# University Code of Practice

# Academic Regulations Research Degrees

| | |
|---|---|
| **Document reference:** | QH:D1 |
| **Date first approved**: | May 2019 |
| **Date coming into force:** | September 2019 |
| **Date last reviewed:** | September 2023 |
| **Approved By**: | Academic Board |
| **Responsibilities**: | Director of Academic Programmes and Research Registrar<br>Research and Research Degrees Committee<br>Supervisors – Internal and External Examiners<br>Academic Quality and Learning Manager<br>Vice-Chancellor |
| **Application to collaborative provision:** | **Mandatory** |
| **Contacts**: | Academic Quality and Learning Manager |
| **Applications for exemptions to**: | Research and Research Degrees Committee |
| **Report Exemptions to**: | Academic Board |

**Summary/ Description**:

This document sets out the University's arrangements for the management and award of research degrees: the MPhil/PhD by research; and the PhD by publication. It brings together in ten chapters all aspects of research degree provision, being those matters which are specific to research degrees

- Chapter I: Qualifications and academic standards
- Chapter II: Recruitment, selection and admission
- Chapter III: Feedback, complaints and appeals by applicants
- Chapter IV: Supervision
- Chapter V: Progress and review
- Chapter VI: Submission of the thesis
- Chapter VII: Research Misconduct
- Chapter VIII: Examination of the thesis
- Chapter IX: Award and conferment
- Chapter X: Student engagement, complaints and academic appeals

Reference should also be made to Sections E (Information, Advice, Guidance and Support), Section F (Students as Partners) and Section G (Complaints by Students) which apply to research candidates as well as students on taught programmes.

For clarity the Regulations refer to research degree students as 'candidates'.

**Further guidance**

See the Introduction to the Quality Handbook (QH:A1) for further guidance and explanations of:

- how the Handbook is designed to work and what it covers and does not cover
- how it is structured
- the 'external reference points' and established practice which have informed each of the Codes
- key concepts and themes
- some suggestions for further reading
- a quick guide to each Code, including definitions and things to watch out for.

This university Code has been written in accordance with the approach approved by the University to enhance clarity involving the following terminology: must = mandatory should = advisable may = desirable. Where these terms are used they are emphasised in bold.

# TABLE OF CONTENTS

INTRODUCTION ..... 6
Authority ..... 6
Scope of the Regulations ..... 6
Terminology ..... 6
Application to collaborative provision ..... 6
Preamble ..... 6
CHAPTER I: QUALIFICATIONS AND ACADEMIC STANDARDS ..... 7
Consistency and Comparability of Academic Standards ..... 7
Qualifications ..... 7
Fields of study ..... 7
Criteria ..... 7
Reasonable adjustments ..... 8
Research Integrity ..... 9
Periods of registration ..... 9
Research environment ..... 12
Research and Research Degrees Committee ..... 12
CHAPTER II: RECRUITMENT,SELECTION AND ADMISSION ..... 13
Fair admission ..... 13
Who decides? ..... 14
Application and other fees ..... 14
General Entry Requirements for Research Degrees ..... 15
Specific entry requirements: MPhil/PhD by research ..... 18
Specific entry requirements: PhD by Publication ..... 18
Additional entry requirements ..... 19
How to apply ..... 20
Selection ..... 20
Outcome of the application ..... 24
Accepting an offer ..... 26
Confirmation ..... 26
Registration as a University of Gibraltar Student ..... 27
Induction ..... 27
Feedback to unsuccessful applicants ..... 28
Applicant's right of appeal ..... 28
CHAPTER III: FEEDBACK AND COMPLAINTS BY APPLICANTS ..... 30
Feedback ..... 30
Complaints by applicants ..... 30
Informal resolution ..... 31
Formal complaint ..... 31
CHAPTER IV: SUPERVISION ..... 33
Appointment of Supervisors ..... 33
Responsibilities of the Supervisory Team ..... 34
Changes in supervisory arrangements ..... 36

CHAPTER V: PROGRESS AND REVIEW ..... 38
Approval of the Formal Research Proposal ..... 38
The Research Training Programme ..... 41
Annual progress review ..... 41
Confirmation of Candidature ..... 42
Confirmation of Candidature – PhD candidates ..... 43
Confirmation of Candidature – Application to transfer to PhD ..... 46
Application to transfer from PhD to MPhil ..... 47
Writing-up ..... 48
CHAPTER VI: SUBMISSION OF THE THESIS OR DISSERTATION ..... 50
Requirements for submission ..... 50
Agreement of the Primary Supervisor ..... 50
Notice of intention to submit ..... 50
Deadlines for submission ..... 50
Format of the thesis ..... 51
Thesis binding ..... 53
Dissemination of Research Findings ..... 54
CHAPTER VII: RESEARCH MISCONDUCT ..... 55
Principles ..... 55
Use of Turnitin ..... 56
Definition of research misconduct ..... 56
Investigation and determination of allegations ..... 57
Research Misconduct Panels ..... 58
Penalties ..... 61
Fresh evidence ..... 61
Retrospective investigation ..... 61
Research misconduct appeals ..... 62
Monitoring and review ..... 62
CHAPTER VIII: EXAMINATION OF THE THESIS OR DISSERTATION ..... 64
Method of examination ..... 64
Appointment of the examiners ..... 64
The Chair of the viva voce ..... 66
Examination criteria ..... 67
The Examination Process ..... 67
Examination outcomes ..... 69
Resubmission and Re-Examination ..... 71
Academic appeals ..... 72

CHAPTER IX: AWARD AND CONFERMENT ..... 73
Official Transcripts ..... 73
Award ..... 73
Conferment ..... 73
Candidates in debt ..... 73
Revoking a qualification ..... 73
Aegrotat awards ..... 73
Posthumous Awards ..... 74
CHAPTER X: STUDENT ENGAGEMENT, COMPLAINTS AND ACADEMIC APPEALS ..... 76
Student engagement: Students as Partners ..... 76
Feedback from Candidates ..... 76
Complaints by candidates ..... 76
Academic Appeals ..... 77

# INTRODUCTION

## Authority

1 The Research and Research Degrees Committee is the final arbiter of the application and interpretation of these Regulations.

2 The Academic Board is the final arbiter of whether a programme is classified as taught (and therefore subject to Section C of the Quality Handbook) or research (and therefore subject to Section D).

## Scope of the Regulations

3 These Regulations apply to all provision classified by the University as research and leading to the award of research degrees by the University. It forms part of the contract between the University and each research degree candidate. Adherence to the rules set out in these Regulations is mandatory except where discretion is explicitly provided for.

## Terminology

4 The term 'research degrees' in these Regulations refers to both the MPhil and the PhD, unless the text makes clear that this it is referring to only one of these degrees.

5 These Regulations provide for the examination of a thesis for the PhD, and for the examination of a dissertation for the MPhil. Unless specified in the text, reference to 'thesis' includes reference to 'dissertation.'

## Application to collaborative provision

6 Unless specified by the Academic Board, these Regulations apply to all provision referred to in paragraph 3 whether that provision is delivered by the University or another approved provider through a formal legal agreement.

## Preamble

7 Exceptionally, the requirements of these Regulations may be varied with the approval of Academic Board following a recommendation by Research and Research Degrees Committee only for the purpose of meeting the clear and explicit expectations of a professional, statutory or regulatory body and where there are no other means for meeting those expectations,

8 Any reference to a period of 'days' in these Regulations means University working days unless another definition is expressly stated.

# CHAPTER I: QUALIFICATIONS AND ACADEMIC STANDARDS

## Consistency and Comparability of Academic Standards

9 These Regulations are the definitive statement of the academic regulatory framework leading to the award of research degrees of the University. These Regulations are the principal means by which consistency of academic standards is achieved across the research degrees of the University.

10 The University will ensure that its research degrees are comparable in standard with those conferred by institutions implementing the Framework for Higher Education Qualifications in England, Wales and Northern Ireland and with those in the European Higher Education Area. This is achieved in particular by the appointment of external experts with relevant knowledge to its Research and Research Degrees Committee (RRDC) and Academic Board, and by the appointment of independent external examiners to conduct the examination of research degree theses and dissertations.

11 All those appointed to supervise candidates and/or examine thesis submissions will receive an induction and a Research Supervisor's pack containing all required documentation.

## Qualifications

12 The University awards the following research degrees:

(a) Doctor of Philosophy (PhD)
(b) Master of Philosophy (MPhil).

13 Candidates may register for a degree by research or by publication.

## Fields of study

14 Programmes of research may be proposed in any field of study in which the University has expertise, subject to the requirement that the proposed programme is capable of leading to scholarly research and to its presentation for assessment by appropriate examiners.

15 In approving programmes of research, the University prioritises proposals that are aligned to its strategic objectives and have a Gibraltar component.

## Criteria

16 Proposals for PhD by Publication will have to evidence, prior to registration in the programme, the scholarly research that has informed selected publications and/or performances and/or other products.

17 All proposed research programmes will be considered for research degree approval on their academic merits and without reference to the concerns or interests of any associated funding body.

18 A doctoral degree will be awarded to a candidate who has:

(a) critically investigated and evaluated an approved topic resulting in an independent and original contribution to knowledge
(b) demonstrated an understanding of research methods appropriate to the chosen subject area and
(c) presented and defended a thesis by oral examination to the satisfaction of the examiners.

19 An MPhil degree will be awarded to a candidate who has:

(a) critically investigated and evaluated an approved topic
(b) demonstrated an understanding of research methods appropriate to the chosen subject area, and
(c) presented and defended a dissertation by oral examination to the satisfaction of the examiners.

### Qualification Descriptors

20 University of Gibraltar Research Degrees are awarded to candidates who have demonstrated the outcomes as specified in these Academic Regulations. The Academic Regulations: Research Degrees have been designed with reference to the Frameworks for Higher Education Qualifications of UK Degree-Awarding Bodies (published by QAA) and other relevant external benchmarks.

21 QAA Descriptors for Master's and Doctoral Degrees and the Doctoral Degree Characteristics within the *Notes of Guidance for Examiners of Postgraduate Research Degrees,* are among the key reference documents provided to Examiners. Examiners are required to confirm in their final report that candidates have demonstrated the characteristics set out in the QAA Qualification Descriptors.

### Valuing Diversity and Promoting Equality

22 All applications for research degrees will be considered on their academic merit irrespective of any particular characteristics pertaining to the applicant. The University of Gibraltar aims to provide a supportive environment in which to work and study where members are expected to treat each other with dignity, courtesy and respect.

## Reasonable adjustments

23 The University has in place transparent procedures to ensure that no individual student is disadvantaged by the nature of the assessment task or the marking system used. Reasonable adjustments or alternative assessment arrangements will be made for students on an individual basis provided this does not compromise the validity of the assessment outcomes.

24 Applications for reasonable adjustments and/or alternative assessment arrangements **must** be made and addressed in accordance with the procedures set out in the Code on Assessment Procedures (QH:E4). The University will work with each candidate who needs support to develop a Statement of Reasonable Adjustments (SORA) and to ensure that the Statement is implemented effectively.

## Research Integrity

25 The University supports compliance with the UK Concordat to Support Research Integrity (http://www.universitiesuk.ac.uk/policy-and-analysis/reports/Documents/2012/the-concordat-to-support-research-integrity.pdf) and so endeavours to:

(a) maintain the highest standards of rigour and integrity in all aspects of research
(b) confirm that research is conducted according to appropriate ethical, legal and professional frameworks, obligations and standards
(c) support a research environment that is underpinned by a culture of integrity and based on good governance, best practice and support for the development of researchers
(d) use transparent, robust and fair processes to deal with allegations of research misconduct should they arise
(e) work together to strengthen the integrity of research and to reviewing progress regularly and openly.

26 The University aims to ensure that the principles of the Concordat are effectively embedded, evaluated and strengthened in all its research activity, including in the pursuit of the research degrees covered by these Regulations.

## Periods of registration

### Modes of study

**MPhil and PhD by research**

27 A candidate may register on a full-time or a part-time basis.

28 A full-time candidate should anticipate devoting 35 hours a week to their research; a part-time candidate should anticipate devoting, on average, at least 15 hours a week to their research.

29 Where a candidate is permitted to change from full-time to part-time study or vice versa, the minimum and maximum registration periods will be calculated as if the candidate were a part-time candidate. Approval of a change of mode is subject to the approval of the Director of Academic Programmes and Research.

30 Once a candidate has entered the Writing-Up stage of the programme the mode of study will remain unchanged.

**PhD by publication**

31 Those registered for PhD by Publication should expect to spend at least 15 hours a week in the development of the critical appraisal and synthesis of their work.

## Maximum periods of registration

32 Research degrees are subject to minimum and maximum periods of registration calculated from the initial date of registration. The thesis must be submitted for examination no later than the date specified in the maximum column (unless an extension has been granted under para. 280):

| | Minimum | Maximum |
|---|---|---|
| **PhD by research** | | |
| Full-time | 36 months | 60 months |
| Part-time | 48 months | 96 months |
| **PhD by publication** | 12 months | 24 months |
| **MPhil by research** | | |
| Full-time | 12 months | 48 months |
| Part-time | 18 months | 72 months |

33 The 'maximum period of registration' set out above sets out the maximum which cannot be exceeded including taking into account:

(a) any interruption of study (permitted under para. 35)
(b) any period required by the candidate to 'write-up' the thesis (under para. 268).

## Reduction in periods of registration

34 Where the supervisory team consider that the research is proceeding exceptionally well, the candidate may apply to the Research and Research Degrees Committee for a reduced period of registration provided that the thesis **must** not be submitted before the candidate has been granted Confirmation of Candidature (under para. 229 onwards).

## Interruption of studies

35 A candidate may apply for an interruption of studies where they are prevented by ill-health or other valid cause from making progress with their research. The request **must** be made on the approved form and be supported by relevant evidence and the endorsement of the Primary Supervisor. A request involving illness for a period of more than four weeks must be supported by a medical certificate. Applications from international students **must** take into account the implications for the student of their current and future immigration status and any requirements to notify the immigration authorities of a change in status.

