

Queens' College Cambridge

Rules of Procedure for the Review Committee & Appeals Committee (Examination Failure)

Introduction

College Regulations read as follows:

“Students who fail a University examination are expected to withdraw from the College unless invited to stay in residence.”

“For the purpose of these Regulations and of the relevant College procedures, a candidate shall be deemed to fail an examination for which he or she has been entered as a candidate when his or her name does not appear on the published University class list for that examination, whether or not he or she is granted an allowance towards the Ordinary Degree.”

A student may make an application for an allowance to the University Applications Committee after failure in a University examination. Any such application must be made by a student through the College by contacting the Senior Tutor. The student should check with the Senior Tutor as soon as possible if he or she wishes to make such an application.

The Review Committee shall consider all cases of failure in a University examination in order to decide whether or not the Review Committee will support an application to the University on behalf of the student for an examination allowance. Any application for an Examination Allowance must be submitted to the University's Applications Committee. The student may submit an application to the University's Applications Committee regardless of whether or not the Review Committee will support that application. A student may not make an application directly to the University's Applications Committee but the College will forward a student's application even if the College does not support that application.

The President appoints the Review Committee and its Chair. The Committee consists of no more than five Tutors plus a Chairman who is or who has been a member of the Governing Body and who is not a serving College Lecturer. Members of the Committee shall have no prior connection to the student.

The quorum of the Review Committee shall be the Chairman and at least three Tutors.

General Grounds upon Which Students May Make Representations to the Review Committee

The grounds upon which a student may seek to mitigate the consequences of examination failure, in order to obtain permission to remain in residence, are not prescriptive. Each case will be particular. General grounds may include any factor(s) that can be shown to have inhibited study in ways that significantly contributed towards, or resulted in, examination failure. Such grounds may include: medical factors (for example the onset of sudden or chronic physical or mental illness, the effects of serious long-term conditions); diagnosis of disability or Specific Learning Difficulty/Difficulties; bereavement; hardship (financial or any other); the consequences of welfare difficulties (previously disclosed or otherwise). This list is not exhaustive and a student may make representations to the Review Committee on any other reasonable grounds.

Examination Failure

Procedural stages that follow failure shall be as follows:

Stage 1: RC

Student fails and is therefore expected to withdraw from the College unless invited to remain in residence by the Governing Body according to a recommendation made by the Review Committee.

Stage 2: RC

The Chair of the Review Committee writes to a student invited to appear before the Committee enclosing a copy of the Committee's Rules of Procedure (this document) together with specific items of information as follows:

- (i) that the Review Committee shall meet at *[insert time]* on *[insert day and date]* to consider whether the student should be invited to remain in residence notwithstanding his or her failure;
- (ii) that the student has a right to make representations in person and/or in writing to the Review Committee, stating why he or she should be invited to remain in residence, and that he or she may additionally be represented by a Tutor or by any other person;
- (iii) that the Review Committee will comprise up to six persons *[insert names and nominate the chair]*;
- (iv) that he or she has a right to read the written report made to the Review Committee by his or her own Director of Studies or by the Director of Studies' nominee; and that this statement will be delivered to the student's College pigeon-hole at least 48 hours before the stated time of the Review Committee meeting;

- (v) that the student has the right of appeal upon specific grounds. The student shall also be informed of details concerning the appeals process;
- (vi) that if the student has any disability the Chairman of the Review Committee will consider all adjustments requested and will notify the student, in writing, which adjustments have been made.

Stage 3: RC

The Chairman of the Review Committee invites the student's Director of Studies, or his or her nominee, to write a report on the student. This report must be sent to the Chairman of the Review Committee at least 72 hours before the stated time of the Review Committee meeting and must be in a form which can be sent directly to the student. The Chairman will send the Director of Studies' report and all supervision reports to the student. The Chairman assembles all papers for the Review Committee meeting.

Stage 4: RC

The Review Committee meets under the following conditions:

- (i) Persons Present: The Review Committee and the student's Director of Studies or the Director of Studies' nominee. If the student's subject has an Assistant Director of Studies who has been particularly concerned with that student then he or she may also attend the meeting. A member of the tutorial staff, appointed to take a note of the review meeting. The Review Committee may invite any other person to attend.
- (ii) Access to Documents: The Review Committee and other Fellows or Directors of Studies present should have copies of all supervision reports. The student shall also be given copies of all supervision reports and the written report provided by his or her Director of Studies under Stage 3.
- (iii) Questioning: The Review Committee shall invite into the meeting the student (if the student wishes to appear in person) and the person whom the student appoints to represent him or her, jointly or otherwise as the student chooses. The Chair may permit questions to be asked by anyone present of anyone present.
- (iv) Review Committee Meeting Record: A member of the tutorial staff will take a note of the meeting while it is in progress. This note will not be verbatim, but will reflect the main content of the meeting
- (v) Committee Discussion: The student and any person appointed to represent him or her shall leave before commencement of discussion.

