**APPEALS AGAINST A DECISION MADE BY A FITNESS TO PRACTISE PANEL**

**GUIDELINES FOR STUDENTS**

**Scope of these guidelines**

These guidelines are for students who are intending to lodge an appeal against a penalty imposed under the fitness to practise procedures. It may be more appropriate for your concerns to be investigated under the Complaints Procedure for Students <http://www.rhul.ac.uk/ecampus/academicsupport/academicappealsandcollegecomplaints.aspx> or some other procedure. We will inform you if we believe this is the case and will provide further guidance at that stage.

**Appeals process:** It is important to find out enough about the appeals process so that you can judge whether a formal appeal represents the best way forward for you. Please read and consider these guidelines and the College regulations (<https://www.royalholloway.ac.uk/ecampus/academicsupport/regulations/home.aspx>) carefully before submitting an appeal. The Advice and Support Centre at the Students’ Union is also able to provide support and advice from their advisors. You may contact them by e mail at [advice@su.rhul.ac.uk](mailto:advice@su.rhul.ac.uk).

**What qualifies for consideration as an appeal**

The appeal process is the framework in which the College can investigate any genuine concerns about the decisions reached by either an academic department, or the Vice-Principal in relation to an assessment offence. College regulations set out the only grounds on which an appeal can be made:

* There is fresh evidence to be taken into account which the student could not, for valid reasons, have divulged at the time of the original hearing and which casts reasonable doubt on the reliability of the decision to terminate the student's training;
* There is evidence that the procedures set out in this document were not followed in such a way which casts reasonable doubt on the reliability of the decision to terminate the student's training;
* The panel's decision was contrary to natural justice given the evidence available to it at the time.

The College will not investigate appeals:

* for which there is no supporting evidence, including unsubstantiated allegations of bias or prejudice on the part of staff involved in the case;
* of an unspecific or general nature;
* which are not submitted in writing;
* from third parties without the written consent of the student concerned.

**How to submit an appeal**

You must submit your appeal within one month of the date on which you were formally notified of the outcome of the examination or review, by writing to the Academic Quality and Policy Office, Royal Holloway University of London, Egham, Surrey TW20 0EX (tel. 01784 414699; e-mail. [appeals@royalholloway.ac.uk](mailto:appeals@royalholloway.ac.uk) . If you wish to request an extension to the submission deadline, please contact the Academic Quality and Policy Office before the deadline, stating the reasons for your request. Once you have submitted your full appeal, all communication must be made in writing (letter or e-mail).

Your submission must include the attached appeals form, completed in full, and copies of all documentary evidence on which you wish to rely in the appeal. It is important that you include in your submission all the issues and supporting evidence which you wish to be investigated and considered. The College may refuse to take on any additional matters which are introduced later in the process. All medical/ personal evidence must be written in English, certified translations must be provided where the originals are in another language.

In general, students are expected to act on their own behalf when dealing with offices and departments within the College, and when requesting services or making complaints. However, there may be circumstances in which it is appropriate for a friend or family member to deal with your appeal on your behalf. In such cases you must still complete and sign the appeals form, after which we will only communicate with your representative. If you do appoint a representative you must be sure that s/he knows about your appeal and is able to devote sufficient time to it. Please note that is not appropriate to appoint someone from the legal profession on a professional basis to act on your behalf as it is an internal process.

If you require advice on the appeals process, the grounds for appeal or on requirements for documentary evidence, contact the Academic Quality and Policy Office in the first instance so that you can be put in touch with somebody who is able to help. The Advice and Support Centre at the Students’ Union is also able to provide support and advice. You may contact them by e mail at [advice@su.rhul.ac.uk](mailto:advice@su.rhul.ac.uk).

**How your appeal will be investigated**

Your appeal will be investigated by a senior officer from the Academic Quality and Policy Office, who will decide in the first instance whether or not the issues you have raised fall within the remit of the appeals procedure, and whether or not you have presented reasonable grounds and provided sufficient evidence in support of your claims. Where there are inadequate grounds for an appeal or insufficient evidence, your appeal may be dismissed without further investigation.

If the officer decides to proceed with the investigation, this will normally be done through written correspondence. **Staff in your department may be shown all or part of your appeal submission and be asked to comment**. Exceptionally the officer may decide to meet with one or more individuals as part of the investigation, in which case a written record is kept of any matters arising during the meeting which are relevant to the investigation and would be likely to influence the outcome.

We will try to reach a decision on your appeal as quickly as possible. But a thorough investigation takes time, and there are times of year when staff are not easily available.

In general we aim to provide an initial response within two months. Students who are continuing their studies with the College should therefore make sure that they make appropriate plans. For example, you should register and prepare for examinations (including Summer resits) at the specified time, even if you are waiting to find out from the appeal whether or not you will actually sit the examinations. You can seek advice on this from the Examinations and Research Degrees Office (e-mail [student-administration@royalholloway.ac.uk](mailto:student-administration@royalholloway.ac.uk)), which will make any necessary arrangements once the outcome of your appeal is known.

**Outcomes of the appeal process**

If your appeal is found to be justified in any way, the investigating officer will present their findings in writing to a Vice-Principal who will review the case. He/she may decide to amend or set aside the decision; to confirm the decision or to investigate the matter further and will convene a formal hearing. The review will not necessarily lead to a change in the original decision, but it should ensure that the outcome has been reached fairly and in full possession of all relevant and admissible facts. If the Vice-Principal decides that a hearing should be held, an Appeals Committee will be set up comprising the Vice-Principal in the Chair, and two members of academic staff from departments other than those in which the student is registered. If such a hearing is held the student will be informed in writing of the date of the hearing and will be invited to attend. The student can be accompanied by another student or member of staff of the College to assist in presenting the case.

