

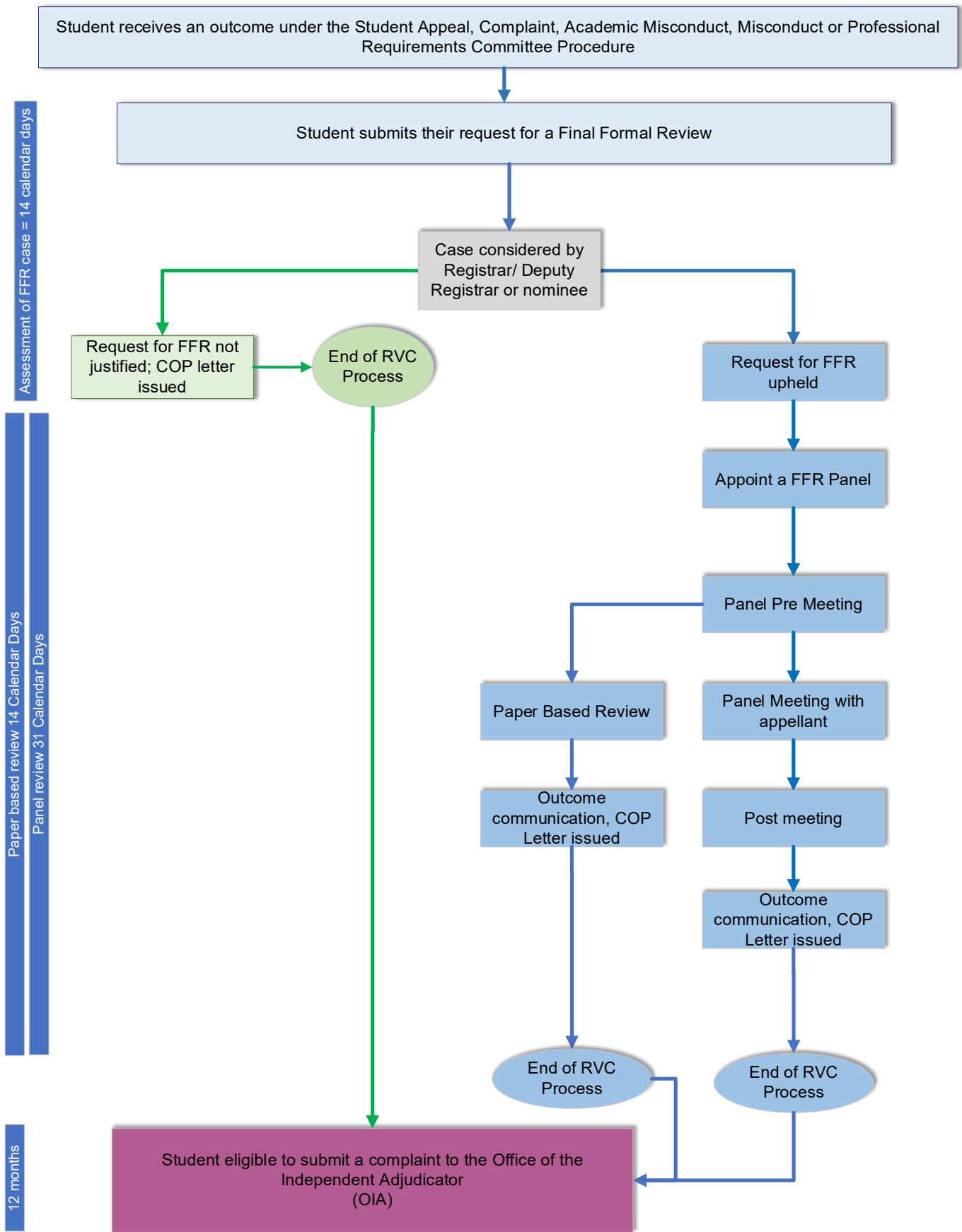
Final Formal Review Procedure

For all RVC students in undergraduate or taught postgraduate programmes

2024/25

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May 2015	Committee Version post Research Degrees Committee	Julie Clark (Academic Registrar)	Not stated	2015	Unknown
January 2017	Revised	Julie Clark (Academic Registrar)	Not stated	Unknown	Unknown
January 2022	Contact information and design format revised	Student Appeals Complaints and Conduct (SACC) Officer	Not required	7 th February 2022	Unknown
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1. Introduction and scope

- 1.1 Following a hearing by the Professional Requirements Committee, Appeals Panel, Misconduct Panel, Academic Misconduct Panel or the outcome of a formal Complaint, an appeal submitted by the student (the 'Appellant') against the formal decision may be allowed, this appeal is known as Final Formal Review (FFR).