The Director of Studies shall also leave at the same time as the student. The only persons remaining in the room for discussion shall be members of the Review Committee and the note taker.

- (vi) Voting Rights: Only members of the Review Committee shall vote. The Chair shall have the casting vote. All those ineligible to vote shall withdraw before any vote takes place.
- (vii) Precedents: Although consistency is important, every case shall be considered on its individual merits.
- (viii) Decisions: The Review Committee shall decide which, if any, of the possible allowances it will provide its support for in an application to the University on behalf of the student; any such application will be submitted to the University's Applications Committee. The range of possible allowances is shown in Annex A.

Stage 5: RC

- (a) The Chairman of the Review Committee writes to the student, on completion of the Committee's business, to inform him or her:
 - (i) whether the Review Committee has found sufficient reason to invite him or her to remain in residence and if so under what conditions;
 - (ii) that he or she may submit (through the College) an Application for an Examination Allowance to the University's Application Committee now, without the support of the College; or that he or she may appeal to the Governing Body in order to try and/or gain the College's support for the Application for an Examination Allowance. He or she shall give notice to the President in writing within ten days if he or she intends to appeal to the Governing Body;
 - (iii) of the broad nature of the grounds for the Review Committee's decision (if not favourable to the student).
- (b) The Chairman reports the Review Committee's decision to the Governing Body.

Stage 6: RC

When a student appeals to the Governing Body against the Review Committee's decision, the Governing Body shall proceed as outlined in the 'Rules of Procedure for the Appeal Committee' detailed below.

Rules of Procedures for the Appeal Committee

(Appeals against Decisions Taken by the Review Committee)

Stage 1 AC

If a student appeals to the Governing Body against a decision taken by the Review Committee, the Governing Body shall proceed as follows:

The President shall establish an Appeal Committee to consider the student's appeal. The President shall appoint the Appeal Committee members and appoint the Chair. The Appeal Committee shall be composed of three members of the Governing Body, none of whom shall have had any prior involvement with the student, nor the case itself. One member shall be nominated as chair.

Stage 2 AC

The Chair of the Appeal Committee shall write to the student, confirming receipt of his or her notice of intention to appeal, enclosing a copy of the Committee's Rules of Procedure (this document) together with specific items of information as follows:

- (i) that the Appeal Committee will meet at *[insert time]* on *[insert day and date]* to consider the student's appeal against the decision of the Review Committee dated *[insert date]*;
- (ii) that the Appeal Committee will comprise three members: *[insert names and nominate the chair]*;
- (iii) that he or she has a right to make representations in person or in writing to the Appeal Committee, stating why he or she is appealing the Review Committee's decision; and that he or she may additionally be represented by any person who he or she appoints;
- (iv) that the grounds for making representations against the decision of the Review Committee are:
 - a. that there is material evidence now available not previously available to the Review Committee, that raises reasonable doubt whether the result might have been different had that evidence been available to the Review Committee;
 - b. that the Review Committee did not follow its own procedures, or those procedures were deficient, to the extent that it was prejudicial to you, causing reasonable doubt as to the decision of the Review Committee;
 - c. that the student appeals against the decision on any other grounds.

- (v) that in exceptional circumstances, the Chair of the Appeal Committee has authority to invite other parties to attend the Appeal Committee meeting in an advisory capacity; detail of any other person invited will be given to the student when the appeal papers are circulated;
- (vi) that any papers of a confidential or sensitive nature to be considered by the Appeal Committee shall be managed in a confidential manner, subject to the need for relevant participants in the process to comment on those papers;
- (vii) that all of the papers provided to the Appeal Committee prior to the meeting, will also be sent to the student. The papers shall include: all papers sent to the Review Committee; notes of the Review Committee meeting; the Review Committee's Decision Letter (including the summary reasons for the decision); the appeal notice; the appeal application. The papers will normally be delivered to the student's College pigeon-hole and they will be placed there (or will be sent to reach the student if use of the pigeonhole is not appropriate) at least 72 hours before the stated time of the Appeal Committee meeting;
- (viii) that the procedure to be followed at the Appeal Committee meeting will normally be in accordance with Stage 4 below;
- (ix) that if the student has any disability the Chair of the Appeal Committee will consider all adjustments requested and will notify the student, in writing, which adjustments have been made.

Stage 3 AC

The Chair will assemble all papers for the Appeal Committee meeting and will arrange for them to be circulated to the parties who will attend the meeting, apart from the note taker, at least 72 hours in advance of the time of the meeting.