36 Applications will be determined by the Director of Academic Programmes and Research for periods up to six months. Periods beyond six months are subject to the approval of the Research and Research Degrees Committee. Approval will only be granted for periods longer than 18 months in very exceptional circumstances. In all cases the grant of an application is subject to the maximum period of registration (set out in para. 32) not being exceeded.

37 A candidate is not permitted access to University facilities and services, including supervision, during the period of interruption.

### Suspension on grounds of risk

38 A candidate on a research degree, wherever located, who is judged on substantial evidence to be unfit to study by reason of posing a risk to themselves or others may be required to suspend those studies with immediate effect, even in the absence of the candidate's consent. A decision to suspend will be taken by the Vice-Chancellor following consultation with the Director of Academic Programmes and Research, Registrar and Student Experience Office as appropriate.

39 A candidate who is suspended in accordance with this provision will not be regarded as a candidate of the University during the period of suspension and will not be entitled to use University facilities and services or be present on the University campuses.

40 The Research and Research Degrees Committee will determine the consequences for the candidate's progression, including when they will be allowed to resume their studies, subject to the receipt of valid medical evidence confirming their fitness to resume.

41 A candidate has the right to appeal on procedural grounds against the decision to suspend them by lodging a formal appeal in accordance with the academic appeals procedures set out in Chapter VIII below.

### Withdrawal

42 A candidate who wishes to withdraw their registration may do so by giving notice in writing to the Director of Academic Programmes and Research. As the Research and Research Degrees Committee is responsible for monitoring candidate's progress it is expected that withdrawal will be a managed process and only exceptionally an unforeseen, unexpected event. The candidate must be advised of the possibilities of, and requirements for, future reinstatement.

43 Candidates who have voluntarily withdrawn from candidature at the University may apply for re-admission provided that they:

(a) are able to provide clear evidence of a change in personal circumstances since the date of withdrawal
(b) are able to demonstrate a positive commitment to resume study at research degree level
(c) are able to demonstrate an enhanced knowledge-base and/or relevant experience e.g. based on employment in the period since the date of withdrawal
(d) have been formally interviewed by at least two members of academic staff whose decision to re-admit the candidate is unanimous.

44 Where the field, laboratory, survey, studio or similar work for the study has not begun and/or been completed, a new Formal Research Approval **must** be submitted to formally agree the continuation of the research.

## Research environment

45 The Research Environment at the University of Gibraltar is one that fosters excellence and quality in research training as well as providing a framework to successfully support and develop research students with the necessary skills and capabilities required for a successful academic or non-academic career. All staff at the University have the responsibility to ensure that a climate is created which allows research to be conducted in accordance with good research practice, as well as promote best practice in research and to ensure the maintenance of high ethical standards in the conduct of any research. Moreover, it is the responsibility of Heads of Schools, Heads of Research Centres and Principal Investigators leading a team to ensure a research environment of mutual cooperation is in place, in which all researchers are encouraged to develop their skills and in which the open discussion of ideas is fostered. They must also ensure that appropriate supervision and training is provided for researchers for whom they have responsibility.

## Research and Research Degrees Committee

46 The Research and Research Degrees Committee (RRDC) is responsible, on behalf of Academic Board, for the development and implementation of the University's Research and Scholarship Strategy. This includes the development of research degree programmes at the University and for developing, monitoring and reviewing the University quality assurance and enhancement policies and procedures for monitoring and reviewing the quality of the student experience.

# CHAPTER II: RECRUITMENT, SELECTION AND ADMISSION

47 This Chapter covers the following range of activities:

(a) those activities targeted at individuals who are actively considering applying to the University to study a research degree - termed 'prospective students' - and which are designed to help them make informed decisions about whether they wish to apply and, if so, for which degree
(b) the process of making an application
(c) the process through which applications are considered, and the University's communication with successful and unsuccessful applicants
(d) the information and guidance provided to applicants from the point at which they accept an offer to the point at which they formally enrol at the University and commence their programme.

48 This Chapter also includes the provision of feedback to unsuccessful applicants, procedures for requesting a review, and for making complaints by applicants in respect of the admission process.

49 Arrangements applying to candidates following enrolment are set out in the rest of these Regulations.

50 The procedures in this Chapter do not apply to candidates wishing to upgrade from MPhil to PhD or to transfer from full-time to -part-time or vice versa (see paras. 255-259).

## Fair admission

### The Principles of Fair Admission

51 The University is committed to the highest standards of fairness and integrity in conducting all activities relating to Recruitment, Selection and Admission. Specifically this commitment involves abiding by the 'Principles of Fair Admission' set out in the report known as the Schwartz Report - *Fair Admissions to Higher Education: Recommendations for Good Practice* (2004) – and fully endorsed in the UK Quality Code (2014) chapter B2. These principles, which are now known as the Schwartz principles state that a fair admissions system should:

(a) be transparent
(b) enable higher education providers to select students who are able to complete the programme as judged by their achievements and their potential
(c) strive to use assessment methods that are reliable and valid
(d) seek to minimise barriers for prospective students
(e) be professional in every respect and underpinned by appropriate organisational structures and processes.

### Equal opportunities

52 The University's commitment set out above, includes a commitment to promoting and ensuring equal opportunity. In respect of Recruitment, Selection and Admission, this means that the University will make every effort to ensure that there is neither direct, indirect discrimination, harassment or victimisation against enquirers or applicants relating to the following characteristics: age, disability, gender reassignment, pregnancy and maternity, race (ethnic or national origin, colour or nationality), religion or belief (including non-belief), sex, and sexual orientation. In determining the selection of applicants, and in advising potential applicants, the only consideration **must** be whether the individual meets, or is likely to meet, the general entry requirements and the requirements for admission to the research degree.

### Reasonable adjustments

53 Enquirers and applicants requiring assistance in obtaining information to help them make an informed decision about applying for a programme, and requiring assistance in making an application (including – where applicable – visiting the University, attending for interview) are encouraged to contact the University at ResearchOffice@unigib.edu.gi indicating their needs.

## Who decides?

54 Responsibility for the Recruitment, Selection and Admission process for Research Degrees rests with the Research and Research Degrees Committee which reports to the Academic Board.

55 Decisions about the selection of research students are made by the Research and Research Degrees Committee on the recommendation of two academic reviewers who may be associate members of the University, members of Academic Board and its subcommittees, independent academics, and/or members of University staff. (See further para. 95 onwards)

56 A member of academic staff **must** not be involved in the selection process until they have received appropriate training and guidance regarding the selection and admission of research students and the University's procedures.

57 The RRDC is responsible for ensuring that an applicant meets the University's specific requirements for the research degree and meets the general entry requirements including that any specific issues have been addressed which would mean either that the applicant should not be offered a place, or that specific arrangements need to be put in place to safeguard the interests of the applicant and/or others.

## Application and other fees

58 Where the University charges a fee for making an application that fee will be published on the University website and in any information relating to applying for the research degree.

59 Tuition fees for each degree are subject to approval by the Board of Governors. Information relating to each degree will make explicit to potential applicants the tuition fees, and any additional fees or costs involved in undertaking the degree (such as bench fees, fees for placements, field trips, or equipment which students are required to purchase before or during the degree). See further Student Contract – Terms and Conditions (QH:E2).

## General Entry Requirements for Research Degrees

60 To be admitted to a programme leading to the award of a research degree an applicant must satisfy:

(a) the University's requirements for admission to the University and
(b) such entry requirements as are specified for the particular research degree.

### Re-admission of former students

61 Where an applicant has previously undertaken research as a registered candidate for a research degree at the University, the RRDC may approve a shorter than usual registration period which takes account of all or part of the time already spent by the candidate on such research.

62 Candidates whose research degree has been terminated by the University in accordance with these Regulations will not be permitted to reapply for the same or a closely related research degree (including one at a lower level).

63 Former students whose programme was terminated as a result of a proven offence of academic misconduct under the Code on Academic Misconduct (QH:C7) or research misconduct under Chapter VII of these Regulations will not be admitted to another research degree of the University other than in very exceptional circumstances as determined by the Vice-Chancellor following consultation with the Director of Academic Programmes and Research.

### Transfers from other universities

64 An applicant who wishes to transfer their registration from another university **must** provide:

(a) a letter of agreement from the institution where the candidate is currently registered
(b) a copy of the candidate's original research proposal to the other institution
(c) a progress report from the candidate's Primary Supervisor
(d) the date of original registration and registration period required to completion
(e) the title of the research project and names and contact details of supervisors
(f) an indication of the level of resources required to support the research project.

### Concurrent Study

65 A candidate will not be permitted to register concurrently for two research degrees at the University, or to submit the same piece of work for assessment for more than one research degree. However, in certain circumstances, related to their development needs, a research candidate may be permitted to register for a research degree and in addition, register concurrently for a taught pathway.

66 The RRDC may permit a candidate to register for another course of study concurrently with the research degree registration, provided that either the research degree registration and/or

the other course of study is by part-time study and that, in the opinion of the RRDC, the dual registration will not detract from the research.

## English language proficiency

67 Where English is not an applicant's first language, an applicant must demonstrate evidence of English language ability to the following (or equivalent) minimum level of proficiency:

(a) an IELTS score of 6.5 or a TOEFL score of 600
(b) at least IELTS 5.5 across all four disciplines – writing, reading, speaking and listening.

68 These minimum requirements may be supplemented by additional requirements as determined by the RRDC; for example, the offer of a place for a research degree may be subject to attendance and satisfactory completion of an English language course provided by the University of Gibraltar's Language Centre.

## Submission of the Thesis in a Language other than English

69 Applicants who wish to submit the final thesis in a language other than English **must** seek permission to do this at the point of application. The RRDC will consider such requests where the content of the study and thesis are concerned, for example, with matters of linguistics, language and identity.

## Disabilities

70 The University welcomes applications from those with a disability and will work with enquirers and applicants to help them make an informed decision about whether the University is the right place to study, and which programme is suitable for them. Applicants are encouraged to declare any disability or ongoing medical condition, including mental health condition, so that their support needs can be discussed with them and to ensure their needs can be met. Applicants are encouraged to visit the University to help them identify their needs in the context of the campus and its facilities (especially those students whose mobility is impaired).

71 Where a decision may need to take into account any overriding health and safety concerns, and/or barriers relating to professional training requirements associated with the outcomes of the academic programme this will also be taken with full discussion with the applicant and any possible alternatives considered.

72 Where a prospective student with a disability applies and is offered a place, University staff will work with the student to develop a Statement of Reasonable Adjustments setting out the arrangements that will be made to support their studies in the context of each form of learning, teaching and assessment that they will encounter.

## Pregnancy and maternity

73 Where an applicant informs the University that they are pregnant or in maternity, the University will work with them to discuss their needs, including the timing of maternity leave.

## Criminal convictions

74 The University has a duty of care to the whole University population and therefore anyone who applies for admission to a University programme is required to declare whether they have any criminal convictions. A criminal record does not necessarily prevent a student from studying at the University. In addition applicants are advised to make their own checks as to whether a previous conviction (whether or not deemed to be spent) may have an effect on future study or professional career progression, for example, the ability to undertake a period of study overseas or to join a professional body.

75 The University treats the information given in a respectful and confidential way and undertakes a risk assessment, separate from the academic decision within the admissions process, of what the implications may be of admitting the applicant to a programme of study and the University community. The University may request further information where it deems this necessary to enable a proper decision to be made. These procedures are designed to ensure that any application from an applicant who has a criminal record is fairly assessed, taking into account the interests of the individual concerned, the wider university community, legislative requirements and (where appropriate) the particular requirements of relevant professional bodies

76 In the majority of cases applicants declaring previous convictions will be allowed to proceed to consideration for a place. In some cases, for example, if the offence(s) are against the person, and/or of a certain nature, the risk assessment may also need to include whether it would be in the applicant's interests to be admitted into the University community. As a result of some risk assessments, permission for the application to proceed to consideration for a place may be refused, or may carry conditions. Where the programme involves professional recognition or a right to practise a profession the University will consult with the relevant body and abide by any conditions which it may set either generally or in respect of an individual case.

77 Applicants will be advised when it is necessary to involve a third party. Applicants will be given the option not to have their information shared with a third party that the University regards as relevant in the risk assessment process, but if the applicant does not agree to sharing of the information their application may not be able to be progressed any further.

78 There are other circumstances post-entry that may also require an applicant/student to undergo risk assessment, such as participating in certain extra-curricular activities that involve working with children and/or vulnerable adults.

79 Where the Registrar determines, after taking such advice as considered appropriate, that an application will not be progressed, the applicant will be informed in writing of the decision and the reasons for it, and will be informed of the right to present their case to a panel appointed by the Vice-Chancellor to consider such further evidence that the applicant wishes to present. The decision of the panel will be final. Any decision by the Registrar or the panel to allow the application to be considered may include conditions.

80 The academic merits of the application will only be considered where the Registrar or the panel have confirmed that the application may progress.

## Specific entry requirements: MPhil/PhD by research

81 Applicants seeking admission to study for the award of Doctor of Philosophy (PhD) should hold either:

(a) a Master's degree awarded by a UK University, or an overseas Master's degree of equivalent standard, provided that the Master's degree is in an appropriate cognate area and that the Master's degree included training in research and the completion of a research project or
(b) a good honours degree (or equivalent) in an appropriate discipline, and ideally have research and/or professional experience at postgraduate level as evidenced in published work, written reports or other appropriate evidence of accomplishment

82 In exceptional circumstances the University may admit a candidate without an undergraduate degree where there is evidence of significant professional/scientific experience and published work/written reports or other appropriate evidence of accomplishment.

83 An applicant may apply for entry to the MPhil or the PhD and may be advised by the Director of Academic Programmes and Research to apply for the MPhil. A candidate admitted to the MPhil may subsequently apply for upgrade to the PhD in accordance with these regulations.

