



**Academic Council 21-03-18  
Agenda item 9**

(Author)

Academic Council Graduate Studies Committee

(Title of Item)

How to resolve difficulties as a postgraduate research student

**Action requested:** Approve

**Background rationale**

The existing “Policy on Resolution of Difficulties for Postgraduate Research Students” was approved by Academic Council on 26 June 2009. This policy has proven to be unwieldy to operate in practice. ACGSC has responded to this experience by drafting a revised, streamlined policy.

**Alignment to Strategic Objectives/External Policy Driver**

Growth/enhancement of graduate education.

**Resource Implications**

None

**Brief description / summary of the item**

This policy document (which was approved by Academic Board on 7 February 2018) provides guidance for postgraduate research students on how to resolve difficulties that may arise during the course of their studies. The guiding principle of this policy is that parties should seek to resolve disputes at the most local level possible, and avoid escalating the issue unless it is unavoidable. Where it becomes necessary to escalate the issue, the policy sets out a formal complaints procedure and includes details regarding the remedies that may be granted to students where a complaint is upheld.

## How to resolve difficulties as a postgraduate research student

**Note:** This policy governs the resolution of any difficulties arising during the course of study for a postgraduate research degree. It does not include the examination process (defined as commencing at the time of the submission of the thesis for examination). Any grievances with respect to the examination process should be raised under the *Examination Appeals Process for Postgraduate Research Degrees* (available at [https://www.ucc.ie/en/media/support/graduatestudiesoffice/documents/policydocuments/V1\\_Appeals\\_Process\\_Research\\_Degrees.pdf](https://www.ucc.ie/en/media/support/graduatestudiesoffice/documents/policydocuments/V1_Appeals_Process_Research_Degrees.pdf)). Thus, the formal procedure set out below may only be invoked prior to the submission of the thesis for examination.

### Introduction

Postgraduate research should be one of the most exciting and important experiences of a researcher's career. It is essential that you are afforded the opportunity and environment for this to happen. Students are entitled to expect that University policies are adhered to, including (but not limited to) the Code of Practice for Supervision of Research Students (available at <https://www.ucc.ie/en/media/support/graduatestudiesoffice/documents/policydocuments/Code-of-Practice-for-supervision-of-Research-Students.pdf>) and the Duty of Respect and Right to Dignity policy (available at <https://www.ucc.ie/en/media/support/hr/equality/DocumentFile-35110-en.pdf>). However, UCC is aware that postgraduate research students may, during the course of their research programme, encounter obstacles that might impede satisfactory progress if they are not resolved in a straightforward manner. Learning to overcome obstacles can often help a researcher develop; however, some can be barriers to learning and advancement.

### 1. Informal Resolution of Difficulties

The guiding principle of this policy is that parties should seek to resolve disputes at the most local level possible, and avoid escalating the issue unless it is unavoidable. In addition, disputes should be resolved at the earliest available opportunity, as this is likely to be more conducive to a satisfactory outcome.

It is recommended that students, in the first instance, make a reasonable effort to resolve the matter causing concern informally through contact with their supervisor(s).

If this does not resolve the difficulty or is inappropriate, then the student should contact one of the following:

- (i) Co-supervisor or advisor; or
- (ii) Chair of the local Graduate Studies Committee (who may, at his/her discretion, consult with the Head of School/Department).

Should the matter still not be resolved, then the student should contact one of the following:

- (iii) Head of School/Department; or
- (iv) Head of Graduate School of your College.

In the event that a solution is not found and agreed following on from your meeting with one of the members of staff above, the matter can be brought by you to the Student Ombudsman (<https://www.ucc.ie/en/studentombudsman/>).

If your concern/issue is of sufficiently serious nature, you may refer the matter directly to the Student Ombudsman who may, at his/her discretion, refer the matter directly to the Formal Procedure.

In the event that all informal attempts to resolve the matter have failed you may then refer the matter to the Formal procedure set out in Section 2 below.

## 2. Formal Resolution of Difficulties

Save in exceptional circumstances which are first referred to the Student Ombudsman as set out in Section 1 above, you may refer an issue for resolution under the procedures set out below but only after every effort has been made to resolve the dispute or issue using the channels described in Section 1 above. In the event that the matter has not been resolved using the informal procedure you may commence the formal procedure set out in this section.

