

Queens' College Cambridge

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

Introduction

College Regulations read as follows:

‘Students are expected to withdraw from the College:

- if they persistently neglect their studies;
- if they fail a University examination.’

‘For the purpose of these Regulations and of the relevant College procedures, a candidate shall be deemed to fail an examination for which they have been entered as a candidate when their name does not appear on the University class list for that examination.’

A student may make an application for an allowance to the Exam Access and Mitigation Committee (EAMC) after failure in a University examination.

The President appoints the Review Committee and its Chair. The President may also appoint a Deputy Chair to preside when the Review Committee Chair is unavailable. For the purposes of this procedure, the Chair is understood to be either the Chair or the Deputy Chair, depending on who is presiding in a particular case. The Committee consists of no more than five Tutors plus a Chair 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 Chair 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 their failure;
- (ii) that the student has a right to make representations in person and/or in writing to the Review Committee, stating why they should be invited to remain in residence, and that they 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 the student has a right to read the written report made to the Review Committee by their own Director of Studies or by the Director of Studies' nominee; and that this statement will be delivered to the student either electronically or in hard copy 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 Chair of the Review Committee invites the student's Director of Studies, or their nominee, to write a report on the student. This report must be sent to the Chair 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 Chair will send the Director of Studies' report and all supervision reports to the student. The Chair 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 they 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 their 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 them, 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 them 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 Chair of the Review Committee writes to the student, on completion of the Committee's business, to inform them:
 - (i) whether the Review Committee has found sufficient reason to invite the student to remain in residence and if so under what conditions;
 - (ii) that they may appeal to the Governing Body if the Committee does not wish to invite the student to remain in residence. The student shall give notice to the President in writing within ten days if they intend 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 Chair 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 the student's 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 they have a right to make representations in person or in writing to the Appeal Committee, stating why they are appealing the Review Committee's decision; and that they may additionally be represented by any person who they appoint;
- (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 either electronically or in hard copy 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 their 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 their 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 how they may make a complaint to the Office of the Independent Adjudicator (OIA) and how they 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 the student's right of appeal to the OIA.

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

Approved Governing Body:
17th June 2022 (updated 28th June 2023)

ANNEX A

The Range of Possible Allowances

The decision whether to allow a student to remain in standing rests with University's Exam Access and Mitigation (EAMC) Committee.

The EAMC considers applications for examination allowances from Colleges on behalf of students and directly from all undergraduates and students on the following courses: EMBA, LLM, MAST, MBA, MCL, MEng, MFin, MMath, MMus, MSci and PGCE.

Details of the allowances available through the EAMC are available [here](#).