84 All applicants **must** provide, as part of their application, a curriculum vitae which identifies relevant qualifications, experience and/or training, evidence that they are able to adequately fund the whole of their research degree programme, two written academic references and the outline of a research proposal which should:

(a) have a sound and original research rationale, if possible grounded in already demonstrated strengths and expertise
(b) identify 3-5 research questions that guide the research study
(c) align with at least one of the University of Gibraltar's research themes,
(d) be focused enough to clearly identify the overall objectives, questions and potential methodologies of the research to be undertaken, but sufficiently open to allow supervisors to assist with shaping the direction of the research
(e) evidence the viability of the proposed research (e.g. in terms of time, financial cost, access to research sites/participants/documents)
(f) include a short bibliography that supports the proposal
(g) be no longer than 10 pages.

## Specific entry requirements: PhD by Publication

85 Applicants for the PhD by publication **must** provide a biographical summary which identifies relevant qualifications, experience and/or training, and a full list of publications and/or public works; evidence that they are able to adequately fund their completion of the doctoral award; together with:

(a) a list of the publications or public works on which the application is based (which should not exceed 10 years since publication). In certain specific cases, works exceeding 10 years since publication may be considered, provided evidence of continued relevance is presented
(b) a statement identifying where, when and over what period the research contributing to the published works was undertaken
(c) a declaration by the applicant indicating that the work received ethical approval, where required, at the time the work was undertaken
(d) a statement indicating the extent of the contribution by other collaborating researchers (e.g.: in the design, analysis, conduct of the research and written publications)
(e) a proposed title for the work
(f) a summary of no more than 2000 words that contextualises the selected publications, demonstrates their coherence and identifies how the work contributes to the advancement of knowledge in the chosen field of study.

## Additional entry requirements

### Joint PhD Award

86 In exceptional circumstances, the University may approve admission to a PhD in the form of a Joint Award in partnership with another body which has the power to award research degrees and the expertise and resources to supervise, support and assess the proposed area of research. Such arrangements **must** be subject to a formal legal arrangement agreed by the two universities before the candidate can commence their research.

87 Applicants wishing to study a joint award must satisfy the admission criteria of the University of Gibraltar and the other University, and there must be a clear rationale for the provision and undertaking of a joint award.

### Students Working as Part of a Research Group

88 An applicant whose work forms part of a larger group project may register for a research degree. In such cases each individually approved project **must** in itself be distinguishable for the purposes of assessment and be appropriate for the award being sought. The application **must** indicate clearly the individual's specific contribution and its relationship to the group project.

89 Where a research degree project is part of a piece of funded research, the University of Gibraltar **must** establish to its satisfaction that the terms on which the research is funded do not detract from the fulfilment of the objectives and requirements of the candidate's research degree.

### Students Located Overseas

90 The RRDC may approve an application from a candidate proposing to work outside Gibraltar, provided that:

(a) the arrangements for supervision enable regular face-to-face supervision by the appointment of a primary supervisor/adviser, ideally based locally. Secondary

supervisors/advisers based overseas **must** have access to a mentor/colleague who is formally associated with the University of Gibraltar and who will be the Primary Supervisor. The form and frequency of supervision must be specified at the point the supervisory team is approved and the research plan agreed with the candidate in writing

(b) there is satisfactory evidence as to the facilities available for the research both in the University of Gibraltar and abroad, and

(c) the arrangements to undertake the research and work outside Gibraltar do not contravene the national laws of the country concerned.

91 Where a candidate is granted approval to undertake their research overseas and/or is an international student based overseas, they will be required to attend the University as follows in order to complete the initial PhD Research Training Programme:

(a) in the case of a full-time student, for a period of 3 weeks in their first year of study

(b) in the case of a part-time student for period(s) totalling 3 weeks in their first and/or second year of study.

92 Such a candidate will be further required to attend the University as follows, including physically attending at least one Summer School:

(a) in the case of a full-time student, for a period of two weeks in their second year of study

(b) in the case of a part-time student, for period(s) totalling two weeks in their third and/or fourth year(s) of study.

93 Where there are mitigating circumstances, the Director of Academic Programmes and Research may vary the attendance requirements referred to in paras. 91 and 92.

## How to apply

94 Applicants are required to apply directly to the University using the online application process at www.unigib.edu.gi.

## Selection

### Selection criteria – MPhil/PhD by research

95 The RRDC will decide to whether to make an offer for admission to an MPhil or PhD by research based on the following criteria:

(a) the academic profile of the applicant and their ability to achieve the standard of the appropriate degree within the permitted timescales

(b) the viability of the proposed research project, its aims and its suitability for the level of award identified

(c) the availability of supervisors with appropriate expertise, experience of supervision and time to supervise

(d) the availability of sufficient supporting resources for the conduct of scholarly research in the area of the proposed research project, and

(e) the applicant's ability to pay ongoing annual tuition fees for the duration of the anticipated registration.

96 The RRDC will determine whether and to what extent the applicant meets the above criteria taking into account the recommendations of the two academic reviewers appointed to consider the research proposal. Reviewers may make one of the following recommendations, that:

A – the candidate is accepted into the MPhil or PhD programme

B – the candidate is accepted, provided reviewers comments and recommendations are included into candidates research by submission of the Formal Research Proposal (RD1)

C– the candidate is accepted if the submitted proposal is modified to take into consideration the reviewer's comments. And is further reviewed and signed off by at least one reviewer after resubmission.

D (i) – the candidate is asked to reconsider either the research focus and/or research methodology proposed or to further elaborate the research proposal. The new proposal would need to be sent for review before consideration by the RDRC.

D(ii) – the candidate is accepted if the submitted proposal is accepted by another University as their primary institution, with the University of Gibraltar entering into a collaborative partnership to jointly support and award the degree.

E – the proposal as it stands is not considered to have either academic merit or feasibility, but the student is considered to have academic potential. They should be re-engaged to consider a different proposal for submission, which may include further training/qualifications. The new proposal will be sent for a new review.

F – the proposal as it stands is not considered to have either academic merit or feasibility, and the student has not demonstrated academic potential. They **must** be informed of the reasons for rejecting the application, including feedback and information regarding possible academic pathways they may wish to follow.

## Selection criteria – PhD by publication

97 The RRDC will decide to whether to make an offer for admission to a PhD by publication based on the following criteria:

(a) feedback on the application from at least one subject specialist adviser that endorses the applicant's work evidences an independent and original contribution to knowledge in the chosen field
(b) evidence that the work demonstrates a sustained level of coherent research at a level equivalent to that of a conventional PhD
(c) evidence of critical investigation and evaluation
(d) the professional presentation of the application and
(e) the availability of appropriate supervisory support for the candidate to complete the award.

98 The RRDC will determine whether and to what extent the applicant meets the above criteria taking into account the recommendations of the two academic reviewers appointed to consider the research proposal and, where deemed necessary, taking into account the candidate's performance at an interview conducted by a panel convened by RRDC for the purpose.

99 Reviewers may make one of the following recommendations, that:

A – the candidate is accepted into the PhD by Publication programme

B – the candidate is accepted if the submitted proposal is modified to take into consideration the reviewers' comments

C – the candidate is asked to reconsider either the thesis focus and/or published material to be used, or to further elaborate the proposal. The new proposal would need to be sent for review before consideration by the RRDC

D – the proposal as it stands is not considered to have either academic merit or feasibility, but the student is considered to have academic potential. They should be re-engaged to consider a different proposal for submission, which may include a Research PhD. The new proposal will be sent for a new review.

E – the proposal as it stands is not considered to have either academic merit or feasibility, and the student has not demonstrated academic potential. They **must** be informed of the reasons for rejecting the application, including feedback and information regarding possible academic pathways they may wish to follow.

## Reasonable adjustments

100 Where the applicant has declared a disability or similar need, the University through the Student Experience Office, will work with the applicant to establish a Statement of Reasonable Adjustments to ensure that the University can provide the appropriate support for the applicant in undertaking the research degree, including addressing any specific elements such as field work.

## Checks on each application

101 On receiving an application a number of checks are made designed to ensure that the application meets the general entry criteria and to identify whether the applicant requires, or will require in the future, individual support. Support may relate to the application process (for example in relation to attending an interview) and/or undertaking the research. The criteria to which these checks relate are indicated in more detail in the 'general entry requirements' section above and relate to applicants:

(a) with a disability or learning difficulties
(b) who are pregnant or in maternity
(c) who declare a criminal conviction
(d) have previously studied at the University.

**Tuition fee assessment**

102 A provisional assessment will also be made as to whether the applicant is entitled to pay tuition fees at the EU or the overseas rate.

**Deferral**

103 An applicant may apply to begin the programme up to one year later than the next start date. Allowing such deferral is at the discretion of the University, but apart from the fact of deferral the application will be judged entirely on its merits as set out in these Regulations. Where an offer is subsequently made for that deferred entry the University will contact the applicant prior to the following year's entry to seek confirmation that the applicant still intends to take up a place.

## Accuracy of applicant information

**False or misleading information**

104 Where there is evidence that an applicant may have provided false or misleading information the Registrar, in consultation with the Director of Academic Programmes and Research, will conduct an investigation to determine whether the applicant has been guilty of deliberate misrepresentation. Misrepresentation may relate to the information being provided in an attempt to obtain by deception:

(a) a place on the programme
(b) financial status (as a means of paying a lower fee)
(c) entry to the country.

105 False or misleading information may relate to:

(a) qualifications
(b) criminal convictions
(c) references
(d) fee status
(e) the omission of relevant information.

106 The applicant will be informed in writing by the Registrar of the University's concerns and will be invited to provide a written explanation, originals of qualifications or to attend an interview. Where, having considered the applicant's written or oral explanation, and following consultation with the Vice-Chancellor and the Director of Academic Programmes and Research, the Registrar considers that the apparent misrepresentation has not been satisfactorily explained, or where no explanation has been provided, the Registrar will cancel the application and confirm this in writing to the applicant. An applicant is not permitted to appeal this decision.

107 If the University suspects that the application constitutes fraud – including identity theft - it will refer the matter to the appropriate authorities.

108 Where a candidate after enrolment is suspected of having obtained their place on the research degree through providing false or misleading information in their application the Registrar will instigate the above process. Where the Registrar is satisfied, following consultation with the Vice-Chancellor and Director of Academic Programmes and Research,

that misrepresentation has been established, the Registrar will terminate the candidate's programme and no award will be made by the University. Where the candidate has already been awarded a qualification, the Registrar will make a recommendation to the Academic Board that the award of the qualification be revoked.

109 A candidate whose registration is terminated may appeal by following the procedures for Academic Appeals set out in Chapter X below.

### Personal data

110 In applying to the University, each applicant is required to provide personal data. Specific items of data are used in the following way:

(a) Date of birth: for purposes of identification
(b) Nationality: for purposes of assessing whether the applicant is liable for the EU or the overseas fee and for whether the applicant will require permission to enter Gibraltar
(c) Ethnicity and other equality characteristics: collected purely for purposes of data monitoring and to ensure that the University's facilities continue to be suitable for the needs of the student population; these data are not used as part of the selection decision and an applicant can choose not to provide the data.

111 The University will query with the applicant if there appear to be mismatches between items of personal data such as a difference in the name(s) on the application and on supporting documents such as certificates or a passport, and will require evidence of changes of name.

## Outcome of the application

112 Having considered all the evidence as indicated in the above sections the Research and Research Degrees Committee will make one of the following decisions:

(a) offer a place without conditions (unconditional offer)
(b) offer a place conditional on the outcome of certain events such as the applicant's assessment results or performance in English language tests (conditional offer)
(c) to reject the application.

113 Following the relevant RRDC meeting, applicants can normally expect to hear the outcome of their application within

(a) 20 days for applications determined solely on the basis of the application form (assuming there are no queries about the information in question)
(b) 25 days for applications determined based on additional selection activities such as interviews (assuming there are no queries about the information in question).

114 Where a conditional offer is made those conditions must be satisfied no later than two weeks before the commencement of the degree unless the University specifies an alternative date and provides a reason for that date.

## The offer

115 Where the University makes an offer, the applicant will be provided with information about:

(a) how and when to enrol
(b) when to arrive at the University and arrangements for welcome and induction
(c) details of research training and related opportunities
(d) the obligations of being a student, including the rules governing progression and award and the University's Code on research misconduct
(e) contact details for obtaining further information or answering queries.

116 The applicant's full University account will be activated, including access to the University's online learning platform (Canvas), once the applicant accepts the offer and completes the registration process.

## Terms and conditions of the offer

117 Becoming a student of the University involves entering into a legal contract with the University, and that contract contains a number of Terms and Conditions by which both parties are bound. To ensure that applicants can understand the nature of those obligations details of the Terms and Conditions are set out in a document entitled 'Terms and Conditions' which is available on the University's website and is sent to applicants with the offer in a 'durable medium' (that is a pdf file which cannot be edited but which can be retained and stored by the applicant unaltered).

118 An applicant who has any queries about the meaning of anything in the document should contact the University, using the contact details on the document and clarification will be provided.

119 The Terms and Conditions are set out in the document: Student Contract – Terms and Conditions (QH:E2).

### Intellectual Property

120 Intellectual Property rests with research degree candidates except where they are formally working on a project having commercial sponsors or commercial potential, in which case they will enter into a confidentiality agreement, and assign their Intellectual Property rights to the University unless they are employed by the organisation funding the research. In return the University will treat postgraduate researcher inventors on such projects on the same financial basis as staff inventors in respect of Intellectual Property-based income.

## Changes to the research degree programme – Code on Student Protection

121 As indicated in the Terms and Conditions, the University makes changes to its programmes as part of its ongoing commitment to securing academic standards and enhancing the quality of students' learning opportunities. The University has adopted the practice of UK universities in developing a Code on Student Protection which sets out how the University will protect the interests of students in certain situations such as the closure of a programme. See further the Code on Student Protection (QH:E3).