2. Allowable grounds

- 2.1 An FFR must be submitted to ffr@rvc.ac.uk within **14 calendar days** of the notification to the Appellant of the outcome of the previous decision. Cases will not be considered after this timeline unless the Appellant can demonstrate exceptional circumstances for the delay within 48 hours of the documented deadline.
- 2.2 Cases must be submitted using the [Final Formal Review Request Form](#), and must identify which ground(s) (see 2.3 below) are to be considered. All appropriate documentation/ evidence must be submitted with the form within 14 calendar days defined in 2.1 above. The RVC will not begin to consider the FFR until all paperwork has been received.
- 2.3 The Registrar, Deputy Registrar, or an appropriate nominee (known as the initial assessor) will make an initial assessment as to whether the case meets one or more of the following allowable grounds:
- 2.3.1 That there is **new evidence** that could not have been, or for good reason was not, made available at the time of the previous decision.
- 2.3.2 That evidence can be produced of significant **procedural errors** made before or during the previous process.
- 2.3.3 That any remedy or outcome proposed by the previous decision is **manifestly unreasonable**.
- 2.4 The Student Resolution and Compliance (SRC) team will coordinate the communication between the Appellant and the assessors under the Final Formal Review Procedures. The SRC Team will acknowledge any Appellant emails within 5 calendar days.

3. Final formal review roles and responsibilities

Named role	Description of responsibility
Appellant	The Final Formal Review requester or person appealing the previous decision or procedural outcome.
Initial Assessor(s)	The person(s) who reviews the Appellant's case and determines whether or not, the submitted documentation meets the eligible grounds.
Student Resolution and Compliance (SRC) Team	The team that manages and administers the Final Formal Review casework and process including providing procedural support and advice for all staff and students.
Review Panel	A group that is responsible for reviewing, considering, and providing an outcome during a qualified Final Formal Review hearing.
Chair	The nominated person who leads and manages the review panel and has the overriding vote on any decisions made. They will be responsible for ensuring any reports and/or outcomes are approved.
Presenter	The person responsible for presenting a case to a review panel is the Investigating Officer or the Decision Maker from the previous process or their nominee.
Supporter	A person supporting the Appellant during any procedural hearing but cannot to participate in any review panel discussions unless invited by the Chair.
Investigating Officer (IO)	The person appointed to investigate the facts of a case and make a recommendation on resolution or sanctions; depending on which procedures are being applied. Where deemed appropriate, a member of the SRC Team can act as an IO.
Secretary	The person(s) responsible for taking a non-verbatim record of discussion at an investigatory meeting or review panel hearing.

4. Process and timescales

Process	Process Timescale	Total days to complete the process
FFR assessor review and outcome from date of submission	14 calendar days	
Paper-based review and outcome	14 calendar days	28 calendar days
Review panel hearing and outcome	31 calendar days	45 calendar days

5. Initial assessment

- 5.1 The initial assessor will review the submission.
- 5.2 Once the case has been fully assessed, the Appellant will be notified of the outcome of the assessment within 14 calendar days. The 14 days start from the date when the SRC Team acknowledge the Appellant's submission in full.
- 5.3 An outcome of the initial review will be one of the following:
 - 5.3.1 The case submitted is invalid, unfounded or does not demonstrate one or more of the allowable grounds (outlined in 2.3 above). Reasons for the decision will be provided within a Completion of Procedures (COP) letter (refer to sections 6.3 & 17).
- Or**
- 5.3.2 The case submitted qualifies on allowable grounds and a review panel will be convened.
- 5.4 If the initial assessor decides that the FFR request is justified, they will appoint:
 - 5.4.1 A FFR Panel (see 13.2).
 - 5.4.2. A member of the SRC team to provide procedural guidance.
 - 5.4.3 An individual to administratively support the review panel.
- 5.5 On review of the documentation the Review Panel Chair will decide if there is to be a review panel hearing or a paper-based review of the case to determine an outcome.
- 5.6 The Final Formal Review process should be completed in line with our process timescales (refer to section 4); any delays will be communicated to the Appellant. This time scale is subject to adjustment as a result of RVC closure days and public holidays.