Stage 4 AC

The Appeal Committee meets under the following conditions:

- (i) Parties to the Appeal Committee procedure who will or may be present at the appeal meeting:
 - a. The three Appeal Committee members
 - b. The chair of the Review Committee who chaired the meeting on *[insert date]*
 - c. The student and any representative or person supporting the student (if the student has chosen to appear in person)
 - d. Where applicable, and in exceptional circumstances, any other person invited by the Appeal Committee Chair to attend the

meeting, and whose detail has been notified in advance to the student

- e. A member of the tutorial staff, appointed to take a note of the appeal meeting

(ii) Access to Documents:

All of those attending the meeting, apart from the note taker, shall be provided in advance of the meeting, and in accordance with Stage 3 above, all of the papers to be used at the meeting.

(iii) The Appeal Committee Meeting Procedure:

The Chair of the Appeal Committee has authority to set the exact procedure which the meeting will follow, provided that it is fair. The procedure will normally provide for:

- a. the student to present his or her case (or for the student's statement to be read if the student is not present);
- b. the Chair of the Review Committee to present the reasons for the Review Committee's decision;
- c. the Chair may permit questions to be asked by anyone present of anyone present.

(iv) Appeal Committee Meeting Record:

A member of the tutorial staff will take a note of the meeting while it is in progress. This note will not be verbatim, but will reflect the main content of the meeting.

(v) Appeal Committee Discussion:

At the end of the meeting all parties will leave the room except for the Appeal Committee members and any advisor who has been invited to advise the Appeal Committee. The Appeal Committee shall consider the arguments put forward at the meeting and it will discuss the student's position in order to reach its decision. The advisor, if any, will take no part in the decision-making of the Appeal Committee.

(vi) Voting Rights:

Only the Chair and members of the Appeal Committee may vote.

(vii) Precedents:

Although consistency is important, every case shall be considered on its individual merits.

Stage 5 AC

The President will inform the student of the result of his or her appeal. The President will also inform the student that the Senior Tutor will subsequently supply a Completion of Procedures Letter that shall include details concerning:

- (i) How the student may submit an application for an Examination Allowance to the University's Applications Committee, without the support of the College

- (ii) How the student may make a complaint to the Office of the Independent Adjudicator (OIA) and how he or she may access advice or support.

Stage 6 AC

The Senior Tutor shall supply a Completion of Procedures Letter to the student confirming that the internal procedures of the College have been completed. The letter will also contain details concerning:

- (i) the student's right to submit an Application for an Examination Allowance to the University's Applications Committee, without the support of the College
- (ii) the student's right of appeal to the OIA

The Senior Tutor reports the Appeal Committee's decision to the Governing Body

ANNEX A

The Range of Possible Allowances

The decision whether to allow a student to remain in standing rests with University's Applications Committee. A student may not apply directly to the Applications Committee. The College will always, with or without the College's support for the case, forward an application on behalf of a student to the University Applications Committee.

The Committee considers applications from colleges on behalf of undergraduates and also on behalf of students on the following postgraduate courses: EMBA; LLM; MASt; MBA; MCL; MEng; M.Fin; MMath; MMus; MSci; PGCE. The case of all other graduate students rests with the Board of Graduate Studies. The Applications Committee cannot override professional examination requirements governing courses leading to M.B, B.Chir or the Vet. M.B.

In brief, the University may grant one of the following allowances:

Declared to have deserved Honours' (DDH)

Evidence indicates that the student would normally have achieved Honours in the examination or that, having been initially classed, the student's class is agreed to be unrepresentative of his or her abilities. DDH replaces any class initially awarded and appears as the overall result on the student's transcript.

Allow the Examination

This credits the student with the examination even though he/she has not met all the normal requirements. On the student's transcript the words "Allowed the examination" appear against the overall result field. All individual examination paper results also show on the transcript, including any failures.

Put in Standing

This grants the student permission to proceed to the next examination even though he/she has not met all the normal requirements to do so. On the student's transcript the record for that academic year is left blank: the transcript does not show any record of examination entry.

Award the Student an Ordinary BA Degree

The Committee may award an Ordinary BA degree to a student who has achieved Honours in Part I but has failed at Part II, IIA, or IIB.

Invite the Board of Examiners to Reconsider its Original Result

This is intended for a student who has performed at the standard of a higher class in all but a relatively small part of the examination, where that small part of the examination was affected by mitigating circumstances and where this is apparent in the student's profile of results. It is not intended for a student who has generally underperformed for whatever reason or for a student who is legitimately just below a borderline. The Chair of the Board is normally invited to class the student by disregarding the affected paper(s). Evidence is required of the mitigating circumstances and that they affected a small part of the examination and not the whole

examination. Evidence is also required that the student's academic performance was not as expected in the affected part of the examination, so supervision reports should be submitted.

Disregard Terms/Fitness to Return

Disregarding terms gives the student permission formerly to have terms disregarded for a specified period. A student who has disregarded terms may not resume without the permission of the Committee.