

Guidance for Research Student Appeals

The following guidance applies to research students who intend to appeal:

- the decision not to confirm/transfer them to the PhD register
- the decision not to allow progression to the next year of study.
- the outcome of an examination.

Please Note: The grounds for appealing one of the above do not include disagreeing with the academic judgement informing the recommendation/decision made by the supervisory panel or the outcome of an examination.

1. Context

The *Academic Regulations for Postgraduate Degrees by Research and Thesis* stipulate that a research student has the right to appeal the decision not to confirm/transfer them to the PhD register, the decision not to allow progression, or the outcome of an examination. Such appeals are made directly to the Graduate Research Studies Board (GRSB), which is chaired by the Dean of Graduate Studies. The GRSB Appeals Standing Committee¹ will be convened to consider appeals made to GRSB on the grounds detailed below.

2. Grounds for Appeal

A student must make explicit the grounds upon which they are appealing the decision of the supervisory panel or examiners. *Academic Regulations for Postgraduate Degrees by Research and Thesis* indicate that the grounds for appeal do not include simply disagreeing with the academic judgment of the supervisory panel or examiners. Academic judgement refers to a judgement that is made about a matter where the opinion of an academic expert is essential.

As per the regulations, an appeal will only be considered on the basis of one of the following grounds:

- I. There was a failure to adhere to, or an insufficiency in the regulations contained in, *Academic Regulations for Postgraduate Degrees by Research and Thesis*.

¹ Please refer to Appendix 1 for the terms of reference of the GRSB Standing Committee.

- II. There is evidence of extenuating circumstances² that was not available to the supervisory panel or the examiners for justifiable reason and, therefore, was not considered when a decision was made relating to confirmation/transfer to the PhD register, progression or the outcome of an examination.
- III. There is a case that sufficient weight was not given to documented extenuating circumstances notified prior to the decision being reached.
- IV. There was a material administrative error or a material irregularity in assessment procedures which have made a real and substantial difference to the decision of the supervisory panel or the outcome of an examination.

Cases judged by the GRSB Appeals Standing Committee to fall outside the above grounds will not be considered and the appeal will be rejected.

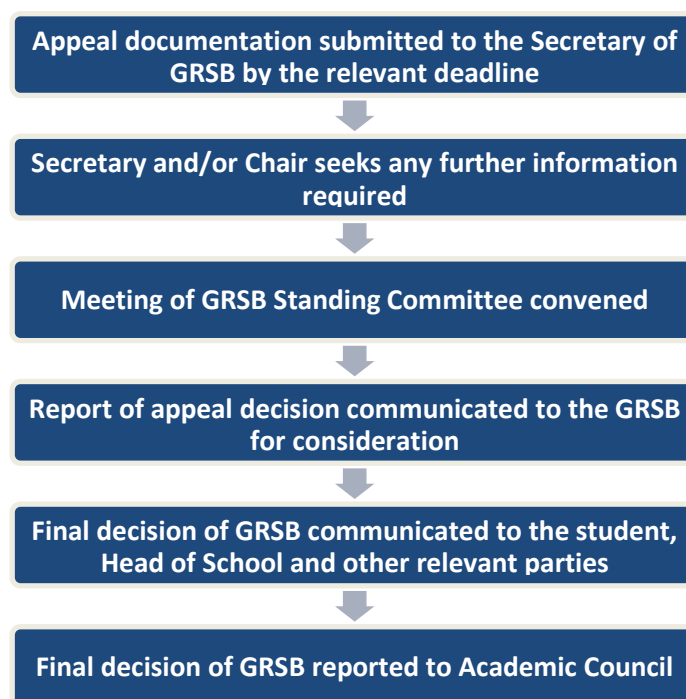
3. Process

Appeals are processed in accordance with Section 13 of *Academic Regulations for Postgraduate Degrees by Research and Thesis*. A student should carefully read this section of the regulations before submitting an appeal.

- 3.1 The GRSB Appeals Standing Committee will be convened to consider appeals submitted to GRSB. This Committee is chaired by the Dean of Graduate Studies in their capacity as Chair of the Graduate Research Studies Board.
- 3.2 To appeal a decision of the examiners or supervisory panel, the student should complete the Research Appeal Form and submit it to the Secretary of GRSB by the specified deadline.³

² Extenuating circumstances are unforeseen circumstances, outside the control of the student, that temporarily prevented the student from pursuing their research or from performing at the level that might reasonably have been expected of them. Extenuating circumstances include illness and bereavement and suitable documentary evidence must be provided if they are to be considered as part of the student's appeal (see Section 5).

³ The Research Appeal Form can be accessed via the appeals section of the OVPAA website and includes the submission deadlines.



