

## GUIDE FOR STUDENTS YOUR QUESTIONS ANSWERED

Please note that Stages 1 and 2 of the process are administered by your School/Research & Innovation Office and this guidance should only be followed if you are dissatisfied with the decision of a Stage 1 Meeting or Stage 2 Hearing.

This document is a walk-through process to assist you in understanding the Appeal process of the University's Framework and Code of Practice for Ensuring Research Integrity. **You are strongly encouraged to read this guide, together with the Regulations, prior to completing your Application Form.**

A copy of the Framework can be located at [www.tees.ac.uk/studentregulations](http://www.tees.ac.uk/studentregulations), and further information on submitting your Application Form to the Student Casework Office can be found in this guide.

### 1. What is the Research Misconduct Appeal Process?

When submitting an Appeal, you are been found to have a **proven** case of Research Misconduct and wish to submit a request for an appeal of this decision and/or the penalty imposed, but only under specific grounds.

### 2. Where can I get advice?

The **Student Casework Office** can assist you with the process.

Email: [sco@tees.ac.uk](mailto:sco@tees.ac.uk)

The **Students' Union** can provide you with free, independent advice and guidance on your individual circumstances. If you are enrolled on a course, which is validated by Teesside University and delivered by a Partner Institution, please contact your own Students' Union or equivalent.

Email: [suss@tees-su.org.uk](mailto:suss@tees-su.org.uk)

For additional support you can contact the University's **Student and Library Services** who offer a wide range of services, including welfare advice, counselling and disability services.

Email: [studentlife@tees.ac.uk](mailto:studentlife@tees.ac.uk)

### 3. Important questions to ask yourself before submitting an Appeal:

#### 3.1 Has the decision of the Stage 1 Meeting or Stage 2 Hearing been published?

You will **not** be able to submit an Appeal until the decision has been published. You should receive the decision in writing, and it should include details of the outcome.

If you have not yet received the decision, please contact, in the first instance, your School.

#### 3.2 Am I within the timescales to submit an Appeal?

Your Appeal must be submitted to the Student Casework Office within **7 days** of the Stage 1 Meeting or Stage 2 Hearing decision being published.

#### 3.3 What if I am outside the 7-day deadline?

An Appeal received after the 7-day deadline can only be considered under **very** exceptional circumstances.

If submitting an Appeal outside the timescale you must enclose with your Application a separate written statement explaining why it has been submitted late. The Vice-Chancellor's nominee will then consider your written statement and determine whether to accept your case for consideration. The Vice-Chancellor's nominee's decision is final and is not subject to further review.

#### 3.4 What information must I include?

You **must** identify the grounds and reasons for your Appeal.

It is also important that you include any relevant documentation to support your case and list the documentation you are including under the relevant ground.

You are strongly advised to keep a copy of your Appeal and any supporting documentation. Documents submitted as part of your Appeal will **not** normally be returned. Where photocopies of documents are submitted, you may be required to provide the Student Casework Office with sight of the original documents in order to verify their authenticity. If evidence is provided in a language other than English, it is your responsibility to have it independently translated.

### 3.5 Do I fall within the grounds for an Appeal?

The ground(s) under which you can request an Appeal are:

- *The decision reached by the Stage 1 Meeting or the Stage 2 Hearing as to whether Academic Misconduct has occurred was wholly inconsistent and/or unsupported by evidence.*
- *There was a material and/or procedural irregularity or bias by the Stage 1 Meeting or the Stage 2 Hearing, which has prejudiced the student's case.*
- *Additional evidence has come to light since the decision of the Stage 1 Meeting or the Stage 2 Hearing, which could not have been expected to have been produced at the time of the consideration of the case.*

Your Appeal should include a clear statement explaining why you believe the ground(s) to be relevant to your case.

**An Appeal will not be considered under any other grounds.**

### 3.6 What are NOT acceptable grounds for an Appeal?

Your Appeal will only be considered on the ground(s) set out in paragraph 3.5 above.