To commence the formal procedure you should prepare and submit a detailed description (the “**Complaint**”) of the issues/concerns you may have with regard to your postgraduate studies and set out the steps taken to attempt to resolve the matter to date. This should be accompanied by a confirmation from the Student Ombudsman that you have brought the issue to his/her attention. The Complaint must include:

- (a) Concise details of the issue of concern or complaint together with supporting information regarding witnesses, dates and times of alleged incidents;
- (b) Copies of any relevant documentation;
- (c) An outline of the specific rights and/or obligations which is alleged to have not been fulfilled (the responsibilities of students and supervisors are set out in the Code of Practice for Supervision of Research Students, available at <https://www.ucc.ie/en/media/support/graduatestudiesoffice/documents/policydocuments/Code-of-Practice-for-supervision-of-Research-Students.pdf>, while the Duty of Respect and Right to Dignity policy is available at <https://www.ucc.ie/en/media/support/hr/equality/DocumentFile-35110-en.pdf>).
- (d) Informal procedures already exhausted and date of final attempt/decision; and
- (e) The remedy sought by you (see below for details of what remedies may be awarded).

The Complaint must be delivered to the Graduate Studies Office. Upon receipt of the Complaint, the Chair of Academic Graduate Studies Committee (ACGSC) (or nominee) shall immediately convene a Postgraduate Research Dispute Resolution Panel (“**PRDRP**”).

The PRDRP shall comprise of:

1. One Chair of a College Graduate Studies Committee (Not of the relevant College(s) involved in your supervision) (Chair);
2. One Nominee of the Academic Council Graduate Studies Committee (Deputy Chair);
3. The Head(s) of College(s) in which the student concerned is registered (or his/her/their Nominee);
4. The Academic Secretary shall act as Secretary to the PRDRP.

The PRDRP may, at its discretion, seek external legal advice if it deems this necessary.

Members of the PRDRP (including the Academic Secretary) shall be required to confirm that they have no conflict in the matter to be considered (actual or perceived). Where there is a

possible conflict of interest, that member shall be replaced by an individual of similar qualification by the Chair of the PRDRP.

The quorum shall be three members.

Within 10 working days of receipt of the Complaint, the Chair of the PRDRP through the Academic Secretary shall notify all relevant identified parties in the Complaint. All identified parties shall be entitled to receive a copy of the Complaint, and shall be invited to provide a written response within 20 working days if they so wish.

#### Hearing of Formal Complaint:

The Chair of the PRDRP shall convene a hearing of the PRDRP within 30 working days of receipt of the Complaint. It is within the powers of the PRDRP to adjourn or regulate the hearing as it sees fit.

The PRDRP shall, in the first instance, consider the Complaint before it along with any written submissions received from other parties identified in the complaint. The PRDRP may, at its discretion, seek additional documentation or statements from individuals concerned with the Complaint or from any other party which the PRDRP may consider to be of assistance in determining the issue.

Unless otherwise determined by the PRDRP, any hearing(s) shall be in private. No individual will be entitled to attend a hearing before the PRDRP without leave of the PRDRP.

The PRDRP shall make every effort to reach a decision within 30 working days from the date of the hearing of the Complaint. Where this is not possible, this time may be extended by the PRDRP in the event that further or supplemental information or clarification is required by the PRDRP.

The PRDRP shall provide a copy of its written decision (the "Decision") within 30 working days or as soon as is practicable following its determination to the Complainant and any third party concerned with the Decision.

The Decision of the PRDRP may:

- (i) Uphold the complaint in full or in part; or
- (ii) Find that the complaint is not upheld.

If the complaint is upheld, the PRDRP has the discretion to recommend any or all of the following remedies in favour of the complainant, and every effort shall be made by the University to implement them:

- (1) Change(s) to supervisory team;
- (2) Amendment of student registration (this may be used, *inter alia*, to benefit students who have lost time through no fault of their own, so that they do not lose the benefit of fees paid);
- (3) Alternative workspace arrangements.

Whether the complaint is upheld or not, the PRDRP may make supplemental recommendations to any parties.

The Decision will be circulated to the relevant Head(s) of School(s), Head(s) of College(s) and to ACGSC.

The Decision of the PRDRP is final. Students shall be advised that if they remain dissatisfied with the outcome of the dispute resolution process, they are free to make complaints to the Office of the Ombudsman ([www.ombudsman.ie](http://www.ombudsman.ie)).