6. General principles

- 6.1 A Final Formal Review will not usually consider issues afresh or that involve a further investigation. A case requesting a review must have been considered

under the RVC's formal stage before it can be taken to a review stage.

- 6.2 Appellants are not permitted to invite or hire legal representation to represent them under these procedures; the internal procedures use the application of standard of proof in civil law 'balance of probability' and not criminal justice 'beyond a reasonable doubt'.
- 6.3 If the initial assessor does not allow a review, the decision will represent a completion of the RVC's procedures, and the Appellant will receive a Completion of Procedures letter. If they remain dissatisfied, they can contact the [Office of the Independent Adjudicator](#) (OIA) for further review.

7. Out of time

- 7.1 The Final Formal Review (FFR) request must be submitted within the procedural timescale of 14 calendar days from the date of notification to the Appellant of the previous decision outcome letter.
- 7.2 Any FFR request received after the 14 calendar days will be considered out of time. This means that the case submitted will not be considered further and marks the end of having a right to appeal under RVC internal procedures.
- 7.3 Should there be exceptional circumstances for late submission, Appellants should submit the form and provide their reason for an extension and any evidence to support their claims. A decision will be made on whether an extension of procedural timescales can be granted.
- 7.4 We are unlikely to accept reasons for lateness which fall under:
- Not knowing about the FFR process or associated time limits.
 - Being on holiday or having work commitments.
 - Non-reported or non-registered issues around technical or connection difficulties.
 - A reason which cannot be supported by evidence.

8. Support and advice for students

- 8.1 Appellants who are unsure about raising a concern can approach a range of staff and supporters for advice. Examples are (but not restricted to) listed below:

- Tutor¹
- Senior Tutor
- Research and or Workplace Supervisor
- Departmental Postgraduate Research (PGR) Advisor
- [Research Degrees Officer](#)
- [Student Union Representative](#)
- Course Director or Academic Head of the Graduate School
- Year Leader
- [Advice Centre](#)
- [Disability Advisor](#)
- [Equality, Diversity and Inclusion Unit](#)

9. Confidentiality and record keeping

- 9.1 Individuals providing statements for the case will be reminded that there is an expectation of confidentiality and that they should not share the information amongst the RVC or the wider community. Should they need to, Appellants can access well-being and advice and counselling support from the Learning and Wellbeing unit of RVC.
- 9.2 The Academic Board and Council will receive annual reports of anonymised misconduct cases including data on the total number of reported case types, outcomes and identified risk and control measures. The RVC will annually evaluate and audit the FFR cases along with other forms of feedback, to improve the quality and effectiveness of the RVC's governance, compliance, and service delivery standards.
- 9.3 Appellants are advised to keep a copy of all correspondence in case they are dissatisfied with the FFR outcome and wish to use this information as part of their supporting evidence when submitting a complaint to the OIA.
- 9.4 FFR records are administered centrally by the SRC Team within the Academic Registry. Records of FFR cases are retained for 6 years following the last recorded action on the case to enable the RVC to respond to any requests regarding the decision and processes that may be made by the OIA and/or Freedom of Information (FOI) requests.

¹ To find out who your tutor is please email registry@rvc.ac.uk.

- 9.5 To help support the RVC annual evaluation any student who undertakes a Final Formal Review process will be invited to complete a [Student Resolution and Compliance Survey](#).

10. Retention, deletion and archiving

- 10.1 Data relating to misconduct cases is used to:

10.1.1 Monitor and analyse the management of casework within the required timeframe in order to improve and develop RVC service delivery.

10.1.2 Respond to internal audit requirements.

10.1.3 Enable the RVC to respond to any requests regarding the decision and process that may be made by the OIA.

10.1.4 Conduct the periodic evaluation of cases in relation to FOI Requests.

- 10.2 FFR Panel members who obtain copies of records before and during a hearing will be sent an automated reminder to delete and/or shred any papers and/or documented evidence related to the hearing. This will include double deleting any copies saved in download folders. Access will also be removed from appropriate shared drives and folders where case documents are securely stored.

11. Attendance and engagement

- 11.1 Appellants are expected to fully engage with the FFR process. This includes responding to requests for information and attending any hearings scheduled under this procedure.
- 11.2 Failure to engage with the FFR procedure may result in the review not being completed and the termination of proceedings.
- 11.3 Approval of postponing any hearing is only permitted in exceptional circumstances (e.g., medical grounds). If approval is granted, the hearing will be rescheduled at the earliest opportunity.
- 11.4 If an Appellant decides to withdraw from the RVC whilst an FFR case is ongoing, this will usually mean the case is withdrawn from being considered under these procedures.

