal because you want to question the academic judgement<sup>2</sup> of academic staff involved in making a decision or of individual examiners.

#### **Submitting an appeal**

11. If you want to make an appeal, you must do so within 20 working days of the School confirming the upgrade, de-registration or examination decision with you. To make an appeal you should complete the appeal form.
12. You must include all reasons (permitted under paragraphs 7 or 9) for appeal at this time. It is not permissible to introduce new reasons at a later stage of this procedure.
13. You must provide all the necessary evidence and information at the time you make the appeal. You cannot provide material later without our agreement.
14. Specifically, if you are appealing under reasons 7.3 or 9.3 above, you must provide:
- 14.1 evidence of why you did not report the exceptional circumstances at the time; and
  - 14.2 evidence of the exceptional circumstances.
15. All evidence must be in English and you are responsible for getting any official translations if necessary.

#### **Accepting or rejecting an appeal**

16. When the Research Degrees Manager receives your appeal, he/she will email you to confirm this.
17. The Research Degrees Manager (or a member of staff with authority to act for him/her) will consider your appeal and the evidence you provide. He/she will also consider any relevant information from your academic record. The Manager will decide, normally within 5 working days of receiving your appeal, either that:
- 17.1 you do not have a valid reason for appeal (under paragraphs 7 or 9 above) and it should be dismissed (see paragraphs 18 to 22 below); or
  - 17.2 you do have a valid reason for appeal and it should be considered (see paragraphs 23 to 27 below).

#### **Procedure when there is no valid reason for appeal**

<sup>1</sup> Academic judgement is the professional and scholarly knowledge and expertise which members of upgrade and review panels (in academic departments) and individual examiners draw upon in reaching an academic decision about your work (Higher Education Act, 2004).

<sup>2</sup> Academic judgement is the professional and scholarly knowledge and expertise which members of upgrade and review panels (in academic departments) and individual examiners draw upon in reaching an academic decision about your work (Higher Education Act, 2004).

18. If the Research Degrees Manager finds that you do not have a valid reason, the Academic Registrar (or a member of staff with authority to act for him/her) will be asked whether or not the appeal should be dismissed.
19. The Academic Registrar will then, normally within 10 working days of receiving the recommendation from the Research Degrees Manager, either:
  - 19.1 accept the recommendation and dismiss the appeal (see paragraphs 20 to 22); or
  - 19.2 reject the recommendation and ask the Manager to progress your appeal to the next stage (see paragraphs 23 to 27 below).
20. The Academic Registrar will confirm his/her decision and the reasons for it, to the Research Degrees Manager.
21. If he/she dismisses your appeal under paragraph 19.1, he/she will also consider whether there are any matters in it that should be referred to another LSE procedure (such as the [Student Complaint Procedure](#)).
22. The Research Degrees Manager will confirm with you a decision taken under paragraph 19.1 in writing, with a copy of the response received under paragraph 20. He/she will do so normally within 5 working days of receiving the decision. If the Academic Registrar decides to dismiss your appeal, that decision is final. He/she will send you a Completion of Procedures letter to explain the decision and confirm that you cannot appeal further through our internal processes. If you are still dissatisfied, you can take your case to the [Office of the Independent Adjudicator for Higher Education](#).

## Procedure when there is a valid reason for appeal

23. If your appeal is accepted under paragraphs 17.2 or 19.2 above the Research Degrees Manager will send it and all supporting documents either to:
  - 23.1 the Head of your academic department, in cases of an appeal submitted under paragraph 7 above; or
  - 23.2 your examiners, in cases of an appeal submitted under paragraph 9 above.
24. The Head of Department or the examiners will be asked to consider all the information presented and will either:
  - 24.1 uphold the original decision (see paragraphs 28 to 33 below); or
  - 24.2 make a new decision. This decision could be to either:

*in the case of an appeal against an upgrade decision:*

    - (i) nullify the final upgrade attempt and allow you a new attempt; or

*in the case of an appeal against a de-registration decision:*

    - (ii) amend the decision and allow you to re-register. This might be subject to specified conditions if you had previously failed to meet the academic requirements of the programme; or

*in the case of an appeal against a decision on an MPhil or PhD award:*

    - (iii) allow you a further attempt at the viva examination; and/or
    - (iv) reach a new decision on the original examination in accordance with the outcomes prescribed in the [Regulations for Research Degrees](#).
25. The Head of Department or the examiners will normally reach a decision within 15 working days of receiving the appeal and will confirm this in writing, with the reasons for it, to the Research Degrees Manager.
26. The Head of Department may consult with members of the upgrade or progress review panel or other members of staff in the Department involved in making the original decision. The examiners may consult with members of LSE staff for advice on the procedure.
27. The Research Degrees Manager will confirm with you a decision taken under paragraph 24 normally within 5 working days of receiving it. He/she will provide you with a copy of the written response submitted under paragraph 25.

