

ACADEMIC PROMOTION APPEALS BOARD ("APAB")

TERMS OF REFERENCE AND MEMBERSHIP

1. Establishment

The APAB is a committee of Governing Body, established under Section 18(4) of the Universities Act 1997 and is appointed by Governing Body.

2. Term of Office

The term of office of a member of the APAB shall be for a three-year period for a maximum of three consecutive terms (nine years in total).

3. Reporting

The APAB shall provide a report annually to the Governing Body on the operation of the appeal procedure generally, and specifically in relation to trends and statistics on appeals.

4. Membership

The membership of the Board shall comprise 3 persons, at least 2 of whom shall be senior academics at Professorial level. Members of the Promotion Boards will not be eligible for membership of the APAB.

Membership shall comprise:

- i. an independent chair, external to the University, appointed by the Governing Body;
- ii. a full professor appointed by the Academic Council;
- iii. a professor appointed by the Governing Body.

Membership of the APAB shall comprise members of both genders.

Members shall declare any conflict of interest in respect of an appellant (including for example but without limitation, where an appellant is a colleague in the same Department or School of the member or those matters set out in the University's [Code of Conflict of Interest in Relation to Recruitment & Promotions](#)) and withdraw from any and all of the APAB's discussions, deliberations and decisions in respect of that appellant's appeal. Where a member withdraws from consideration of an appeal arising from a conflict of interest, the appointing body of that member as listed above, may nominate another individual to the APAB as a temporary member for the purposes of such appeal process (the "Temporary Member"). Where necessary to ensure the APAB comprises members of both genders, the appointing body shall have regard to the necessity or otherwise for the Temporary Member to be of the same gender as the full member of the APAB who has declared a conflict of interest. A Temporary Member may be appointed as a member of the APAB in respect of the individual appeal(s) for which the full member of the APAB has declared a conflict of interest or, where deemed appropriate by the Chair of the APAB (e.g. where a member has withdrawn due to a conflict of interest with more than one appellant in a given round of promotion appeals), the Temporary Member may be appointed as a member of the APAB for all appeals in a given round of promotion appeals. The Temporary Member's appointment to the APAB shall cease on conclusion of the promotion appeals for which he/she has been appointed and the full member of the APAB shall thereafter resume their position on the APAB for the balance of their term of office.

5. Terms of Reference

- (a) appeals may relate to decisions of the Lecturer Progression & Establishment Board or the Senior Lecturer Promotions Board or the Professor (Scale 2) Promotions Board, or any successors thereof ("the Promotion Boards") for failure to follow due process in the consideration of applications for progression or promotion;
- (b) the appeal must be made in writing, setting down clearly the grounds for appeal. Save where a different appeal period is specified in the relevant Regulation or Policy, an appeal must be submitted to the Secretary of the APAB within 60 business days of the notification of the results of the relevant progression or promotion call;
- (c) the grounds for appeal shall be (and shall only be) that due process was not followed, and that this failure may have affected the outcome of the progression or promotion call;
- (d) only one appeal may be submitted with respect to any round of promotion or progression. Feedback should be provided to candidates for promotion or progression in the manner set out in the relevant Regulation for promotion or Policy for progression (as the case may be) and appellants generally should have sought, and been afforded, such feedback in advance of submitting an appeal. In some Regulations or Policies, obtaining feedback may be specified as a pre-condition to valid submission of an appeal. A delay in the feedback process shall serve to extend the appeal period until the feedback has been provided;
- (e) the APAB may at its discretion consult with the appellant and the relevant Promotion Board on the matters which are set out in the appeal. The appellant or Promotion Board shall set down their views to APAB if so requested;
- (f) the APAB may:
 - a. Uphold the appeal but decide the breach of procedure was not material to the outcome of the process;
 - b. Uphold the appeal and decide that the breach of procedure may be material to the outcome of the process;
 - c. Deny the appeal.
- (g) The APAB shall inform the appellant of its decision as soon as possible which shall be one of 5. (f) a, b or c above;
- (h) if the APAB uphold the appeal and decide the breach may be material, it shall require the relevant Promotion Board to review its original decision in light of the defect(s) identified. It should be noted that the academic standards used in the promotion and progression processes are a matter within the exclusive competence of the Promotion Boards and nothing in this process shall have the effect of substituting a different academic judgment arrived at by the APAB for an academic judgment validly arrived at by the Promotion Board.

6. Report

The report of the Promotions Board on the outcome of the appeal shall be referred to next meeting of Governing Body for noting.

7. Schedule of Meetings

APAB should establish at its first meeting, a schedule of meetings, one per quarter, for the duration of its term of office. Dates shall be set aside to be used if required. Meetings may be cancelled in the absence of an appeal.

8. Administrative Support

As the APAB is a Governing Body Committee, secretarial support for the Committee should be provided by the Office of Corporate and Legal Affairs.

Version	3
Approved by:	Date
Governing Body	12th April 2022