122 In summary the Student Protection Code provides that the University will not withdraw a programme where that withdrawal will affect current or prospective students. Prospective students in this case means those to whom an offer has been made and who have not rejected that offer.

## Accepting an offer

123 Offers should be accepted within 10 working days. Any offer not accepted within that deadline will be withdrawn unless the applicant contacts the University to request additional time and gives a reason for that extension which the Director of Academic Programmes and Research considers valid.

## Confirmation

124 An offer which is conditional has to be 'confirmed' by the University – in other words confirming that the conditions have been satisfied. The conditional offer and acceptance are not therefore binding until the University confirms that the conditions have been satisfied.

125 The applicant will need to provide evidence that the conditions have been satisfied, such as the results of their assessments or English language test. These results may need to be verified for example by providing original evidence (translated into English where applicable) or photocopies which have been authenticated by the awarding/testing body.

126 Once the University is satisfied that the conditions have been met it will inform the applicant in writing that their place on the programme is now confirmed.

127 Pending the enactment of the relevant legislation, International Students will only be enrolled where they have a student visa to study in Gibraltar and they will be bound by the student immigration rules as specified by Her Majesty's Government of Gibraltar and the Gibraltar Borders and Coastguards Agency. The University's expectations of International Students will be detailed in the offer letter, the Student Handbook, and the University Research Degree Regulations

### Mitigating circumstances

128 Where an applicant has not achieved the results required to satisfy the conditions of their offer but believes that they have significantly underperformed as a result of unforeseen, unavoidable and exceptional circumstances (such as illness), they may submit a written request to the University to have those circumstances considered. The request must be supported by valid evidence which confirms the circumstances and their severity. The application will be considered by the Director of Academic Programmes and Research to determine whether the place can be confirmed notwithstanding the results actually achieved.

### Proof of identity

129 Prior to enrolment each prospective student must provide (either in person or by post) the original of an accepted form of identification for verification before they can be enrolled. In the absence of this verification, enrolment will not be completed.

### Changes in circumstances

130 A prospective student who has accepted an offer which has been confirmed is required to notify the University of any change in their circumstances which would mean that they may no longer be eligible to study the programme. Examples of such changes include being charged with a criminal offence for which the outcome of that charge is pending, or conviction of a criminal offence.

131 A student whose ability to study may be affected by a change in circumstances since making the application, such as the diagnosis of a long-term health condition (defined as 12 months or more) and for whom and without reasonable adjustment a change in circumstance means that a disability would disadvantage the candidate, should contact the University to discuss their support needs. The University will follow the same procedure as if the circumstances had applied at the time of the application.

## Registration as a University of Gibraltar Student

132 Candidates will be admitted to the programme at the beginning of each academic year however the RRDC may admit an individual candidate at another time dependent on the resources available to support the candidate's study.

133 All applicants who have accepted the offer of a place are required to register as a student of the University. This process involves completion of registration and payment of the appropriate fee, in return for access to the University's facilities and the supervisory team.

134 Subject to satisfactory progress (see para. 196 onwards), candidates are required to re-register on the anniversary of their first registration or other date as directed by the University, including paying the tuition fees notified as part of the Terms and Conditions of the contract. Candidates who have not paid their tuition fees will be deemed to be a debtor of the University of Gibraltar and will not be entitled access to the University's facilities or to their supervisory team.

## Induction

135 The University will provide candidates with a welcome and induction programme at the start of their research programme, details of which will be sent to each can along with the details of how to enrol. The welcome and induction programme is designed to:

(a) foster a supportive environment
(b) give candidates an opportunity to meet other postgraduate researchers, academic and support staff
(c) familiarise candidates with the University's facilities
(d) familiarise candidates with the University's expectations, and the expectations which they can have of the University
(e) enable an initial meeting with the Supervisory Team (where this has not already taken place).

136 The induction programme will include presentations and informal discussions as well as a tour of the facilities.

## Feedback to unsuccessful applicants

137 Where the University rejects an application the applicant **must** be provided with clear reasons for the decision. This approach is designed to enable the applicant to understand why the application was rejected and to help them to better prepare for a future application should they wish to do so.

138 Unsuccessful applicants **must** also be informed of their right of appeal, including providing them with a copy of the Appeals procedures (set out in Chapter III of this Code). Further advice and guidance can be sought from the Student Experience Office.

139 The University will not provide feedback to third parties, such as a school/college, parent/guardian or advisor unless a request is made in writing and is accompanied by the written authorisation of the applicant.

## Applicant's right of appeal

140 As part of the University's commitment to a fair and transparent recruitment, selection and admission process, unsuccessful applicants have the right to appeal against the University's decision to reject their application under the grounds and procedures outlined below.

141 An **Appeal** by an applicant is a request to formally review the outcome of an application for admission to the University, or the conditions of an offer.

142 An applicant who submits an appeal under this procedure will not subsequently be subject to any form of discrimination or prejudice as a result of their request.

### Grounds for Appeal

143 Applicants who are dissatisfied with the feedback and reasons provided for the University's decision may submit an appeal to the Academic Quality and Learning Manager if they can demonstrate that:

(a) there has been a significant procedural irregularity (including administrative error) by the University which could have affected the outcome of the application
(b) that there are reasonable grounds to believe that the decision was influenced by prejudice or bias or lack of proper consideration on the part of one or more of the decision-makers
(c) there is relevant and material information which could not be provided with the application for understandable reasons.

144 An appeal may result in the outcome of the application being changed where there is evidence of applicable grounds.

145 An appeal must be submitted within 25 University working days of the applicant being notified of the outcome of the Research and Research Degrees Committee's decision on their application.

146 In exceptional circumstances the University will consider requests after this deadline where the applicant provides understandable reasons for the longer period being required.

147 The appeal should be addressed to the Academic Quality and Learning Manager stating which of the above-mentioned grounds apply.

148 Appeals will only be considered where they are made directly by the applicant concerned, or the authorised representative of an applicant. Those made by third parties on behalf of an applicant will not be considered. 'Authorised' means that the applicant has confirmed in writing that the representative may act on their behalf.

149 The Academic Quality and Learning Manager will ensure that a fair and transparent investigation into the matter is conducted.

### Outcomes on Appeals

150 Upon completion of the investigation the Academic Quality and Learning Manager will, within 15 University working days of receiving the appeal, provide the applicant with a written response on the findings and decision. This notification will also make clear that the decision is final and not subject to further review within the University and **must** also advise the student of their right to take the matter to the Gibraltar Public Services Ombudsman if they remain dissatisfied with the outcome.

151 If the Academic Quality and Learning Manager determines that the appeal should be upheld they will direct that the application be reconsidered, adjusted to take account of the basis for the appeal.

# CHAPTER III: FEEDBACK AND COMPLAINTS BY APPLICANTS

152 The University is committed to the continuous improvement of all aspects of its management and delivery of education and related services to candidates and prospective students. As part of this commitment it welcomes constructive feedback from applicants (at whatever stage their application has reached) and those who have considered the possibility of making an application and, for example, have researched the research degrees offered by the University.

153 An Applicant is any person who has submitted an application to undertake a research degree whether that application results in an unconditional offer, a conditional offer which is confirmed or not confirmed or is rejected.

154 Applicants wishing to make an appeal or a complaint may contact the Student Experience Office for further information and clarification about the process to ensure they properly understand how to progress the matter.

## Feedback

155 Feedback can be about any aspect of:

(a) the clarity and comprehensiveness of the information the University provides about its programmes and qualifications, and about the process for applying for a programme
(b) the service it provides in handling enquiries, requests for information or guidance, or in handling applications and the subsequent stages.

156 Feedback from applicants may be provided in person or by telephone, email or letter using the contact details indicated in the email information sent to all applicants.

157 The University will also seek to obtain feedback from applicants on their experience of applying both in cases where the application is accepted and where it is rejected.

## Complaints by applicants

158 A **Complaint** is a specific concern about the quality of information provided to prospective students or the standard of service provided by the University in considering an application, whether relating to an action or a failure to act.

159 An applicant has the right to make a complaint relating to their experience of any stage of the application process.

160 Complaints will only be considered where they are made directly by the applicant concerned, or the authorised representative of an applicant. Those made by third parties on behalf of an applicant will not be considered. 'Authorised' means that the applicant has confirmed in writing that the representative may act on their behalf.

### Malicious, Frivolous or Vexatious Complaints

161 The University will not process complaints that are deemed to be malicious, frivolous or vexatious in that they are obsessive, harassing or repetitive, abusive in tone or language, insistent on pursuing unrealistic or unreasonable outcomes, designed to cause disruption or annoyance, or demanding disproportionate redress. In such cases, the University reserves the right to terminate the process at any time.

162 Anonymous complaints will only be considered to the extent that the University considers that there may be something useful that can be learned from the complaint which would benefit the University, such as improving the clarity of information or procedures.

163 The University will not process complaints about matters which have already been, or are currently under consideration by a court or tribunal.

164 An applicant may submit both an appeal and a complaint. Only an appeal may result in the outcome of the application being changed but a complaint may result in the University making changes to its procedures or addressing related issues such as staff development. However, an applicant may be advised to re-classify an appeal as a complaint or vice versa, or the University may decide to re-classify with the consent of the applicant, so that the most appropriate approach is taken to seeking to resolve the matter satisfactorily.

165 Whether the matter is progressed as an appeal or a complaint, the University will not address a matter which constitutes the questioning of the exercise of academic judgement. In this context that means the judgement whether the applicant's qualification and/or experience are suitable for the programme and/or whether the applicant has the required potential to succeed on the programme.

## Informal resolution

166 The University endeavours to resolve all complaints at the earliest opportunity and by informal means wherever possible. Applicants are encouraged to address their concerns to the Director of Academic Programmes and Research in the first instance. Many potential appeals or complaints can be resolved for example through a member of staff providing clarification of a decision or of the reasons for the decision or other action.

167 Where a request for informal resolution is made (by telephone, email or letter) the Director of Academic Programmes and Research (or person nominated on the Director's behalf) will provide a response no later than 15 University working days of receipt the complaint.

## Formal complaint

168 Where an applicant feels their complaint has not been satisfactorily resolved through the informal channels, they may submit a formal complaint in writing to the Registrar. This should be received within 15 University working days of being notified of the outcome.

169 A formal appeal or complaint **should** be submitted using the University's form available on the website or, where this form is not used, by providing the information specified on the form.

The appeal or complaint should be addressed to the Registrar and **should** make clear the nature of the resolution which the applicant is seeking.

170 The Registrar will ensure that a fair and transparent investigation is conducted for any formal complaint received and determine the most appropriate outcome, taking into account the outcome the applicant requested in submitting the complaint.

171 The Registrar will, within 14 working days of receipt of the complaint, provide a written response on the findings and decision, the reasons for the decision and any actions which will be taken. In the event of a delay, the applicant will be informed of the new deadline and why it is needed.

172 The notification of the decision will also make clear that the decision is final and, as all internal procedures have been completed, no further review will be undertaken by the University. The University will also inform the student of their right to take the matter to the Gibraltar Public Services Ombudsman if they remain dissatisfied with the outcome.

173 Documentation relating to appeals and complaints will be retained as part of the University's records, however, where the applicant is admitted to a University programme, the details of the appeal or complaint will not form part of their student record.

174 An applicant who lodges an appeal or complaint under this procedure will not be subject to any form of discrimination or prejudice as a result of making the appeal/complaint.

### Recording and monitoring of appeals and complaints

175 The University will maintain a record of all formal and informal appeals and complaints received from applicants, and the outcomes reached in each case to enable the University to monitor issues raised as the basis for improvement. The University will record demographic data including the age, gender and ethnicity of the applicants concerned, and report to Academic Board each year on trends and lessons learned.

# CHAPTER IV: SUPERVISION

176 This chapter governs the appointment and responsibilities of the Supervisory Team established to formally supervise research degree candidates at each stage of their research from induction through to the examination of the thesis.

## Appointment of Supervisors

177 A Supervisory Team **must** be appointed in accordance with the following paragraphs for every candidate registered for an MPhil/PhD by research.

178 Candidates will be supported in their studies by a supervisory team of at least two; one member of the team will be designated as the Primary Supervisor.

179 The appointment of all supervisors **must** be approved by Research and Research Degrees Committee.

### Criteria for appointment

180 The Primary Supervisor **must** be one of the following:

(a) either a full or part-time member of the academic staff of the University whose role includes full academic duties including research
(b) a full or part-time member of the academic staff of an Associate Campus
(c) a Research Associate/Research Fellow of the University
(d) a Beacon Professor of the University of Gibraltar
(e) an Adjunct Professor of the University of Gibraltar
(f) an Emeritus Professor of the University of Gibraltar
(g) an academic approved by the Director of Academic Programmes and Research, whose role includes full academic duties including research.

181 The Primary Supervisor cannot be a Visiting Professor nor the holder of any other visiting title conferred by the University.

182 The Supervisory Team members **must** between them, meet the following criteria:

(a) be doctoral award holders
(b) have disciplinary or methodological expertise appropriate to the candidate's field of inquiry
(c) have recent involvement in funded research and/or have recent refereed publications in their disciplinary field(s)
(d) have previous experience of supervising others in undertaking complex projects subject to critical deadlines, and/or
(e) have previous successful supervision of doctoral candidates.
(f) have experience of internal or external examining at doctoral level.

183 At least one member of the Supervisory Team **should** be currently engaged in research in the relevant discipline so as to ensure that the direction and monitoring of the candidate's progress is informed by up to date subject knowledge and research developments.

184 At least one member of the Supervisory Team **must** have attended one of the University's Supervisor Training Programmes (or equivalent) or undertaken recent relevant continuing professional development. All members of supervisory teams will be encouraged to attend the Supervisory Training Programme.

### Exclusions and limitations

185 A candidate **must** not be supervised by a relative or partner.

186 Supervisors who are related to each other, or who are partners, **must** not be permitted to be appointed as members of the supervisory team without explicit approval of the Chair of RRDC.