### 3.7 Why could my Appeal be rejected?

Examples include, but are not limited to, the following:

- The decision has not been published;
- Your Appeal was not submitted within the timescales stated in the Framework and was deemed out of time;
- Your Appeal was incomplete;
- It was felt that your Appeal was unsubstantiated under the grounds set out in paragraph 3.5 above.

## 4. What if I am unsure whether my case can be considered under the Appeal process?

You should contact an Adviser from your Students' Union, or the Student Casework Office, who will be able to assist you.

## 5. How do I complete the Application Form?

Before completing your Application Form, we recommend that you seek advice from an Adviser in your Students' Union. A copy of the Application Form can be located at [www.tees.ac.uk/studentregulations](http://www.tees.ac.uk/studentregulations). Your completed application form should be submitted to the Student Casework Office via email.

The Application Form is divided into sections, and it is important that you complete all relevant sections, as any omissions may result in a delay with your Appeal being processed.

The sections identified below **must** be completed:

**Section 1: Personal details**

**Section 2: Course information**

**Section 3: Research Misconduct information**

**Section 4: Your preferred outcome**

**Section 5: The involvement of an Adviser**

As mentioned above, you are encouraged to seek advice from your Students' Union on completing your Application Form.

*It is important that you understand that by ticking the box you are giving your consent for the SCO to discuss your case with your Adviser.*

**Section 6: Grounds for an Academic Appeal**

It is essential that you identify the ground(s) on which you wish to apply, answer all related sections, and provide documentary evidence to support your Appeal.

**Section 7: Privacy Notice and Declaration**

It is important you understand that by signing the Application Form or emailing it to [sco@tees.ac.uk](mailto:sco@tees.ac.uk), you are verifying that the information contained therein, together with any accompanying documentation is true. You are also thereby agreeing to the processing your personal data for the purposes of logging, coordinating, progressing and facilitating resolution of the matter(s). The Student Casework Office will only process your personal data (which may include requesting or sharing personal data with staff and

or Panels within Schools/Departments/ Partner Institutions) for these express purposes. The Student Casework Office will obtain your express consent to process any special category data which includes e.g. health records. Any personal data, including special category data, will only be processed to the extent necessary to properly administer your case, and appropriate safeguards are in place to ensure security of your personal data.

**Third Party Data:**

Please note that third party data will normally only be accepted with the written consent of the person concerned. If you plan to submit third party data without the consent of the individual, please ensure that it is anonymised (for example, names and any other personal data is redacted). Anonymising personal data may detract from the use or purpose of the information provided and consent is therefore preferable to ensure that the matter is properly considered. The University may refuse to accept documents, which include third party data without consent, and which have not been anonymised and you may be asked to resubmit such evidence once consent is obtained or anonymisation has taken place. Where non-anonymised third-party personal data has been accepted in error, the University reserves the right to redact the personal data. Processing of personal data in this way will be under the lawful basis of legitimate interest and in the public interest.

**Disability or Specific Learning Disability:**

Please ensure that you have identified on your Application Form whether you have a disability or specific learning difficulty and require any adjustments in order that the University can provide you with appropriate support to access this process. If you have difficulty submitting your Application Form via email, wish for it in a different format, or you wish to discuss your requirements please contact the Student Casework Office.

**Please check before submitting your Application Form that:**

- You are submitting your Appeal within **7 days** of the Stage 1 Meeting or Stage 2 Hearing;
- you have completed all relevant fields on this Application Form;
- you have identified whether you have any specific requirements relating to a disability or specific learning difficulty (should you wish to discuss any requirements please contact the Student Casework Office);
- you have clearly labelled any accompanying sheets;
- where you have submitted Personal Data regarding a third party you have obtained written consent from that individual to share their Personal Data and have provided this with your Application, or you have anonymised the Personal Data;
- you have included all relevant documentary evidence to support your Appeal;

- you have read and understood the Framework and Code of Practice for ensuring Research Integrity;
- you have taken a copy of your Appeal for your own records.

