

### **Examination Appeals Process for Postgraduate Research Degrees**

1. This policy only covers events occurring during the examination process (i.e. after the initial submission of the thesis, up to and including sign-off by the examiners on the revised thesis incorporating amendments specified after the examination). Complaints regarding events occurring during the student's course of study, prior to the submission of the thesis, should be raised under the *Dispute Resolution Policy for Postgraduate Research Students* and may not be considered under this policy.
2. In cases where a viva voce examination has been held, appeals may be lodged by the student concerned at any time after the viva voce examination has been concluded. Appeals shall be lodged no later than 30 calendar days after the approval of the examination report by Academic Council Graduate Studies Committee (ACGSC). The only exception shall be if the grounds of appeal relate to circumstances arising during the completion of revisions to the thesis rather than preceding and during the *viva voce* examination, in which case the appeal must be brought no later than 30 calendar days after the student has been informed that the examiners have communicated to the Graduate Studies Office their refusal to sign-off on the revisions (in accordance with paragraph 6.4 of the Procedures for Submission and Examination of Research Masters Degrees or 6.5 of the Procedures for Submission and Examination of Doctoral Degrees).
3. Appeals must be submitted in writing to the Graduate Studies Office using the form made available for that purpose. The Graduate Studies Office shall fix a fee that will be payable upon lodging an appeal. This fee shall be reimbursed in the event that the appeal is upheld.
4. Appeals must be brought on one of the following grounds:
  - a. **Substantive procedural irregularity** in the examination process, which were of such a nature as to cause reasonable doubt as to whether the examiners would have reached the same conclusion had the irregularities not occurred;
  - b. **Demonstrable evidence of bias or conflict of interest** on the part of one of the examiners (note: this does not include the supervisor);
  - c. **Material circumstances** relating directly to the examination process (excluding circumstances relating to the candidate's course of research or course of study) of which the examiners were not aware, and which were of such a nature as to cause

reasonable doubt as to whether the examiners would have reached the same conclusion had they been aware of the circumstances in question.

5. Appeals may not be brought in respect of the academic judgment of the examiners.
6. Any appeal that does not fall under one of the headings outlined in paragraph 3 above shall be struck out as inadmissible.
7. All evidence and supporting documentation must be provided at the time that the appeal is lodged. Further information may not be provided later unless requested by the Postgraduate Research Examination Appeals Panel.
8. Where an appeal is lodged within the time limits, the Graduate Studies Office shall notify the examiners, the supervisor(s), the Head(s) of School(s)/Department(s) in which the student was registered, the Graduate School(s) of the relevant College(s), the Dean of Graduate Studies, the Chair of ACGSC and the Registrar.
9. The Registrar (or, if the Registrar is in any way connected to the examination process as a current or former supervisor or examiner, the President) shall convene a Postgraduate Research Examination Appeals Panel (“the Panel”), which will consist of the following members:
  - a. One member of the University Examination Appeals Committee (who will act as Chair);
  - b. Two senior academics (i.e. Senior Lecturer or Professor grade) with significant experience of examining postgraduate research theses;
  - c. An external legal advisor;
  - d. At the discretion of the Registrar, in consultation with the Panel, an external senior academic may be added (but is not a requirement in every case).
10. The Panel shall not include any member who has played any part in the examination process or who has any other conflict of interest. This includes all members of ACGSC at the time the examination report was approved.
11. The examiners and the independent chair appointed for the viva voce examination (where relevant) shall, as soon as practicable, be provided with a copy of the student’s appeal application and invited to make a written submission to the Panel in reply to the appeal within 30 calendar days. Copies of any such submissions shall be furnished to the student.
12. If no submissions are received from the examiners and the independent chair appointed for the viva voce examination (where relevant) within 30 calendar days, the Panel has discretion to proceed in their absence.

13. The Panel has discretion to seek further information from the student, the examiners, or the independent chair appointed for the viva voce examination (where relevant) on any of the issues raised in the appeal.
14. The provision of inadequate information by the student will constitute a sufficient ground for the dismissal of an appeal. This applies even if the Panel has not exercised its discretion to seek further information from the student.
15. The Panel shall ordinarily conclude its consideration of the appeal within 60 calendar days of the submission of the appeal. In the event that additional information has been sought from the any of the parties, this period may be extended to 90 calendar days where necessary.
16. Upon concluding its consideration of the appeal, the Panel shall make one of the following decisions:
  - a. Uphold the original decision of the examiners; or
  - b. Set aside the original decision of the examiners and order that the examination process commence afresh.
17. The Panel shall provide immediate notification in writing of its decision and the reasons therefor to the Graduate Studies Office, who shall communicate it to the student, the examiners, the supervisor(s), the Head(s) of School(s)/Department(s) in which the student was registered, the Graduate School(s) in the relevant College(s), the Dean of Graduate Studies, the Chair of ACGSC, and the Registrar.
18. Where the original decision of the examiners is set aside, the Panel may choose to recommend that new examiners be appointed (if the grounds on which the appeal has been upheld dictate that this is necessary in order to ensure the fairness of the re-examination). Where new examiners are recommended, they shall be appointed by the Registrar (or, if the Registrar is in any way connected to the examination process as a current or former supervisor or examiner, the President), who may consult with academics in the relevant field of study if necessary.
19. Where the examination process commences afresh, it shall be based on the same thesis originally submitted by the student at the commencement of the original examination process.
20. Any University costs associated with a fresh examination process are to be borne in the same way as the costs associated with the original examination process. Where the student incurs additional cost associated with travelling to UCC for a fresh *viva voce* examination, the student shall be reimbursed by the University.

21. The decision of the Postgraduate Research Examination Appeals Panel is final. Students shall be advised that if they remain dissatisfied with the outcome of the appeals process, they are free to make complaints to the Office of the Ombudsman ([www.ombudsman.ie](http://www.ombudsman.ie)).

| <b>Approved by</b>                                    | <b>Date</b> | <b>Review Date</b> |
|---|-------------|--------------------|
| Draft1 Academic Council<br>Graduate Studies Committee | 14-06-17    | TBC                |
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