## Responsibilities of the Supervisory Team

187 The primary role and responsibility of doctoral supervisors is to advise upon and guide candidates through the scholarly and technical processes necessary to display the required doctoral level research in a thesis.

188 The Primary Supervisor is responsible for supervising the candidate on a regular and frequent basis and is accountable to the University for the proper conduct of the research programme, including compliance with these Regulations and associated University procedures.

### Role of Primary Supervisors

189 Primary Supervisor are required to:

(a) provide guidance to the candidate on the research and literature review and standards expected for a MPhil/PhD thesis
(b) ensure that the candidate is aware of these Regulations and the requirements of the key stages of their progress and time limits (Formal Research Proposal, Confirmation of Candidature, annual review and Submission)
(c) ensure the candidate is aware of the requirements applicable to ethics and ethical approval, confidentiality and (where applicable) health and safety
(d) ensure the candidate is aware of the need to apply for a revision of the Formal Research Proposal should there be, or appear to be, a significant change in the direction or objectives of the research
(e) where the candidate was admitted to the MPhil, ensure that the candidate is aware of the opportunity to apply for an upgrade to the PhD, and the process and criteria involved.
(f) ensure that the candidate is familiar with and can comply with any requirements attached to any scholarship or other form of funding for the research
(g) where the final award involves collaboration with another organisation, ensure that responsibilities between the Supervisory Team and the other organisation are clear, and maintain effective liaison with that organisation
(h) be accessible to the candidate at the agreed times and read and give critical comments on the candidate's work and drafts in a regular manner, with regular meetings taking place at

least monthly (full-time) every two – three months (part-time); a formal joint report signed by all parties will be produced for these meetings which will be submitted as part of the candidate's annual review

(i) ensure that the candidate is made aware if the Supervisory Team considers that satisfactory progress is not being made, and develop with the candidate an appropriate plan to redeem this

(j) inform the candidate, and the rest of the Supervisory Team, if the Primary Supervisor plans to be away from the University for a sustained period of time, and ensure that other members of the Supervisory Team will be accessible to the candidate during that time

(k) ensure that the candidate is getting access to the university facilities needed for the research

(l) identify the candidate's training and development needs at the initial stages and review and update these throughout the research process, and support the development of the candidate's transferable skills

(m) ensure that the candidate is aware of the requirements of the Research Training programme and understands the requirements to attend appropriate sessions and seminars

(n) be proactive in introducing the candidate to other researchers in the same field and make them aware of appropriate academic bodies and societies

(o) undertake the necessary administrative tasks associated with the supervisory role, including the provision of progress reports as requested by the Director of Academic Programmes and Research and participation in formal monitoring processes

(p) offer advice on other forms of output from the candidate's research, such as publication in journals or conference proceedings, and opportunities within the University such as the Summer School

(q) encourage regular consultation between members of the Supervisory Team (and local advisers where applicable)

(r) be fully involved in the annual reviews of the candidate's progress and comment on and sign the annual report forms

(s) provide advice and support on academic matters so that problems can be identified early on and appropriate steps taken to put in place support (such as interruption of studies, extensions, and in the case of disabilities or long-term health conditions a Statement of Reasonable Adjustments or revision of an existing SORA)

(t) raise any problems or difficulties concerning the progress of the research with the Director of Academic Programmes and Research, and should the need arise, institute formal proceedings

(u) propose the names of examiners for the thesis to Research and Research Degrees Committee

(v) read the final draft of the thesis and advise the candidate on its suitability for submission

(w) maintain their professional development as a supervisor, including attending training offered by the University, and keeping up to date with the University's and external regulatory requirements for research degrees

(x) ensure that they have sufficient time to carry out the supervisory role, and where difficulties arise, consult with the Director of Academic Programmes and Research.

### Role of other members of the Supervisory Team

190 Secondary supervisors are required to:

(a) meet the candidate periodically to provide subject specialist advice and/or general guidance concerning the nature of the candidate's research whether in person, online or by telephone conference
(b) provide support and assistance if the Primary Supervisor is absent
(c) assist the Primary Supervisor as required
(d) meet formally with the candidate, primary and any other secondary supervisors at suitably spaced intervals at least once per semester; a formal joint report signed by all parties will be produced for these meetings which will be submitted as part of the candidate's annual review
(e) be fully involved in the annual reviews of the candidate's progress and comment on and sign the annual report form
(f) read the final draft of the thesis and advise the candidate on its suitability for submission
(g) maintain their professional development as a supervisor, including attending training offered by the University, and keeping up to date with the University's and external regulatory requirements for research degrees
(h) ensure that they have sufficient time to carry out the supervisory role, and where difficulties arise, consult with the Director of Academic Programmes and Research.

### Role of Advisers

191 In addition to Supervisors, an adviser or advisers may be proposed to contribute some specialised knowledge or a link with an external organisation. Advisers may also be appointed to assist prospective candidates with the preparation and submission of their research proposals.

### Supervision of candidates located overseas

192 All research degrees candidates located overseas must receive face-to-face supervision on a regular basis. This should be achieved by the appointment of a Local Supervisor who **must** have access to the Primary Supervisor as a mentor. Where the appointment of a Local Supervisor is not possible steps must be taken to provide the equivalent web-based face-to-face experience.

193 The form and frequency of supervision must be specified at the point the Supervisory Team is approved. All supervisors new to supervising at the doctoral level should attend supervisory training organised by the University.

## Changes in supervisory arrangements

194 The University expects the Supervisory Team to remain stable over the course of the candidate's studies. Where supervision arrangements are disrupted due to unforeseen circumstances (e.g. illness, accident) the University **must** make interim arrangements. Where a supervisor becomes unable to complete their supervisory role, the University **must** ensure that a replacement supervisor is appointed without delay, conforming to the criteria in para. 180 onwards.

195 Where a candidate requests a change in one or more supervisors, they must submit a written request to the Director of Academic Programmes and Research citing the reasons for the request. The Director, who may seek the advice and guidance of the RRDC, will instigate a process of interview and mediation in an effort to resolve any perceived difficulties with the existing supervisor arrangements. Given the importance of the specialist expertise of the supervisors and the constraints on available supervisors the University does not guarantee that a request for a change will be upheld.

# CHAPTER V: PROGRESS AND REVIEW

196 The MPhil/PhD by research is designed around a series of progression points, the purpose of which is to enable the University to monitor each candidate's progress, and to intervene where progress is unsatisfactory. This approach is designed to prevent a candidate either running out of time without completing the thesis or reaching the submission of thesis stage without a realistic chance of success.

197 The key progression points are:

(a) approval of the Formal Research Proposal (including approval of the Research Ethics)
(b) completion of the mandatory requirements of the Research Training Programme
(c) annual progress reviews
(d) Confirmation of Candidature (including application for transfer to the PhD where applicable)
(e) entry to the writing-up stage (where requested by the candidate)
(f) submission of the final thesis.

## Approval of the Formal Research Proposal

198 All candidates for the MPhil/PhD by research must submit and have approved a Formal Research Proposal. The proposal, which should build on the outline submitted with the application to the University, **should** be submitted:

(a) within 9 months of registration for candidates registered full-time
(b) within 18 months of registration for candidates registered part-time.

199 All Proposals must be endorsed by the Primary Supervisor and be submitted to the Research and Research Degrees Committee for approval (using Form RD1). RRDC will judge the Proposal based on the following criteria:

(a) the anticipated contribution to disciplinary knowledge
(b) the academic coherence of the proposal (e.g. the congruency between the intended focus of the investigation and the proposed methods of inquiry)
(c) a comprehensive consideration of the ethical implications of the proposal (e.g. both in terms of processes and potential outcomes)
(d) the viability of the proposal (e.g. scope of the project, time-scales, costs, resources, ethics), and
(e) the suitability of the project's aims for the standard of the final award.

200 RRDC is empowered to make one of the following decisions:

(a) approve the proposal
(b) approve the proposal with recommendations
(c) reject the proposal and require a resubmission.

201 The candidate will be informed within 20 working days of the decision of RRDC. Where the proposal has not been approved outright, the candidate will be provided with constructive

feedback and clear direction and guidance regarding the further work required to develop the proposal.

202 A candidate required to resubmit the proposal following rejection **must** resubmit within three months (full-time candidates) and six months (part-time candidates). The resubmitted proposal will be reconsidered by RRDC using the criteria in para. 199, and with the same options as for the original submission. Where RRDC again rejects the proposal:

(a) for PhD candidates RRDC may decide to downgrade the candidate's registration to MPhil where it is satisfied that the Proposal represents a valid proposal for that award
(b) otherwise, and for MPhil candidates, the candidate's registration will be terminated and the candidate will not be permitted to proceed further with their research.

203 A candidate has a right to appeal against the rejection of a Formal Research Proposal (both first and resubmission) on procedural grounds only as set out in Chapter X).

### Extensions

204 A candidate who is unable to meet a deadline for submission or resubmission of a Formal Research Proposal may apply to the Chair of RRDC for an extension on the grounds of mitigating circumstances, provided that the application is supported by valid independent evidence (such as a medical certificate). The application will be rejected where it is not based on valid grounds, for example, it is the result of lack of commitment or organisation by the candidate. Where the Chair is satisfied that the request is valid, the Chair may grant an extension of up to one month (full-time) or two months (part-time). The extension will be reported to the next full meeting of the RRDC.

### Non-submission of the Research Proposal

205 A candidate who does not submit the Formal Research Proposal within the specified deadline (including any extended deadline) **must** be regarded by RRDC as having failed the requirements for the MPhil/PhD, and their registration as a research degree candidate terminated.

### Language of assessment

206 Theses submitted for the MPhil/PhD by research **must** be in English unless the inclusion of text (such as quotations) needs to be in another/other languages as part of the research based on aspects of linguistics, language and/or identity. Where a candidate intends that other languages will be used, this **must** be made explicit in the Formal Research Proposal, indicating the reasons for it. Where such a need emerges later in the research, the candidate **must** submit a revised research proposal, making the need explicit, in accordance with para. 208.

### Format of submission

207 The Formal Research Proposal **must** make explicit where the thesis will involve or include content which is presented other than in textual format, such as artefacts, musical or choreographic work or other forms of creative work.

## Revised Research Proposals

208 A candidate who wishes to substantially change their Formal Research Proposal at any time after it has been approved by RRDC must submit an application to RRDC for approval of the revised version. The proposal must be supported by the Primary Supervisor and make clear the rationale for, and the implications of, the proposed change. RRDC may make one of the decisions set out in para. 200. Where an application is rejected the candidate **must** proceed with the original research proposal.

## Research Ethics Approval

209 All research degree candidates **must** consider the ethical issues of their research at the earliest possible stage in planning and writing their research proposal. Candidates are required to consult the University's Research Ethics Guidance, which will be provided before registration. Candidates must check whether their study might require insurance, ethical approval, and any other regulatory or other types of approval.

210 A candidate is not permitted to undertake any data collection involving human and/or animal subjects, cultural heritage or archaeological sites before ethical approval has been granted by RRDC. A candidate who is not proposing to carry out such data collection **must** include confirmation in their formal research proposal that the research does not include human or animal subjects. The University may engage such external expertise as it deems appropriate to assist RRDC in determining the ethical validity of any proposed research.

## Confidentiality

211 Where a candidate or the University wishes the thesis to remain confidential for a period of time after completion of the research, application for approval **should** be made to the RRDC at the time of seeking approval of the research proposal. Confidentially only pertains where a patent application is to be lodged or to protect commercially or politically sensitive material.

212 In cases where the need for confidentiality emerges at a subsequent stage, a special application for the thesis to remain confidential after submission must be made immediately to the RRDC.

213 The normal maximum period of confidentiality is two years from the date of the viva voce examination. In exceptional circumstances the RRDC may approve a longer period. Where a shorter period would be adequate the RRDC **must** not automatically grant confidentiality for two years.

214 Where the confidentiality of the thesis is approved all examiners **must** complete and sign a Confidentiality Agreement before undertaking the viva voce.

215 Where the confidential nature of the candidate's work is such as to preclude the thesis being made freely available in the University's Library or an identified collaborating establishment, the thesis **must** be retained by the University of Gibraltar on restricted access and, only be made available to those who were directly involved in the project.

## The Research Training Programme

216 The University provides a Research Training Programme which is designed to support candidates throughout their research study but most particularly in the preparation of the Formal Research Proposal. Candidates for the MPhil/PhD by research **must** complete the five compulsory elements within their first year of registration (full-time), or first two years (part-time):

(a) Research Design
(b) Transferable Skills
(c) Research Methods
(d) Research Integrity
(e) Ethics.

217 Candidates should also participate in the optional training modules in their second year of registration onwards as agreed with their Supervisory Team.

218 Candidates **must** also participate in the PhD seminar series, attending no fewer than 80% of the seminars up until approval of the their Formal Research Proposal, and participate in the '3-Minute Thesis Competition', unless prior exemption from attendance has been granted by the Director of Academic Programmes and Research.

219 The detailed requirements for the Research Training Programme will be provided in writing to candidates at the time of making the offer to undertake the MPhil/PhD programme.

220 Candidates should record their participation in the Research Training Programme, Seminar Series and '3-Minute Thesis Competition', and their discussions with their Supervisory Team about their research training needs in a Research Development Plan, a copy of which **must** be submitted for each annual progress review (para. 221).

## Annual progress review

221 All MPhil/PhD by research candidates **must** satisfy the RRDC that satisfactory progress is being made on an annual basis (subject to para. 222) by engaging in the annual progress review process. No later than each anniversary of first registration, the candidate **must** provide (using the approved form):

(a) a completed audit of all supervisory meetings during the course of the year
(b) an update of the Research Development Plan (in which appropriate training opportunities are identified to support learning skills and development needs) including the completion of all research training undertaken and seminars attended during the course of the year
(c) an update on the progress of the research during the course of the year, noting achievements and challenges
(d) an updated timetable and action plan for completion
(e) confirmation that the Formal Research Proposal remains valid.