The deadline by which a student must submit their Research Appeal Form is determined by the date that the formal decision of the supervisory panel or examiners is either approved by GRSB or made known to the student as per the table below.

Type of Appeal	Notification of Decision
1. A negative recommendation made by the supervisory panel regarding the student's progression to the next year of study.	Date of electronic submission of PGR2 Form (Annual Progress Report) to Registry. The student can view the completed PGR2 Form via DCU Loop.
2. A decision not to confirm the student on or transfer the student to the PhD register.	Date of GRSB meeting at which the decision not to confirm/transfer student on/to the PhD register is approved. The student is informed of this decision by Registry as soon as possible after the meeting of GRSB.
3. The outcome of an examination.	Date when the student is informed of the recommendation of the examiners (normally the day of examination) OR date of the Faculty Award Board for Research Degrees (FABRD) meeting at which the recommendation of the examiners is approved.

- 3.3 Progression to the next year of study for the purposes of continuing academic activity is permitted in respect of a student who has lodged an appeal that, for reasons outside their control, could not be considered by the committee prior to the beginning of the next academic year. However, engagement with the next year of study must cease immediately upon notification of an unsuccessful outcome of the appeal.

In the interests of students, appeals are considered as promptly as possible following the notification to the student of the decision by the supervisory panel or examiners. It is usually not appropriate, however, that an appeal be considered while related parallel processes, such as the student grievance process, are also in progress.

- 3.4 The appeal documentation is reviewed by the Chair and the Secretary of the GRSB Appeals Standing Committee. Any additional documentation or further clarification that is required in order for the GRSB Appeals Standing Committee to make a fully informed decision will be sought by the Chair or the Secretary. This may include written comments from the Head of School and/or elements of the student's record where relevant, (e.g., annual review reports, examination reports, etc).
- 3.5 The decisions of the GRSB Appeals Standing Committee are subject to approval by the GRSB and are then submitted to Academic Council for noting. Once approved by GRSB, the decision of the GRSB Appeals Standing Committee is final and binding.
- 3.6 The proceedings of the GRSB Appeals Standing Committee, and any subsequent discussion at GRSB, shall be confidential to the parties involved. The Dean of Graduate Studies, acting as Chair of the GRSB, will notify all parties concerned of the decision of the GRSB Appeals Standing Committee.

4. Possible Outcomes

As part of the appeal process, the student is invited to specify their desired outcome using the Research Appeal Form. In doing so, the student should be cognisant of the possible outcome(s) for the different types of appeal.

The possible outcomes of the different types of appeal are provided below:

Appeal	Outcome(s)
Annual Review	● Permission to register into the next year, with specific requirements where appropriate. ● Change to the official record.
Confirmation/Transfer	● Permission to resubmit.
Examination	● Re-examination of the thesis. ● Referral of the thesis to an adjudicating examiner. ● Permission to resubmit for a doctorate, where the examiners recommended submission for a master's degree. ● Permission to resubmit, where the examiners had indicated that the student is unlikely to reach the standard of a research award.

Please Note: The GRSB Appeals Standing Committee does not re-examine work or make an academic judgement and, therefore, will not overturn an academic decision.

5. Appeal Documentation

- 5.1 A student who decides to exercise their right to appeal a decision of the supervisory panel or examiners must complete the Research Appeal Form and submit it to the Secretary of the GRSB, along with all necessary supporting documentation, by the submission deadline for the next meeting of the committee.
- 5.2 The GRSB Appeals Standing Committee does not make an independent academic judgement of the quality of a student's work. Students should not, therefore, include any extraneous materials (such as reports, papers or other student work) with their appeal submissions, as these will not be considered as part of the appeal.

- 5.3 In cases where the student considers that extenuating circumstances should have been given more weight or were unknown to the supervisory panel or examiners but are alleged to be relevant, the student's appeal should be supported by a formal letter from a relevant professional on headed paper or other suitable documentary evidence outlining the circumstances and the timing of the illness/condition which gave rise to the appeal.

In the case of an appeal made on the grounds of extenuating circumstances relating to other factors, such as the death of a relative, written evidence must be attached in the form of a letter from a member of the clergy, a death notification or a Garda report.

The student must ensure that the documentation provided as evidence of extenuating circumstances provides sufficient detail/information to allow the GRSB Appeals Standing Committee to assess the impact of the condition(s) in the context cited.

