

Final Formal Review Procedure

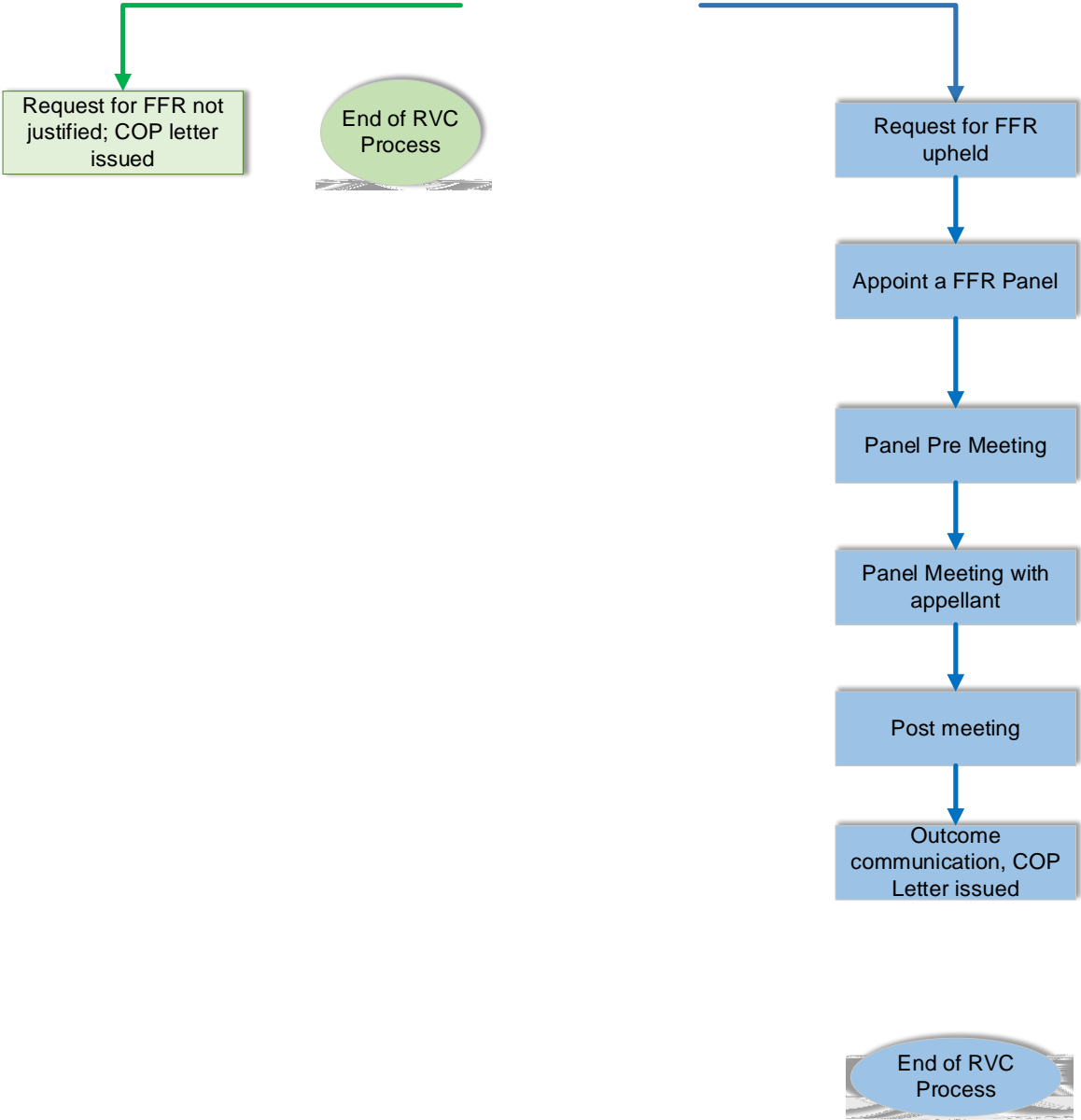
For all RVC students in undergraduate or taught postgraduate programmes

2024/25

Version Update and

Version	Update and		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
July 2023	Review of the procedures	Registrar, Deputy Registrar, AR for Student Resolution and Compliance	3 rd July 2024	1 st August 2024	1 st August 2027

Student submits their request for a Final Formal Review



Paper based review 14 Calendar Days

12 months

Student eligible to submit a complaint to the Office of the Independent Adjudicator (OIA)

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 ‘

3. Final formal review roles and responsibilities

Named role	Description of responsibility
Appellant	The Final Formal Review requester or person appealing the

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 j

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,

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 17 Td [(of823 T1eu4 >>BDC /TT2 1 T w)2.6 (i)2.6 ngt

- 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 p

- 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

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/>.