222 An annual progress review is not required at the end of the 12-month period in which Confirmation of Candidature is applied for.

223 The Supervisory Team is responsible for reviewing the candidate's progress based on the above information, for endorsing the above where it deems this appropriate, and/or for making recommendations to the RRDC.

224 The RRDC is responsible for considering the above information, including any recommendations made by the Supervisory Team. The RRDC **must** be satisfied that the candidate is:

(a) still actively engaged on the research programme (and has re-registered on each anniversary of initial registration or as otherwise directed by the University)
(b) maintaining regular and frequent contact with the supervisors
(c) likely to achieve the academic standards of the award, and
(d) likely to complete successfully within the maximum period of registration.

225 RRDC may request additional evidence (such as a thesis chapter, an annotated bibliography, a short presentation) and/or interview the candidate where it considers this appropriate to enable it to determine whether the candidate is making satisfactory progress. Where RRDC considers that an interview is appropriate, it will delegate responsibility to a panel of two members of the Committee (who are not otherwise involved in the candidate's work or supervision), and will inform the candidate of the nature of the Committee's concerns and the reason for the interview. The Primary Supervisor must be invited to the meeting. The interviewers **must** maintain a record of the key points of discussion and any action points, and provide the candidate with the opportunity to verify the accuracy of the record.

226 Where the RRDC judges (based on any of the above evidence) that the candidate is not making satisfactory progress it **must direct that:**

(a) an action plan be put in place by the Supervisory Team setting out clear actions and deadlines, or
(b) for a candidate on the PhD, the candidate's registration be revised to registration for the MPhil, or
(c) for candidates on the MPhil or PhD, the candidate's registration be terminated.

227 RRDC will not direct options b) or c) above unless an action plan has been previously put in place and not adhered to, and an interview has been held with the candidate and their Supervisory Team to discuss the lack of progress. A candidate has the right of appeal on procedural grounds against a downgrade to MPhil and against the decision to terminate their registration (Chapter X).

228 RRDC is responsible for reviewing on an annual basis the annual reviews for all research candidates and any actions taken and for making recommendations for improvements to any aspect of the management of the University's research degree provision as it considers appropriate.

## Confirmation of Candidature

229 All research degree candidates **should** apply for formal Confirmation of Candidature

(a) for candidates registered for the MPhil no later than 18 months after their initial registration (full-time) or 36 months (part-time) following the procedure set out below
(b) for candidates registered for the PhD no later than 24 months after their initial registration (full-time) or 48 months (part-time) following the procedure set out below.

230 The Confirmation of Candidature constitutes a formal progression point. The candidate **must** satisfy RRDC that satisfactory progress is being made. For candidates admitted to the MPhil, the Confirmation of Candidature includes the opportunity to be considered for upgrade to the PhD where this is considered appropriate.

231 The purpose of the procedure is to enable RRDC to:

(a) identify early in a student's candidature any support, intervention and/or guidance necessary to enable their successful progress through the next major stage of research
(b) assess a candidate's academic preparedness to complete the degree
(c) provide the candidate with an opportunity to demonstrate academic skills appropriate to a MPhil/PhD by research
(d) ensure that the scope, size, structure and complexity of the research programme is appropriate to the level of the award
(e) help ensure timely and successful completion.

## Confirmation of Candidature – PhD candidates

232 The following applies to candidates who were registered for the PhD on admission to the University. Paras. 255-259 apply to candidates who were registered for the MPhil on admission.

### Application

233 To apply for Confirmation of Candidature for the PhD, all candidates **must** submit:

(a) a completed Confirmation of Candidature form (Form RD2)
(b) their Formal Research Proposal as previously approved by RRDC, and including any ethical or related approval
(c) their annual progress review report(s)
(d) confirmation that they have satisfied the attendance requirements of the Research Training Programme in addition to mandatory attendance at a 'Preparing for Confirmation of Candidature Session'.
(e) a completed thesis chapter (such as a contextual chapter, a literature review, the methodology and methods chapter) that best reflects the study and/or how it meets the PhD research aims and/or objectives. Alternate submissions may be accepted at the discretion of the Director of Research and Academic Programmes or a nominated representative. Examples of alternate submissions may include a peer reviewed publication, a summary report of progress completed so far (approximately 7,500 words), a data analysis report.

234 Candidates are also required to make a presentation of their research-in-progress to a Panel and participate in an academic discussion about their work.

## Candidature Panel

235 Where the Director of Academic Programmes and Research has received a completed Form RD2 and is satisfied that the information specified in para. 233 ((b)-(d)) has also been provided, they will convene a Confirmation of Candidature Panel, and set a date for the Panel meeting in consultation with the Panel members, the candidate's Supervisory Team and the candidate. All members of the Panel, including those co-opted under para. 238 will be provided with copies of the items submitted under para. 233 sufficiently in advance of the Panel meeting to enable them to prepare for the presentation and discussion.

236 The Panel **should** comprise:

(a) the Director of Academic Programmes and Research (or their nominee) (as Chair)
(b) an academic who has expertise in the area of the candidate's research
(c) an academic and active researcher with appropriate qualifications and relevant supervisory experience who has broad knowledge and expertise in the field in question.

237 No member of the Panel may be someone who has been or is involved in the research or in supervising the candidate.

238 The Panel may co-opt such additional expertise as it deems appropriate (subject to para. 237)

239 The candidate's Supervisory Team is expected to attend. Should a supervisor be unable to attend, they must request a waiver from the Director of Research and Academic Programmes. All members of the Supervisory Team attend as observers only.

## Prior to Panel

240 Prior to meeting with the candidate, the Panel will convene to discuss preliminary views, based on the documentation provided to them, which must include an overview of the relevant University regulations in relation to Confirmation of Candidature.

241 Should the Panel feel that the candidate is not ready at this time, they may suggest postponing the proceedings, until the student is ready. Panel members at this stage should provide the student with a list of recommendations in order to improve their application before the Panel is reconvened.

## Proceedings of the Panel

242 The candidate will be invited to make a presentation based on their research. The Panel will then conduct a discussion with the candidate about the presentation and research, taking into account the criteria set out in para. 243.

## Criteria for Confirmation

243 To recommend Confirmation of Candidature the Panel **must** be satisfied that:

(a) the candidate's Formal Research Proposal has been approved by RRDC, and that any amendments/recommendations have been addressed by the candidate
(b) the approved Formal Research Proposal continues to reflect the research being undertaken

(c) the candidate has successfully progressed through at least one annual review point
(d) the candidate has anticipated a realistic timetable for completion, and is developing appropriate research skills and a researcher identity
(e) the research is developing into an appropriate master's/doctoral research topic of sufficient scope and depth
(f) the candidate has identified the context of the research and how it relates to other work in the discipline
(g) the research will contribute to knowledge in the discipline
(h) the candidate has demonstrated independent critical thinking at the master's/doctoral level.

244 Where the Panel is not satisfied that the above criteria have been demonstrated it may request further evidence.

245 At this time the Panel will enter a stage of intermission, until additional evidence is submitted to allow the Panel to make their recommendations; when entering an intermission, the Panel must set a deadline for the receipt of additional evidence and a date on which it will reconvene.

246 During the period of intermission neither the Candidate nor the Supervisory Team will be allowed to discuss the Confirmation of Candidature with Panel members unless a meeting or alternate form of communication is formally requested by the Panel Chair.

## Panel recommendations

247 The Panel may make one of the following recommendations to Research and Research Degrees Committee:

(a) that Candidature be confirmed, without conditions
(b) that Candidature be confirmed subject to conditions, to be satisfied within a reasonable deadline set by the Panel
(c) that Candidature be denied, but the candidate be permitted to re-apply after conducting further research or preparation as indicated by the Panel and by a date specified by the Panel which is within six months of the Panel meeting
(d) that Candidature be denied, but (for PhD candidates) the candidate be permitted to revise their research proposal with the aim of completing and submitting a thesis for an MPhil
(e) that Candidature be denied, and the candidate's registration be terminated without further research.

248 Within 10 days of the Panel meeting, the Director of Academic Programmes and Research will inform the candidate and their Supervisory Team of the Panel's recommendation and reasons for the recommendation, and will remind the candidate that the recommendations are provisional until approved by RRDC.

## Confirmation by RRDC

249 The recommendations of the Panel **must** be considered at the next full meeting of the RRDC. The Committee **must** endorse the recommendations unless it is evident to the Committee that the Panel was not properly constituted or the proceedings were conducted improperly and/or unfairly.

250 The candidate, and their Supervisory Team, must be informed of the final decision of the Committee within five days of its meeting, with a copy of the Panel's report. Where the decision involves denial of Candidature, the candidate must be advised in writing of their right to appeal on procedural grounds (under Chapter X).

### Completion of conditions

251 Where Candidature is approved subject to conditions, the Chair of the Panel, in consultation with Panel members, is responsible for determining that the conditions have been satisfied and for reporting this to RRDC. The candidate and Supervisory Team **must** be informed in writing within five days of the Panel's confirmation that the conditions have been satisfied.

### Re-application for Candidature

252 Where the candidate is permitted to re-apply for Candidature, the process set out in paras. 233 onwards **must** be followed, with the candidate demonstrating that the required further research or preparation has been conducted. The Panel **must** be the same membership as the original Panel unless this is impractical or would cause unacceptable delay.

253 Where the Panel remains dissatisfied with the candidate's progress it may recommend to RRDC that:

(a) Candidature be denied, but (for PhD candidates) the candidate be permitted to revise their research proposal with the aim of completing and submitting a thesis for the MPhil
(b) Candidature be denied, and the candidate's registration be terminated without further research.

254 Paras. 249-250 apply as for the original Panel decision.

## Confirmation of Candidature – Application to transfer to PhD

255 Where a candidate was admitted to the MPhil and wishes to be considered for a transfer of registration to the PhD, the candidate's application for Confirmation of Candidature **must** indicate this wish and be presented in a way which demonstrates that the candidate is capable of conducting research and producing a thesis which meets the requirements for the PhD within the revised period of registration applicable to the PhD.

### Application

256 The application **must** include:

(a) evidence that the transfer is supported by the Supervisory Team
(b) a Transfer Report that coherently, and in a structured manner, communicates the work done to date
(c) if required, a revised Formal Research Proposal that is appropriate to a PhD
(d) identify any additional research training requirements applicable to the PhD and not so far undertaken.

257 The application **must** be considered as set out in para. 229 onwards, modified as applicable, including as specified below.

### Panel recommendations

258 The Panel may make one of the following recommendations to Research and Research Degrees Committee:

(a) that Candidature be confirmed with transfer to the PhD without conditions
(b) that Candidature be confirmed with transfer to the PhD subject to conditions, to be satisfied within a reasonable deadline set by the Panel
(c) that transfer to the PhD be denied, but the candidate be permitted to re-apply after conducting further research or preparation as indicated by the Panel and by a date specified by the Panel which is within six months of the Panel meeting
(d) that transfer to the PhD be denied, but the candidate be granted Confirmation of Candidature for the MPhil
(e) that transfer to the PhD be denied, and Candidature for the MPhil also be denied but the candidate be permitted to re-apply for Candidature for the MPhil after conducting further research or preparation as indicated by the Panel and by a date specified by the Panel which is within six months of the Panel meeting
(f) that transfer to the PhD be denied, and Candidature for the MPhil also be denied and the candidate's registration be terminated without further research.

259 Following a re-application where permitted under para. 255, the Panel may make one of the following recommendations:

(a) that Candidature be confirmed with transfer to the PhD without conditions
(b) that Candidature be confirmed with transfer to the PhD subject to conditions, to be satisfied within a reasonable deadline set by the Panel
(c) that transfer to the PhD be denied, but the candidate be granted Confirmation of Candidature for the MPhil
(d) that transfer to the PhD be denied, and Candidature for the MPhil also be denied and the candidate's registration be terminated without further research.

## Application to transfer from PhD to MPhil

260 Where a candidate was admitted to the PhD programme and wishes to be considered for a transfer of registration to the MPhil, the candidate can submit an application to RRDC. This application must indicate this wish and be presented in a way which demonstrates that the candidate is capable of conducting research and producing a thesis which meets the requirements for the MPhil on or before a specified date; this date will determine the period of MPhil registration following transfer from PhD registration.

### Application

261 The application **must** include:
(a) reasons and rationale for requesting the transfer
(b) evidence that the transfer is supported by the Supervisory Team
(c) a report that coherently, and in a structured manner, communicates the work done to date
(d) if required, a revised Formal Research Proposal that is appropriate to an MPhil
(e) any additional research training requirements applicable to the MPhil and not so far undertaken.

262 Where the Director of Academic Programmes and Research (or their nominee) has received an application for transfer from the candidate and is satisfied that the information specified in para. 261 has also been provided, they will convene a Transfer Panel, and set a date for the Panel meeting in consultation with the Panel members, the candidate's Supervisory Team and the candidate.

263 The Panel **should** comprise:
(a) the Director of Academic Programmes and Research (or their nominee) (as Chair)
(b) an academic who has expertise in the area of the candidate's research
(c) an academic and active researcher with appropriate qualifications and relevant supervisory experience who has broad knowledge and expertise in the field in question.

264 No member of the Panel may be someone who has been or is involved in the research or in supervising the candidate.

265 The Panel may co-opt such additional expertise as it deems appropriate (subject to para. 264).

266 The candidate's Primary Supervisor is expected to attend; other members of the Supervisory Team may attend if they wish to do so. All members of the Supervisory Team attend as observers only.