12. Reasonable adjustments

- 12.1 The RVC encourages Appellants to disclose at the earliest opportunity if they have any disabilities, learning differences or personal circumstances that may require the RVC to make reasonable adjustments to its processes so that the RVC has sufficient time to consider these requests and implement any agreed adjustments.
- 12.2 Agreed adjustments may include providing information in different formats, providing additional breaks during meetings, or conducting meetings via videoconferencing (for example where students are working/carers and unable to travel).

13. Composition of the review panel

- 13.1 The role of the review panel is to consider the case referred by the initial assessor. The appointed review panel will be determined by the Registrar or Deputy Registrar or their nominee.
- 13.2 Composition of the review panel will be:
- The Chair
 - One member with expertise in the area in question (e.g., student support, supervision of research students, research area)
 - The President of the Student Union or their nominee
 - Secretary appointed by the Registrar or Deputy Registrar (if a hearing is necessary)
- 13.3 There may be grounds to appoint additional members to the review panel according to the nature and complexity of the review.
- 13.4 At least one member of the review panel will be experienced with the RVC procedures for one or more of the following: Appeal, Complaint, Academic Misconduct, Misconduct or Professional Requirement.
- 13.5 One or more review panel members may be external to the RVC.
- 13.6 The quorum for the review panel will be no less than three. The Chair shall have a casting vote.

13.7 The SRC Team will ensure the review panel composition will take into account any conflict of interest as a result of previous stages or engagement with the Appellant. The Appellant's name will be declared to the review panel members, and they will have an opportunity to declare a conflict of interest before the sharing of evidence with them. Should any conflicts be identified and reported then the appointed secretary will be obligated to find an alternative review panel member.

14. Final formal pre-meeting

14.1 Review panel members will be required to attend an initial pre-meeting to determine each of the following:

14.1.1 Whether the allowable grounds give reason to doubt on the previous decision or formal stage.

14.1.2 To decide whether the case requires a paper-based review or an in-person hearing.

14.1.3 To identify any areas where further evidence or information is required to proceed to the next stage.

14.2 The FFR may determine that there is no requirement to obtain further evidence or information in which case, they will conclude an outcome to the FFR request within the pre-meeting.

14.3 The review panel will be provided with an [FFR Terms of Reference Staff Guidance](#) document which will outline the scope and structure of the decision-making so that each case review is considered consistently and fairly. The Appellant does not receive a copy.

14.4 The review panel and the Appellant will be provided with identical copies of the case evidence 7 days before the pre-meeting date using an appropriate shared drive or folder.

14.5 The case evidence will consist of:

14.5.1 A copy of the Appellant's Final Formal Review request.

14.5.2 A copy of the previous outcome/decision documentation of which the Appellant is appealing against.

- 14.6 Additional submissions of case evidence by SRC or the Appellant can only be accepted and approved by the Chair. If approved, the Appellant will also receive an identical copy.

15. Criteria for deciding the format of the review

- 15.1 The review panel can decide whether the case requires a hearing with the Appellant's attendance or a paper-based review without the Appellant's attendance.
- 15.2 In order to determine whether to facilitate a paper-based review, the Chair should decide if the case meets one or more of the following:
- 15.2.1 The case has substantiated documentation and leaves no further gaps of enquiry so is reasonable to reach a conclusion based on the information provided without the appellants' attendance.
 - 15.2.2 Presence at a review panel is likely to cause an adverse impact on the Appellant's mental well-being, studies, or personal circumstances.
 - 15.2.3 Consideration of the length of procedural timescales thus far, specifically whether a paper-based review could minimise or avoid any further stress or inconvenience to the Appellant.
- 15.3 The Chair may decide a hearing is more appropriate if the case meets one or more of the below criteria:
- 15.3.1 The case highlights gaps of detail or information and requires further lines of questioning by the review panel to the appellant within an in-person or remote setting.
 - 15.3.2 There is an identified reasonable adjustment to hold the hearing in person or remotely.
- 15.4 Should the review panel opt to proceed with a hearing, the Review Panel and the Appellant will be provided with 7 calendar days notice of the hearing date, time and venue. The Appellant will be informed why a hearing is appropriate.
- 15.5 Should the review panel opt to proceed with a paper-based review they will provide the formal Completion of Procedures Letter within 7 calendar days along with the reason(s) why the paper-based review was appropriate under the criteria aforementioned in section 15.2.