- 5.4 An appeal shall be heard on the basis of extenuating circumstances that are submitted after the meeting of the supervisory panel or examiners. Where such an appeal is submitted, the student shall be required to demonstrate circumstances outside of their control that prevented the relevant factors being disclosed at the appropriate time. In all cases, the GRSB Appeals Standing Committee will consider the reasons why the student failed to bring these extenuating circumstances to the attention of the supervisory panel or examiners prior to the decision being reached. Where the GRSB Standing Committee considers that the extenuating circumstances should have been so notified, the failure to do so by the student will be a relevant factor in determining the extent to which the appeal is justified.
- 5.5 Students should only include supporting documentation that provides evidence directly related to the grounds upon which they are appealing a decision. No other documentation will be considered. At the start of its scheduled meeting, the documentation provided will be examined by the GRSB Appeals Standing Committee for its relevance to the cited grounds of appeal. Any documentation deemed irrelevant to the appeal will be removed from the application at this stage and will not be considered further as part of the appeal.

6. Precedents

The GRSB will maintain a Set of Precedents, which consists of a collection of statements, not linked to specific cases, that capture how the GRSB Appeals Standing Committee responded to arguments or evidence provided in an instance that might have more general relevance to future deliberations of the committee. These precedents shall be used as an aid to achieving consistency in decision-making by ensuring that members of the GRSB Appeals Standing Committee are made aware of similar circumstances that arose in the past and of the decision made in these instances.

A precedent shall be added where the GRSB members agree that the circumstances that constitute the context and the outcomes of a particular appeal represent an instance that is likely to occur again. The Set of Precedents shall be reviewed periodically in order to remove precedents that no longer apply or to take account of instances where the University's regulations have changed.

Appendix 1: Terms of Reference of the GRSB Appeals Standing Committee

The GRSB Appeals Standing Committee will consider all eligible appeals based on their individual merits in an objective and impartial manner and will determine the most appropriate course of action pursuant to the information provided.

The function of the GRSB Appeals Standing Committee is to establish whether or not there is a justified case for an appeal against a decision. If there is a justified case for an appeal, the GRSB Appeals Standing Committee will adjudicate on the appeal.

The role of the GRSB Appeals Standing Committee is to:

- a) consider written appeals and submissions;
- b) examine the relevant academic record of the student involved;
- c) seek the views/comments of the Head of School and relevant academic staff where the standing committee considers that it is appropriate to do so;
- d) consider and determine whether or not there is a justified case for an appeal against a decision of the supervisory panel or examiners; and
- e) in the situation of a justified case for appeal, take all information into account and decide to:
 - i. uphold the appeal and determine the most appropriate course of action in the appellant's case; or
 - ii. reject the appeal.

The GRSB Appeals Standing Committee shall confine its consideration of each appeal to matters related to procedural fairness, due process and the grounds for appeal indicated by the student, taking into account relevant information available in the student's record and provided by the Head of School and other academic staff as appropriate.

The GRSB Appeals Standing Committee will comprise of a minimum of 4 and a maximum of 8 members. The Chair of GRSB will be the Chair of the GRSB Appeals Standing Committee, while the Secretary of GRSB will be the Secretary of the committee and will attend in a non-voting capacity. Membership of the GRSB Appeals Standing Committee will normally primarily be drawn from the membership of GRSB and will include a student representative and a mix of representation from across the University's faculties through the Associate Deans for Research. A maximum of 3 members of the GRSB Appeals Standing Committee may be drawn from outside the membership of GRSB, e.g., from Emeritus professors and other colleagues with relevant experience in the supervision and examination of postgraduate research students.

No member of the GRSB Appeals Standing Committee who has a conflict of interest or a significant prior involvement in a specific case will be involved in considering that case, and the chair or membership of the committee will be adjusted, if necessary, to accommodate this principle.

The Chairperson may invite a legal professional to attend in an advisory and non-voting capacity. The Chairperson may also request a non-voting representative from the Registry to attend to advise on matters that are regulatory in nature and/or relate to the student record and the impact of decisions on a student's registration status or record. The appellant does not attend the meeting.

No member of the GRSB Appeals Standing Committee shall take any representations prior to the sitting of the committee from students who intend to make an appeal. Representations made to any member of staff in the University concerning the decision of the standing committee shall not be entertained.

The GRSB Appeals Standing Committee shall make its decision by a simple majority of those present and voting. In the case of an equality of votes, the Chairperson shall have a second or casting vote.

All decisions made by the GRSB Appeals Standing Committee shall be consistent with University regulations and standards, and are subject to approval by GRSB. Once approved by GRSB, the Chair will inform the student and the relevant staff of the decision of the GRSB Appeals Standing Committee. At the end of each calendar year, the Chairperson shall, on behalf of the GRSB, notify Academic Council of the number and outcomes of any appeals considered.

The GRSB Appeals Standing Committee shall have the right to make recommendations and observations to GRSB concerning any matters of detail or principle arising from a case.

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