### Panel Recommendation

267 The Panel may make one of the following recommendations to Research and Research Degrees Committee:
(a) that the candidate be transferred to the MPhil without conditions
(b) that the candidate be transferred to the MPhil subject to conditions, to be satisfied within a reasonable deadline set by the Panel
(c) that transfer to the MPhil be denied, but the candidate be permitted to re-apply for transfer to the MPhil after conducting further research or preparation as indicated by the Panel and by a date specified by the Panel which is within six months of the Panel meeting
(d) that transfer to the MPhil be denied, and the candidate offered the option of remaining on the PhD programme or that the candidate's registration be terminated without further research.

## Writing-up

268 A candidate for the MPhil/PhD by research may apply to enter the Writing-up stage, where they have undertaken sufficient research to enable the thesis to be completed and no longer require full access to supervision, research training or research facilities (beyond basic access to library and IT facilities). A candidate permitted to enter the Writing-up stage will be charged a reduced fee as set out in the University's published fees. Retrospective applications to enter the Writing-up stage will not be considered and a candidate may not change their mode of study once they have entered the Writing-up stage.

269 An application **must** be made to the Director of Academic Programmes and Research, be supported by the candidate's Supervisory Team and satisfy the following conditions:

(a) the candidate has completed the minimum period of registration set out in para. 32
(b) the maximum period of registration will not be exceeded as set out in para. 32

(c) the candidate has completed the mandatory research training (see paras. 216 onwards)
(d) the candidate's Formal Research Proposal has been approved (para. 198 onwards)
(e) Confirmation of Candidature has been granted (para. 233 onwards)
(f) that satisfactory progress has been evidenced at each annual progress review (para. 221 onwards)
(g) that all required field, laboratory work and research analysis has been completed
(h) it is realistic for the candidate to complete the thesis before the end of the Writing-up stage
(i) that completion can be achieved with only limited access to Library, IT and supervisory facilities.

270 Where a candidate is permitted to enter the Writing-up stage, submission of the thesis **must** take place within 12 months (full-time) and 24 months (part-time) of permission being granted. Extensions will only be granted where the RRDC is satisfied that there is corroborated evidence of exceptional and unforeseen circumstances which prevented formal submission within the required time.

271 A candidate who fails to submit the thesis before the expiry of the relevant deadline in para. 270 will be deemed by RRDC to have failed the MPhil/PhD and will not be allowed to submit the thesis either for the PhD or for the MPhil.

# CHAPTER VI: SUBMISSION OF THE THESIS OR DISSERTATION

## Requirements for submission

272 Throughout this Chapter references to 'thesis' include references to the MPhil dissertation unless expressly indicated otherwise.

273 A candidate who has been granted Confirmation of Candidature and who wishes to submit their thesis for examination **must** satisfy the following conditions:

(a) obtain the agreement of the Primary Supervisor
(b) provide written notice of intention to submit to the Director of Academic Programmes and Research
(c) submit by the prescribed deadline and in the prescribed format.

## Agreement of the Primary Supervisor

274 A candidate wishing to submit the thesis **must** provide the Primary Supervisor with an unbound (or equivalent) copy, and thereafter obtain the Primary Supervisor's agreement that the thesis is fit for submission. Where there is disagreement between the candidate and the Supervisor about the suitability of the thesis, the candidate may involve the Director of Academic Programmes and Research who will seek to mediate and resolve the disagreement.

275 Where the candidate, following attempted mediation, considers that the Primary Supervisor has unreasonably withheld agreement to submit, the candidate may proceed with submission.

276 In all cases submission is made on the understanding that the agreement (or otherwise) of the Primary Supervisor does not provide any guarantee that the thesis will be awarded a pass, and the opinion of the Primary Supervisor is not in any way binding on the examiners.

## Notice of intention to submit

277 A candidate shall give not less than three months' notice of the expected date of submission of the thesis, and shall, at the same time, confirm the precise title of the thesis along with an abbreviated title which shall not exceed six words.

278 A candidate who will require reasonable adjustments for the examination of the thesis, and who either does not currently have a Statement of Reasonable Adjustments, or considers that the Statement does not adequately cover the examination of thesis, **must** inform the Student Experience Office at the time of giving notice of intention to submit so that their needs can be discussed before the examination is arranged.

## Deadlines for submission

279 The final version of the thesis (in the formats prescribed in para. 283 onwards) must be submitted no later than the expiry of the maximum period of registration specified in para. 32.

280 Where a candidate is unable to submit by the prescribed deadline, they may apply to RRDC for an extension using the approved form. An application will be approved only where the RRDC is satisfied that:

(a) it is endorsed by the Primary Supervisor
(b) it is supported by relevant corroborating evidence
(c) it demonstrates that the candidate has lost time due to circumstances beyond their control and which could not have been addressed through an interruption of studies (such as the extreme pressure of external work over a limited period; accident and extended, certificated illness; the withdrawal of a research site or participants)
(d) the candidate is otherwise making satisfactory progress (including taking into account any previous applications for interruption of studies or extension).

281 Before submitting an application for an extension, international students **must** seek advice from the Student Experience Office and the relevant immigration authorities about the implications of an extension for their immigration status.

282 Extensions will be granted for a period of six months unless the RRDC considers that the circumstances are exceptional and merit a 12 month extension. A further final extension of no more than 12 months may be granted if the RRDC considers that the circumstances are compelling and that the candidate has a realistic chance of completion within the final period extension.

## Format of the thesis

### Word length

283 The maximum word lengths for the PhD by research are:

(a) Engineering, Art and Design: 40,000 words (exclusive of acknowledgements, references/bibliography, appendices and economical footnotes); these theses must be accompanied by a product or artefact that forms the most significant part of the intellectual inquiry. The written component of the thesis will locate the product or artefact in its relevant theoretical, historical-cultural, critical or design context
(b) Arts, Health, Sciences, Social Sciences and Education: 80,000 words (exclusive of acknowledgements, references/bibliography, appendices and economical footnotes)

284 The maximum word length for the PhD by Publication is 10,000 words (exclusive of the included published works, acknowledgements, references/ bibliography, appendices and economical footnotes.

285 The maximum word lengths for the MPhil by research are:

(a) Engineering, Art and Design: 15,000 words (exclusive of acknowledgements, references/bibliography, appendices and economical footnotes); these theses must be accompanied by a product or artefact that forms the most significant part of the intellectual inquiry. The written component of the thesis will locate the product or artefact in its relevant theoretical, historical-cultural, critical or design context

(b) Arts, Health, Sciences, Social Sciences and Education: 30,000 words (exclusive of acknowledgements, references/bibliography, appendices and economical footnotes)

286 In all cases the abstract, main text, tables and quotations should be included in the maximum word length. Appendices, reference lists and footnotes should not be included in the maximum word length.

### Format

287 Theses **must** be presented in the required format: Format of Theses or such other format as has been approved as part of a candidate's Statement of Reasonable Adjustments.

288 All theses must include:

(a) a coversheet
(b) a Declaration Form signed by the candidate confirming that the thesis is an original piece of work and has not been submitted for a comparable academic award
(c) a Copyright Statement
(d) Acknowledgements of any funding received for the undertaking of the research, and/or other personal and/or professional support the candidate may want to recognise publicly
(e) an Abstract that is no longer than a single A4 page of single-space text (or 300 words) and states the nature and scope of the work undertaken and the contribution to knowledge in the discipline. It should contain four separate paragraphs that state:

i. what was investigated and why
ii. how the research was conducted (methodology & methods)
iii. what was found/results
iv. the conclusions drawn from the evidence.

(f) additionally the Abstract should conclude with three to six keywords
(g) References listing only and all sources referred to in the thesis (using a format appropriate to the discipline in which the thesis is based).

### Research Degrees Involving Creative Work

289 Where a candidate has undertaken a programme of research in which the candidate's own creative work or equivalent forms the most significant part of the intellectual enquiry the final submission **must** conform to the academic standards for the award. In addition the final submission **must** be accompanied by some permanent record of the creative work or equivalent and, where practicable, bound with the thesis (for example: video, photographic record, CD-ROM/DVD, model, musical score, and diagrammatic representation).

### Scholarly Work

290 Where a candidate has undertaken a programme of research in which the principal focus is the preparation of a scholarly edition of a text or texts, musical or choreographic work, or other original artefacts the final submission **must** include a copy of the edited text(s) or collection of artefact(s), appropriate textual and explanatory annotations, and a substantial introduction and critical commentary which sets the research in the relevant historical,

theoretical or critical context. The thesis shall conform to the academic standards for the award and be of an appropriate length.

### Inclusion of Published Work

291 A candidate may publish material in advance of submitting the thesis provided that any such material is correctly referenced in the thesis.

### Copyright

292 The requirements of the University regarding copyright of a candidate's thesis are to be found in the relevant form: Declaration of Originality & Copyright Statement.

## Thesis binding

293 The thesis **must** be presented for examination in a temporary but secure form of binding. A thesis submitted in temporary bound format **must** be in its final form in all respects save the binding.

### Presentation of the Thesis Following the Recommendation of the Award

294 The thesis **must** be presented in a permanent binding – as specified below – for inclusion in the University Library. A further copy must be provided where the thesis is to be lodged in the library of any institution which collaborated in the award of the degree.

295 When presenting the final bound version the candidate **must** confirm that the contents of the bound version are identical to those of the unbound version submitted for examination, other than where amendments have been made to meet the requirements of the examiners.

296 Binding of the University Library copy must adhere to the following requirements:

(a) the hard binding will be such that leaves cannot be removed or replaced
(b) the covers of the work will be in University red
(c) the title of the work will be included on the front cover in silver foil lettering (or simulated lettering), as will the family name and initials of the candidate, and the year in which the degree was awarded; these details should also appear on the spine of the work
(d) where a thesis is presented in more than one volume then the volume or part number should follow the date aligned to the centre of the spine.

297 The University Institutional Repository copy must adhere to the following requirements:

(a) be in digital format
(b) be accompanied by the completed Thesis Deposit Agreement Form which confirms the candidate's agreement to have the thesis published with the Institutional Repository and for the thesis to be available to the British Library for inclusion in their British universities theses database, EThOS (Electronic Theses Online Service).

## Dissemination of Research Findings

298 Following the award of the degree and subject to any confidentiality agreement (para. 211) the Director of Academic Programmes and Research will ensure that one copy of the thesis is lodged in the University of Gibraltar Library and in the library of any organisation involved in the joint award of the degree.

# CHAPTER VII: RESEARCH MISCONDUCT

299 This Chapter applies to candidates undertaking a research degree of the University. Research misconduct applies to any aspect of the research and final thesis submitted for examination for the MPhil/PhD, and includes any work submitted for publication (whether published or not) arising from the research.

300 Any reference to notification in writing, refers to informing a student using their University email address.

301 Responsibilities under this Chapter designated for the Director of Academic Programmes and Research may be delegated as determined by the Director of Academic Programmes and Research.

## Principles

302 The University expects all research candidates and staff to commit to, uphold and maintain high standards of academic integrity to ensure that:

(a) work and originality of others is respected
(b) the academic reputation of the University is upheld
(c) the integrity of the University's awards is protected
(d) the international academic community and the general public can have confidence in the work and authority of the University.

303 The University expects all research candidates to possess a clear understanding of academic integrity and the skills of good academic practice appropriate to the discipline in which their research will be based. Appropriate discipline-specific guidance will also be available to candidates as part of their research training.

304 All staff involved with supervising or examining research degrees are responsible for upholding the principles and practice of academic integrity in that:

(a) members of Supervisory Teams will guide candidates on the meaning of good academic practice and refer candidates to resources and further guidance
(b) members of Supervisory Teams and examiners will use their best endeavours to detect and report any form of academic misconduct.

305 The procedures set out in this Chapter are under-pinned by principles of objectivity and respect and are intended to safeguard, as far as possible, the interests and well-being of all parties, including ensuring fairness to candidates who do not commit academic misconduct and fairness to those accused of academic misconduct.

306 All allegations of academic misconduct will be investigated and determined in accordance with the principles of natural justice and in accordance with the specific procedures set out in this Chapter.

## Use of Turnitin

307 All candidates are expected to produce a Turnitin report on their RD1 Formal Research Proposal, chapter submissions for Confirmation of Candidature, their thesis and resubmitted thesis (where resubmission is required). Reports produced by the software are not definitive indicators that work has been plagiarised, but facilitate the identification of text that might be plagiarised.

308 Primary Supervisors are required to confirm on the Declaration of Originality & Copyright Statement that the Turnitin report has been discussed with the candidate.

## Definition of research misconduct

309 The University defines 'research misconduct' as any conduct by a candidate which may give that candidate an illegitimate or unfair advantage or benefit for themselves or another or which may create a disadvantage or loss for another.

310 This definition applies whether the candidate acted alone or in conjunction with another or others, whether members of the University or not, and includes conduct which is attempted, and the successful or attempted inducing or coercing of another or others, whether they are members of the University or not.