Once a decision is reached on your appeal, the Head of Academic Development will inform you in writing of the Vice-Principal’s decision, and the reason for it. At this stage, the College’s procedures are complete, and the College will not act on any further requests to investigate the matter.

**Office of the Independent Adjudicator for Higher Education (OIA)**

If you are unsatisfied with the outcome, you can ask for your case to be reviewed by the OIA. This service becomes available to you only after the College’s internal procedures have been completed. The College will send you a Completion of Procedures Letter and a leaflet about the OIA at the appropriate time, after which you will have three months in which to refer your case to the OIA.

Head of Academic Quality and Policy

January 2016

**ACADEMIC APPEAL**

**A decision made by a Fitness to Practise Panel**

**Before** completing this form:

* please read the guidelines on academic appeals

(<http://www.royalholloway.ac.uk/ecampus/academicsupport/appeals/home.aspx>)

* you are strongly advised to seek independent advice on the submission of an academic appeal. Advice can be obtained from the [Students’ Union](http://www.su.rhul.ac.uk/support/).
* if you still require advice on the appeals process or need other assistance in relation to your appeal, please contact the Academic Quality and Policy Office

**YOUR DETAILS**

|  |  |
| --- | --- |
| Family name: | First name(s): |
| Student number: 100 | Year of study during 2015/16 (e.g. 3rd year): |
| Programme of study: | |
| Address for correspondence:  (Please notify us promptly of any changes) | |
| Please note that the College will use your student email address for correspondence. However, you may provide us with an additional email address.  E-mail address: | |

**TELL US HERE IF YOU WANT SOMEBODY ELSE TO REPRESENT YOU REGARDING YOUR APPEAL**

It is expected that, as a student, you will act on your own behalf. However, if you believe it is more appropriate for a friend or family member to represent you regarding your appeal, or you feel you are unable to complete the process of appealing, you must fill in the section below. If you do appoint a representative you must be sure that s/he knows about your appeal and is able to devote sufficient time to it.

If you do ask us to deal with a representative, **we will not be able to communicate with you as well**. This section is **not** for providing a character reference as this is not a necessary part of the appeal process.

|  |  |
| --- | --- |
| Family name: | First name(s): |
| Relationship: | |
| Address for correspondence:  (Please notify us promptly of any changes) | |
| E-mail address: | |

**YOUR APPEAL – against a decision made by a Fitness to Practise Panel**

Please note: Staff in your department and elsewhere in the College may be shown all or part of your appeal submission and be asked to comment in writing and/or provide us with any relevant records.

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| --- |
| **A) State on which of the following grounds you are appealing (tick relevant box):**  There is fresh evidence to be taken into account which the student could not, for valid reasons, have divulged at the time of the original hearing and which casts reasonable doubt on the reliability of the decision to terminate the student's training;  There is evidence that the procedures set out in this document were not followed in such a way which casts reasonable doubt on the reliability of the decision to terminate the student's training;  The panel's decision was contrary to natural justice given the evidence available to it at the time. |

**B)** **State clearly and concisely all the matters which you wish us to investigate and take into account in relation to the specific grounds on which you are appealing.**

*You must explain how these matters relate to the permitted grounds for appeal and lead you to believe that the decision of the Fitness to Practice Panel was unfair.*

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| ***Please continue on a separate sheet of paper if necessary*** |

**YOUR DESIRED OUTCOME FROM THE APPEAL**

**C) Please tell us what you think the College should do in response to your appeal.**

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**EVIDENCE**

**D)** **Please attach to this form and record in the table below any information that you wish to be taken into account in the consideration of your appeal.**

*Please ensure you attach as much relevant evidence as possible, as the College will not accept any further evidence or representations. All evidence supplied must be the original documents.*

|  |  |  |
| --- | --- | --- |
| **Document Type**  (e.g. Email from staff, Medical Certificate, Counsellor’s Letter, Police Report, Death Certificate, College Procedures) | **Date of Evidence** | **Notes/Comments** |
|  |  |  |

**DECLARATION**

I would like the Academic Quality and Policy Office to investigate my appeal.

* I believe that all the facts stated in my appeal are true and understand that, if my appeal is considered to be frivolous or malicious, I may be liable for disciplinary action.
* I have included all the issues and supporting evidence which I wish to be investigated and considered, and understand that the College may refuse to take on any additional matters which are introduced later in the process.
* I understand that staff in my department and elsewhere in the College may be shown all or part of my appeal submission and be asked to comment.
* I understand that, in order to investigate my appeal effectively, the Academic Quality and Policy Office may need to access personal data held by the College, which could include sensitive information (e.g. relating to health matters).
* I have read and understood the appeals procedure and guidelines provided as well as any relevant sections of the [Academic Regulations](http://www.rhul.ac.uk/ecampus/academicsupport/regulations/home.aspx).

**Sign here, even if you have appointed a representative to deal with your appeal, otherwise we will not investigate your appeal.**

|  |  |
| --- | --- |
| Signature: | Date: |

All appeals must be submitted in writing to the Academic Quality and Policy Office, Founders East 54, Royal Holloway University of London, Egham, Surrey TW20 0EX or electronically to [appeals@royalholloway.ac.uk](mailto:appeals@royalholloway.ac.uk) **within one month** of the date on which you were formally notified of the outcome of the Fitness to Practise Panel.

Your submission must include:

🞏 this form, completed in full;

🞏 copies of all supporting evidence which you wish to be taken into account.