

Appendix 1

Procedure for Consideration of Representations concerning decisions of Boards of Examiners

GENERAL

1. This procedure is applicable in respect of examinations for first degrees and postgraduate taught degrees.
2. Representations may not be made against the results of examinations on academic grounds.
3. The College will consider representations made on the grounds of administrative error, or where there is concern that the examination may not have been conducted in accordance with the relevant Regulations or where there is new evidence of circumstances which might have adversely affected a candidate's performance which was not available to the Board of Examiners at the time it made its decision.

PROCEDURE

4. Any representation shall be made within one month of official notification by the Registry to the candidate of the decision of the Board of Examiners to which it relates, unless, where the candidate has advanced substantive reasons for the delay in submitting the representation, the Pro Rector (Education), Dean of Students and Academic Registrar determine that a representation made outside this period be allowed.
5. Representations shall be made in writing and sent to the Academic Registrar and shall state the grounds on which the representation is made and provide evidence to support it.
6. The representation shall be referred in the first instance to the relevant Board of Examiners¹ which shall, in consultation with at least one External Examiner, reconsider a decision in the following circumstances:
 - a. Where a candidate requests such reconsideration and provides adequate evidence which is acceptable to the Board of Examiners that his/her examination was adversely affected by illness or other factors which s/he was unable, or for valid reasons unwilling, to disclose before the Board of Examiners reached its decision;
 - b. Where there is clear evidence produced by the candidate or any other person of administrative error or that the examination was not conducted in accordance with the Regulations.

¹ The Board of Examiners may authorise the Chairman and a sub-group of examiners to consider representations on its behalf

7. Following any reconsideration of a decision by the relevant Board of Examiners, the hearing of a formal appeal by the candidate against the outcome of the reconsideration may be allowed, at the discretion of the Pro Rector (Education) in consultation with the Dean of Students if sufficient evidence remains providing grounds for appeal as stated in paragraph 6 a. and b. above.
8. An appeal must be made in writing and lodged with the Academic Registrar within 14 days of the notification to the candidate of the reconsidered decision of the Board of Examiners.
9. If the Pro Rector (Education) has determined that sufficient evidence remains to allow an appeal, the Academic Registrar shall arrange for a Representations Panel to be established, which shall comprise:
 - a. The Dean² (or other nominee) of a Faculty other than that relevant to the programme of study concerned, who shall act as Chairman of the Representations Panel
 - b. The Dean³ (or other nominee) of the Faculty relevant to the programme of study concerned
 - c. One further member drawn from among the members of the Panel of academic staff appointed by the Senate to hear appeals against withdrawal

Provided that no member of the Representations Panel shall have been involved in teaching or examining for, or involved in any other way with the programme of study of the person making the appeal.

10. The Representations Panel shall meet as soon as is practicable.
11. The Representations Panel shall invite the appellant or a representative to appear before it and/or to give written evidence if desired. Students may, if they wish, be accompanied by a member of Imperial College (either a fellow student, or a personal tutor, warden or other member of the academic staff); the friend may speak in support of the student if the latter so desires. In keeping with the Human Rights Act (1998), students may, if they wish, request that the hearing be held in public.
12. The Representations Panel shall invite the Chairman (or other representative) of the relevant Board of Examiners to appear before it and/or to give written evidence if desired, and shall invite such other persons to appear before it, and consider such other documents, as it deems appropriate to the case. A member of the Department of the programme of study concerned will present the case.
13. The Academic Registrar shall appoint an appropriate person to serve as a clerk to the Representations Panel, who shall keep a record of its proceedings.
14. The Representations Panel may decide
 - a. That the appeal be allowed, in which case it shall submit a report to the Rector who shall, unless he determines that some other Procedure is applicable, direct the Board of

² Or Principal of the Faculty of Medicine (or nominee)

³ As above

Examiners to cause a fresh decision to be made. Such decision, properly made within the appropriate regulations and procedures, shall be the final decision of the College; or

- b. That the appeal be dismissed, in which case the decision of the Representations Panel will be the final decision of the College.
15. The appellant shall be informed of the decisions of the Representations Panel, and, where applicable, of the decision of the Rector. The appellant shall be provided with reasons for the judgement reached in relation to the submissions made at the hearing.
 16. In keeping with the Human Rights Act (1988), should the student choose, the decision and reasoned judgement of the Representations Panel will be published.
 17. Once a student has completed the College's internal appeals or complaints procedures, the College will issue the student with a Completion of Procedures Letter. If the student is still dissatisfied, the student may direct their complaint to the Office of the Independent Adjudicator within three months of the date on which the Completion of Procedures Letter was issued. Information on the complaints covered by the Office of the Independent Adjudicator and the review procedures is available at http://www.oiahe.org.uk/docs/OIA_New_Rules.pdf. The College reserves the right to reject a complaint when it is issued more than three years after the substantive event(s) to which it relates.