15.6 The review panel reserves the right at any point to revert their decision to an in-person should the paper review result in further questions for the Appellant.

16. Review panel hearing

- 16.1 The SRC Team will formally invite the Appellant who is bringing the case to the hearing giving 7 calendar days' notice of the case being heard by the review panel.
- 16.2 The formal invitation letter will outline the necessary information to attend, such as date, time and location of the hearing, details regarding the eligibility of reasonable adjustments and having a supporter present.
- 16.8 The Appellant has to be present for the meeting with the review panel. By consideration of the Chair, it may be possible to agree this to be an online presence. If the Appellant is not prepared to be present this will be grounds to dismiss the FFR appeal (please see section 11).
- 16.9 The Appellant may have a supporter present which can be a friend, a family member and/or a member of the RVC community. The supporter must not be a legal representative. The name of the supporter must be declared to the SRC Team at least 5 calendar days before the hearing. The role of the supporter is to support the student but will not be allowed to participate in the hearing unless invited to do so by the Chair.
- 16.10 The meetings will be recorded by the secretary.
- 16.11 The review panel Chair will be able to question the Appellant. The Appellant will have an opportunity to ask questions when invited to do so by the Chair.
- 16.12 The review panel may request an adjournment of the meeting if concerns are raised regarding any of the individuals called to the meeting. For instance, if at any stage it is judged that the Appellant is too unwell to continue with the process then the proceedings may be suspended until the Appellant is recovered.
- 16.13 The decision of the review panel will be made in private. The votes of individual Group members will be treated as confidential.

17. Review panel outcomes

- 17.1 The review panel will be required to decide as to whether the case is justified, not justified or partially justified. The review panel will then review the previous decision and decide the outcome which may include, but not be limited to, one of the following:
- 17.1.2 that the previous decision stands despite any additional evidence.
 - 17.1.3 that the previous decision is set aside and that they redetermine the outcome.
 - 17.1.4 that the previous decision, conditions, or remedy be modified or reversed as specified by the review panel.
 - 17.1.5 In this circumstance, the review panel should direct whether or not the record of events should be removed from the Appellant's record; or that an examination board decision is being overruled. The review panel resolves/ remedies the previous decision in an equitable manner e.g., this might include going back a step in the process and reviewing at that point.
- 17.2 The Chair or their nominee (see 18.2 below) will communicate the decision together with any reasoning to the Appellant in writing, and to the Chair of the prior stage.
- 17.3 Should the decision made require a Suspension of Regulations (SoR), the Chair should submit a request using the appropriate mechanism.

18. Communication of the outcome

- 18.1 Written communication before and after the review panel hearing will be through the Appellant's RVC email address. If they are not registered on a programme, Appellants can expect to continue to have access to their RVC email accounts for the duration of the procedure.
- 18.2 The decision will be communicated by the Chair or the Secretary to the Appellant within two working days of the hearing.
- 18.3 The Appellant will receive the decision in writing no more than 7 calendar days after the hearing.
- 18.4 All communication related to paper-based outcomes will follow the same communication principles.

19. Completion of procedures

- 19.1 If the RVC determines that an FFR is not justified or that a case is not permitted to proceed under the FFR Process, the RVC will provide a Completion of Procedures (COP) letter within 7 calendar days. This letter will include an explanation of the decision reached.
- 19.2 A COP letter is required should the Appellant wish to advance a complaint with the Office of the Independent Adjudicator (OIA) for Higher Education. The RVC will normally only issue a COP letter once the disciplinary procedure has concluded and a final decision has been provided to the Appellant.

20. The Office of the Independent Adjudicator for Higher Education

- 20.1 Appellants who are dissatisfied with the outcome of an FFR can apply to the OIA for an independent review. Requests for OIA review must be made no later than 12 months after the FFR outcome date.
- 20.2 The OIA will only review the aspects of the complaint that led to the final decision stated in the COP letter. If an Appellant introduces elements which are completely unrelated to the final decision issued in the COP letter the request will be disregarded by the OIA.
- 20.3 Further guidance on submitting a complaint to the OIA and the OIA Complaint Form can also be found on the OIA's website:
<https://www.oiahe.org.uk/students/can-you-complain-to-us/>.