### 6. What if I would like somebody else to act on my behalf?

It is not permissible for the University to communicate with external third parties regarding your case without your written consent. This includes a representative from your Students' Union, legal representative, parent, guardian or spouse. Therefore, if you wish the University to discuss your case with a third party, you will need to confirm this on your Application Form.

### 7. How do I submit my completed Application Form?

Email it to: [sco@tees.ac.uk](mailto:sco@tees.ac.uk)

### 8. How long will it take to process my Application Form?

The length of time depends on the complexity of your case. However, the Student Casework Office will ensure that your Appeal is processed as quickly as possible.

### 9. What should I expect following submission of my Appeal?

You will receive written acknowledgement of your Appeal from the Student Casework Office.

The Student Casework Office will conduct an initial screening of your Appeal to assess whether it complies with the criteria set out in the Appeal Stage of the Regulations. If your Appeal is deemed to be incomplete or out of time it will be forwarded to the Vice-Chancellor's nominee who may dismiss your Appeal.

If your Appeal complies with the relevant criteria, the Student Casework Office will forward it to the Chair of the Stage 1 Meeting/Stage 2 Hearing for initial consideration.

If the relevant Chair believes there appears to be a case for the decision to be reviewed, they may take Chair's Action. In this event, the decision should be reported to the next appropriate Assessment Board. The relevant Chair must inform you, in writing, explaining that Chair's Action has been taken, that the decision has been revised, and the remedy for any adverse impact on you. You will be advised of your right to continue to pursue your case through the Appeal Stage and to contact the Student Casework Office within **5 days** if you remain dissatisfied with the decision.

If the decision of the relevant Chair is not revised, then the relevant Chair must provide a written report to the Student Casework Office within **12 days** of receipt of the Appeal.

The Student Casework Office will then forward your Appeal and the Chair's Report to the Vice-Chancellor's nominee for consideration. The Vice-Chancellor's nominee may:

- i. Dismiss the Appeal; or
- ii. Refer the Appeal to the Academic Misconduct Appeals Committee (Appeal Committee) for further consideration.

The decision of the Vice-Chancellor's nominee is not subject to further internal appeal. If the decision is to dismiss the Appeal, you will be issued with a Completion of Procedures letter.

## 10. What happens at an Appeal Committee Hearing?

You will be invited to attend an Appeal Committee Hearing and provided with a copy of the papers prior to the meeting (including your Application Form, information received from the Chair, and any other relevant documentation).

You may bring one friend with you, and this may be a representative from your Students' Union. Please note it will be your responsibility to liaise directly with your friend about your case and make necessary arrangements for attendance. If you are intending to bring a friend with you to the Hearing, you should notify the Student Casework Office.

If you have given the Student Casework Office permission to liaise with an Adviser in the Students' Union, they will also be notified of the date and time of the Hearing.

## 11. What happens following an Appeal Committee Hearing?

Following consideration of the available evidence relating to your Appeal, the Appeal Committee may reach one of the following decisions:

- i. Dismiss the Appeal.
- ii. Uphold the Appeal, and impose an alternative penalty as defined in appendix 2 of the Regulations, including any remedy for any adverse impact on you.
- iii. Uphold the Appeal, and rule that no penalty should be imposed.

The Chair of the Appeal Committee will notify you, in writing of the Committee's decision normally within **7 days**.

### **12. How will I know when the process is complete?**

At the conclusion of the University's internal process, you will normally be issued with a 'Completion of Procedures' letter in the manner prescribed by the Office of the Independent Adjudicator for Higher Education (OIA).

### **13. What is the Office of the Independent Adjudicator (OIA)?**

The OIA operates an independent student complaints scheme. It will only consider cases that have completed the University's internal procedures.

More information on its rules can be found at [www.oiahe.org.uk](http://www.oiahe.org.uk).