

Appendix A

Procedure for appeals by students to the UCP Council

Procedure

- 1 If you want to appeal against a decision of the Student Discipline Committee or those of the Fitness to Practise Committee or Fitness to Study Committee for reasons of maladministration (other than in cases where you have failed to make a payment where the appeal will be to the Academic Director), you must make your appeal in writing within 10 working days of the decision and send it to the clerk / secretary to the UCP Council.
- 2 Your request should clearly give the reasons for the appeal.
- 3 When they receive your request, the clerk / secretary to the UCP Council will:
 - a. call a meeting of the committee as soon as possible.
 - b. make available to the members of the committee copies of all papers to do with the case.
 - c. ask you if you object to an elected Student Representative being at the committee hearing.
 - d. at least five working days before the meeting give notice to the Member of the Student Council of the date, time, and place of the meeting.
 - e. invite you and our representative, at least seven working days before the hearing, to give a statement of your and our case and reveal any relevant documents you want to rely on at the hearing (if you or we miss the deadline or do not limit the size of documents you provide, it may lead to an adjournment or other delays); and
 - f. at least 15 working days before the meeting, give you notice in writing and by hand or if this is not possible by recorded or special delivery to your last known address. The notice will give details of:
 - i. the date, time and place of the committee hearing.
 - ii. the names of the witnesses to be called by our representative.
 - iii. your right to be accompanied by a friend or elected Student Representative (but they may not also be a witness).
 - iv. your right to decide whether or not to attend the hearing.
 - v. your responsibility to give witnesses, that you plan to call, details of the hearing, and to make sure they attend.
 - vi. your responsibility to let the committee secretary know, as soon as possible and in any case not less than two working days before the hearing, the names of the witnesses you plan to call: and
 - vii. your responsibility if you want to be accompanied by a friend, to give the name of the friend or elected Student Representative to the committee secretary.
- 4 The sides may agree to change the time limits to suit the circumstances of the case.

The Hearing

- 5 The committee will choose a Chair from among its members.
- 6 The committee secretary will keep a record of the proceedings and may appoint a record clerk for this purpose.
- 7 The committee will consider any written evidence.
- 8 Your and our witnesses will receive equal treatment throughout the proceedings.
- 9 The committee will hear representations and evidence in the following order.
 - i From you or your friend or elected Student Representative
 - ii From your witnesses

- iii From our representative
- iv From our witnesses

- 10 You or your friend or your elected Student Representative can give a final statement. We will give a final statement.
- 11 Members of the committee will have the right to put questions to any person at the hearing.
- 12 You and our representative will have the right to be present when taking evidence. You and our representative will have the right to put questions to the other and to witnesses. However, you and our representative cannot ask questions relating to final statements.
- 13 A member of the Student Council or their representative will have the right to be present, as an observer, when evidence is taken but not during the committee's decision.
- 14 The committee may call for other documents, explanations, or evidence they decide they need. The committee may seek any other advice in the hearing and in any subsequent consideration from UCP's solicitors and/or any such other source as the committee may determine.
- 15 If you or our representative do not appear at the hearing, the committee may go ahead, as long as they are satisfied that the committee secretary has given you notice properly.
- 16 In considering its decision, the committee will sit in private. The committee secretary will be present.
- 17 The committee secretary will tell you the committee's decision at the end of the hearing. Normally within five working days of the end of the hearing, the committee secretary will confirm in writing the committee's decision and send you a letter of 'completion of procedures'.
- 18 Following this notice, normally within 10 working days, the committee secretary will send you a formal set of minutes taken at the hearing.

Powers

- 19 The committee will, by majority, have the power to:
 - a confirm the decision of the Academic Director;
 - b withdraw the decision of the Academic Director; or
 - c change the decision of the Academic Director.

The Decision

- 20 The decision of the appeals committee of the UCP Council will be final. However, you may have a right of complaint to the Office of the Independent Adjudicator (OIA) and your rights as an individual in law.

Appendix B Appeals Committee

The Appeals Committee will be made up of the following.

- A member of the UCP Council.
 - Two other members who are either members of the UCP Council or members of the IEG Board of Governors.
 - Staff Governors, student Governors and the IEG CEO cannot serve as members of this committee.
- 1** The aims of the committee are to:
- a** consider, hear, and decide on appeals in line with procedures approved by the UCP Council.
 - b** confirm, cancel, or amend decisions which are referred to the committee in line with appeals procedures approved by the UCP Council.
 - c** consider, hear, and decide on appeals to do with maladministration when applying university rules, regulations, or procedures; and
 - d** use all powers shown above, for complaints or appeals made to the committee by students at university member institutions in line with the rules of those institutions.
- 2** The committee will not deal with appeals which dispute the academic or professional judgement of a member of our staff or an External Examiner. It will also not deal with judgements pertaining to the Fitness to Study Committee.

Quorum

The quorum will be three members of the committee.

Rules for the committee

The committee will be governed by the rules for the committees of the UCP Council.

Chair

The Chair will be elected from among the members of the committee.