## Procedure when the original decision is upheld

28. If a Head of Department or your examiners decide to uphold the original decision (under paragraph 24.1) the Research Degrees Manager will give you an opportunity to submit a written response to it within 10 working days of receiving the decision.
29. You are permitted to submit new evidence at this stage, but this must relate to the original reason(s) for appeal (permitted under paragraphs 7 or 9).
30. The Research Degrees Manager will send all information received under this procedure to the Research Degrees Subcommittee Chair (or a member of staff with authority to act for him/her) who will be asked to consider it and decide either that:
  - 30.1 there is no evidence to uphold your appeal and it should be dismissed (see paragraphs 34 to 47); or
  - 30.2 there is evidence to uphold your appeal. He/she will then decide either to:

*in the case of an appeal against an upgrade decision:*

    - (i) determine that the final upgrade attempt should be cancelled and a new upgrade event held. This might include a recommendation that a new upgrade panel with new members be convened; or

*in the case of a de-registration decision:*

    - (ii) determine that the de-registration decision should be cancelled and ask the Department to conduct a new progress review. This might include a recommendation for a new panel with new members to be convened; or

*in the case of a MPhil or PhD examination decision:*

    - (iii) ask the examiners to reconsider their original decision. The examiners will normally be expected to conduct another oral examination before reaching a decision as to whether the result should be changed; or
    - (iv) determine that the original examination should be cancelled and a new examination, with new examiners is held. The new examiners will not be given any information about the previous examination or the appeal. The new examination will be conducted in accordance with the Regulations in force at the time you originally entered for the examination and will be an examination of the thesis you submitted at that time.
31. The RDSC Chair can seek the view of other members of the Subcommittee where necessary before reaching a decision. He/she can also seek clarification from you and/or your department/examiners concerning information submitted under this procedure. You can request to meet with the Chair to offer clarification on the information submitted; reasonable requests to do so will normally be granted. Where a meeting takes place in person, you are not normally permitted to be accompanied or represented at it. The School will take a written note of the meeting which will form part of the information for the appeal.
32. He/she will normally reach a decision within 15 working days of receiving the appeal and will confirm his/her decision in writing, with the reasons for it, to the Research Degrees Manager.
33. The Research Degrees Manager will confirm a decision taken under paragraph 30 normally within 5 working days of receiving it and provide you with a copy of the response submitted under paragraph 32.

## Requesting a review of a decision taken under this procedure

34. You can request that a review of a decision taken under paragraphs 24 and 30 of this procedure be conducted by an appropriate Pro-Director (or a member of staff with authority to act for him/her).
35. If you want to request a review of a decision on your appeal, you must do so in writing to the Research Degrees Manager within 10 working days from when the School notified you of it.
36. You can request a review for one or both of the following reasons:
  - 36.1 that the appeal procedure was not followed correctly such that there is reasonable doubt that the decision would have been the same had the correct procedure been applied;

- 36.2 that you have new evidence, not available previously and that the School was not aware of when it took its decision and that this produced an unfair outcome.
37. You must include all reasons for requesting a review at this time. It is not permissible to introduce new reasons at a later stage of a review.
38. You must provide all the necessary evidence and information at the time you request a review. You cannot provide material later without our agreement.
39. Specifically, if you are requesting a review under reason 36.2, you must provide evidence of why you were prevented from submitting this information at the time of your original appeal.
40. All evidence must be in English and you are responsible for getting any official translations if necessary.

#### Procedure for reviewing an appeal outcome

41. Within 5 working days of receiving a review request, the Research Degrees Manager will send it and all information received under this procedure to the Pro-Director.
42. The Pro-Director will be asked to review the decision in light of all the evidence. He/she can seek clarification on the evidence provided from you or those involved in reaching the original decision. You can request to meet with the Pro Director to offer clarification on the information submitted; reasonable requests to do so will normally be granted. Where a meeting takes place in person, you are not normally permitted to be accompanied or represented at it. The School will take a written note of the meeting which will form part of the information for the appeal.
43. The Pro-Director will determine whether you have provided evidence under reasons 36.1 and/or 36.2. He/she will also consider whether the decision on your appeal was reasonable in all the circumstances.
44. The Pro-Director will decide either:
- 44.1 to uphold the original decision on your appeal; or
- 44.2 to ask for the appeal procedure to be conducted again (under paragraphs 23 to 33 above). The Pro-Director will determine whether:
- (i) to ask those involved in the original decision to reconsider the appeal; or
- (ii) to appoint new members of staff to conduct the appeal procedure.
- or
- 44.3 to substitute his/her own decision on the appeal from the outcomes available under paragraph 30 above.
45. The Pro-Director will normally make a decision within 15 working days of receiving the review request. He/she will confirm the decision in writing, with the reasons for it, to the Research Degrees Manager.
46. The Research Degrees Manager will confirm the decision with you and send you a copy of the response received under paragraph 45 normally within 5 working days of receiving it.
47. The decision of the Pro-Director is final. If he/she reaches a decision under paragraphs 44.1 or 44.3, the Academic Registrar will send you a Completion of Procedures letter to explain the decision and confirm that you cannot appeal further through our internal processes. If you are still dissatisfied, you can take your case to the [Office of the Independent Adjudicator for Higher Education](#).