311 The principal forms of research misconduct are:

| Misconduct Offence | Explanation and Example(s) |
|---|---|
| **Collusion** | ▪ collaborating with another person to produce work that is presented as one's own |
| **Fabrication** | ▪ reporting on experiments or fieldwork never undertaken and/or data never collected.<br>▪ making up or adapting experimental or social data where it was not collected, where there was a shortfall in the data set(s), or where the data supported a different conclusion. |
| **Falsification** | ▪ misrepresentation of the results of an experiment or social science study<br>▪ the purposeful selective use of data to make a scientific or academic claim<br>▪ falsifying attendance sheets for placements that are an assessed part of the programme<br>▪ falsifying testimonials and/or reports that constitute evidence for an assessment<br>▪ falsifying a transcript, certificate or other official document<br>▪ making a false statement or presenting false evidence in support of an application for an extension, mitigating circumstances or other special case |

| | |
|---|---|
| **Impersonation** | ▪ passing one's self-off as another person during an examination or other form of assessment |
| **Making false statements** | ▪ making a false statement or presenting false evidence in support of an application for interruption of studies, extension, mitigating circumstances or other special case |
| **Plagiarism** | Presenting the work of others (e.g., thoughts, ideas, writing, images, artefacts) as one's own without proper acknowledgement. It includes:<br>▪ copying from a published author, a student or other source without acknowledgement<br>▪ paraphrasing the work of a published author, student or other without acknowledgement<br>▪ copying large amounts of text from sources and linking them together with text of one's own<br>▪ unacknowledged presentation of material from learning resources or teaching materials provided by course tutors (e.g., transcription of recorded lectures)<br>▪ unacknowledged presentation of material generated by artificial intelligence software.<br>Plagiarism applies whether the source being copied is published or unpublished and whether it is from articles, books, computer programs, data, essays or reports and whether from written, printed or electronic sources such as the Internet. It applies whether the work submitted for assessment is literary, graphical (e.g. designs, diagrams, graphics), electronic or mathematical. |
| **Purchasing/Commissioning** | ▪ purchasing work for an assessment from the internet; commissioning another to write an assessment (including through 'contract cheating' websites) |
| **Self-plagiarism** | ▪ submission of work that is the same as, or broadly similar to, work submitted by the candidate for assessment without proper acknowledgement, and whether that work was submitted to this or any other University or provider of higher education |
| **Theft of the work of others** | ▪ the dishonest taking of another's work in whatever form or medium and for whatever purpose |

## Investigation and determination of allegations

### Identification of research misconduct

312 Supervisors, internal and external examiners are responsible for identifying research which is or may be plagiarised, involve fabrication or falsification, or which may be the result of collusion (including work written by another, or purchased from an internet essay site).

313 Where a supervisor, internal or external examiner suspects research misconduct they must submit a formal allegation to the Director of Academic Programmes and Research without delay, including referring the work, any supporting evidence and the reasons for their suspicion.

### Case to answer

314 Where the Director of Academic Programmes and Research receives an allegation they **may** make, or cause to be made, such further enquiries as they consider appropriate, and **must** thereafter determine, within 20 working days of receiving the allegation, whether there is clear evidence and therefore a case to answer.

315 If the Director of Academic Programmes and Research determines that there is **no** case to answer, the case **must** be closed and the candidate and the supervisor/examiner informed in writing without delay. No information about the matter will be retained on the candidate's file other than a copy of the email to the candidate.

316 If the Director of Academic Programmes and Research determines that there is a case to answer, they **must** establish a Research Misconduct Panel, and inform the candidate in writing without delay (as set out below).

317 If the Director of Academic Programmes and Research determines that there is a case to answer and has reason to believe that the research misconduct may relate to more than one piece of work (such as another publication) they **should** direct that other work by the candidate be investigated. Where such investigation would constitute a retrospective investigation as defined in paragraph 342, the requirements of that paragraph must be followed.

## Research Misconduct Panels

318 Where the Director of Academic Programmes and Research is required to establish a Research Misconduct Panel (as set out in para. 316) they **must** notify the candidate in writing without delay that an allegation of academic misconduct has been made and that the Director of Academic Programmes and Research judges that there is a case to answer. Notification **must** include:

(a) a summary of the allegation
(b) all evidence relating to the case including any witness statements
(c) an explanation of the right of the candidate to respond in writing within 15 working days of the date of the notification giving the candidate the opportunity to admit or deny the allegation in any such response, and
(d) where the allegation is admitted, giving the candidate the opportunity to make any statement by way of explanation or mitigation.

319 Where the candidate submits a response, or after 15 days have elapsed, the Director of Academic Programmes and Research **must** proceed with establishing a Research Misconduct Panel hearing. Once the details of the Panel hearing have been confirmed the Director of Academic Programmes and Research must inform the candidate in writing:

(a) of the date, time and location of the hearing, giving no fewer than 10 working days' notice
(b) informing the candidate of their right to be accompanied by a person of their choosing
(c) requesting that the candidate confirm their attendance at the hearing.

320 If, on receipt of a response from the candidate in which the candidate does not admit the allegation, the Director of Academic Programmes and Research determines that the allegation has been satisfactorily explained, the Director of Academic Programmes and Research should direct that the allegation not be proceeded with, and the matter be considered closed. The candidate **must** be informed in writing without delay of this decision, copied to the supervisor or examiner.

321 Where the candidate has admitted the allegation the Research Misconduct Panel is responsible for determining the penalty to be imposed taking into account any statement of explanation of mitigation submitted by the candidate.

322 If the candidate indicates, or the Director of Academic Programmes and Research has reason to believe, that the candidate's behaviour may be the result of mental health difficulties, the Director of Academic Programmes and Research **must** consult the Student Experience Officer before proceeding further.

323 The candidate may waive the right to attend the hearing, by notifying the Director of Academic Programmes and Research in writing, in which case the Panel should proceed in the candidate's absence. If no response is received from the candidate, the Panel should proceed in the candidate's absence. If the candidate provides a legitimate reason for being unable to attend on the specified date, the hearing must be rearranged. If the Director of Academic Programmes and Research judges that the reason given is not legitimate the candidate must be informed in writing of that judgement and the hearing should take place on the date notified.

## Membership of Research Misconduct Panels

324 A Research Misconduct Panel **must** comprise:

(a) a member of Research and Research Degrees Committee (as chair)
(b) a member of academic staff.

325 Provided that no member of the Panel has previously been involved in the allegation or is involved in the supervision or conduct of the candidate's research, and all members of the panel have attended a development session on research misconduct.

326 The Panel will be supported by a secretary who **should** provide advice to the panel on the University's procedures as required, and keep a written record of the proceedings, but **must** not otherwise participate in the making of decisions by the Panel.

## Conducting the Panel hearing

327 The candidate **must** be permitted to be present throughout the proceedings of the Panel, other than when the Panel and Secretary sit in private to determine the outcome and (if applicable) any penalty, unless the Panel determines that there is a compelling and

exceptional reason for excluding the candidate for example while a witness is providing evidence. Where the candidate is excluded they must be apprised of the details of the evidence provided, and be permitted to put questions to the witness via the Panel.

328 The candidate **may** be accompanied by a person of their choosing (who may not speak at on behalf of the student unless invited to do so by the Chair of the Panel).

329 Neither the University nor the student, shall have recourse to legal representation at the Appeals Panel hearing.

330 Proceedings of the Panel should be conducted as follows:

(a) introductions (ensuring that the candidate is clear about the role of each person present at the hearing)
(b) presentation of the case to answer by the Director of Academic Programmes and Research
(c) presentation of any other supporting evidence, for example through the calling of witnesses
(d) the opportunity for the candidate to ask fair and relevant questions of any witness
(e) statement by the candidate
(f) questioning and examining the candidate, including on the development and content of their evidence base and data set
(g) summing-up by the Chair with an opportunity for clarification by the Director of Academic Programmes and Research and candidate.

331 Once the Panel is satisfied that sufficient evidence has been presented and the candidate been given fair and reasonable opportunity to respond, the Panel **must** consider its decision in private both as to whether the allegation has been proved on a balance of probabilities and, if proven, the penalty or penalties to be imposed (as set out in para. 336 onwards).

332 All proceedings of the Panel **must** be minuted by the secretary, and be verified by the Panel members as an accurate record. No party may digitally record proceedings.

333 If requested by the candidate, they **should** be informed orally of the outcome of the hearing. In all cases the candidate must be informed (by the secretary) in writing within 48 hours of the outcome, including any penalty, the reasons for the decision and the right to lodge an appeal in writing within 20 working days of the notification of the outcome. The candidate **must** be provided with a copy of the minutes once these have been approved by the Panel.

334 The Panel's decision must be copied to the candidate's Supervisory Team and the Director of Academic Programmes and Research.

## Other Evidence

335 In determining which evidence is relevant to the investigation and determination of the allegation any indication that the candidate succeeded in destroying or attempted to destroy evidence or otherwise made or attempted to make evidence unavailable to those

investigating the matter, **should** be considered along with the allegation, and the decision-maker may draw such inferences as appear proper.

## Penalties

336 The University regards any research misconduct by a research candidate as 'severe' and penalties for a proven offence are designed to reflect this. For offences that might also constitute a criminal offence, the University, through the Vice-Chancellor in consultation with the Director of Academic Programmes and Research, will determine whether the police or other authorities should be informed.

337 Unless the candidate has presented exceptional mitigating circumstances, properly corroborated, which provide a compelling explanation for the candidate's conduct, the Research Misconduct Panel **must** impose a penalty of termination of the candidate's registration for the MPhil/PhD with no award.

338 The decision of the Panel is subject to the approval of the Academic Board.

## Fresh evidence

339 Where a candidate, or another person, has relevant evidence which was not considered by a Research Misconduct Panel in determining an allegation, that evidence **must** be presented to the Chair of the relevant Research Misconduct Panel. The Chair **must** determine whether, in the light of the fresh evidence, the decision of the Panel should be reconsidered. In making this decision the Chair **must** have regard to whether there were legitimate reasons for the evidence not having been made available to the Panel at the time.

340 If the Chair determines that the matter should not be reconsidered, the matter will be deemed closed and the decision of the Panel confirmed. The candidate and any other any relevant person **must** be in formed in writing without delay.

341 If the Chair determines that the matter should be reconsidered they **must** either re-establish the Panel, or a new Panel to consider the matter in accordance with this Code.

## Retrospective investigation

342 The completion of a stage of the research degree (such as approval of the Formal Research Proposal or Confirmation of Candidature, submission or examination of the thesis), or the award or conferment of the qualification does not prevent an investigation in accordance with this Chapter. In investigating any allegation, due regard **must** be had to the difficulties for the candidate of defending such an allegation, especially where a significant amount of time has elapsed since the events alleged to involve an offence.

343 In the event of an investigation resulting in the Research Misconduct Panel determining that an offence has been proven, where the relevant qualification has been awarded or conferred the Panel may recommend that the qualification be revoked. The revoking of a qualification is subject to the approval of the Academic Board.

## Research misconduct appeals

344 A candidate has a right to appeal against a decision of a Research Misconduct Panel either against:

(a) the judgement that the allegation is proven
(b) the penalty imposed.

345 An appeal **must** be submitted in writing (using an approved form) to the Registrar, within 20 working days of the date on which the outcome of the Research Misconduct Panel was notified to the candidate in writing.

346 Appeals will be progressed as set out in Chapter X, other than as specified in the following paragraphs.

### Grounds for appeal

347 An appeal may be lodged on one of the following grounds, where there is evidence that there:

(a) are or were very exceptional circumstances materially affecting the candidate's performance, for which supporting evidence exists, which were not known to the Panel at the time its decision was taken and for which there was a legitimate reason for the circumstances to have not been brought to the attention of the Panel
(b) has been a significant procedural irregularity (including administrative error) in the investigation and determination process (e.g. it has not been conducted in accordance with this Chapter)
(c) are reasonable grounds to believe that the decision was influenced by prejudice or bias or lack of proper consideration on the part of one or more members of the Panel.

348 There is no right of appeal against the judgement of the Research Misconduct Panel other than on the above grounds.

### Outcome of the appeal

349 Where the Appeals Panel determines that the appeal be upheld, it **must** declare the original decision of the Research Misconduct Panel invalid and direct that the Research Misconduct Panel reconsider its decision in the light of the evidence presented in the appeal. The new decision of the Research Misconduct Panel **must** not involve the imposition of a penalty more severe than that originally imposed by the Research Misconduct Panel.

### Right of Review

350 A candidate dissatisfied with the outcome of an appeal may seek further review of the decision only as set out in para. 478 onwards.

## Monitoring and review

351 Research and Research Degrees Committee will receive an annual report on cases of research misconduct under this Chapter including:

(a) the number of cases proven and not proven by type of offence
(b) the penalties imposed
(c) the profile of candidates involved and their individual characteristics (including gender, ethnicity, disability).

352 The Committee will make recommendations for appropriate action in the light of the report, and comparison with previous years' reports (where available) regarding the effectiveness of this Chapter and/or the effectiveness of the University's approach to developing good academic practice and addressing research misconduct.

# CHAPTER VIII: EXAMINATION OF THE THESIS OR DISSERTATION

353 This Chapter governs the examination of the thesis submitted in accordance with Chapter VI above. It addresses the appointment of the examiners (internal and external), the appointment of an independent chair for the viva voce, the criteria to be used by the examiners, and the recommendations which the examiners are permitted to make.

354 Throughout this Chapter references to 'thesis' include references to the MPhil dissertation unless expressly indicated otherwise.

## Method of examination

355 A candidate for an MPhil or PhD by research or PhD by publication **must** be examined by means of:

(a) a thesis which complies with the submission requirements set out in Chapter VI
(b) a viva voce examination based on the thesis.

356 Where the research involves some form of creative work (as specified in the approved Formal Research Proposal) the examination will also include an examination element appropriate to the nature of the work submitted, for example involving a presentation or performance.

357 The examination **must** be conducted by:

(a) one internal examiner
(b) two external examiners.

358 Where the candidate is also a member of staff of the University, or where there is no suitable internal examiner available, the examination **must** be conducted by three external examiners and no internal examiner.

359 The candidate **must** not take part in the arrangement of the examination and **must** not have formal contact with the internal or external examiner(s) between the appointment of the examiners and the viva voce.

## Appointment of the examiners

360 Where the candidate has given correct notice of intention to submit in accordance with para. 277, the Supervisory Team should recommend to the Director of Academic Programmes and Research the names and details of potential internal and examiners who meet the criteria set out in the following paragraphs.

### Experience of examiners

361 To be appointed as an internal or external examiner, the nominee **must**:

(a) be the holder of a doctorate (or equivalent acceptable to the Academic Board)
(b) be experienced in research in the general area of the candidate's thesis

and **should**:

(c) have experience as a specialist in the topic(s) to be examined.

362 The examining team (internal and external examiners combined) should together have substantial experience of examining research degree candidates at, or above, the level of the award for which they have been appointed to examine (for example have examined at least three research degree candidates). In addition each examiner should have supervisory experience and with at least one examiner having supervised to completion at, or above, the level of award for which they have been appointed to examine.

### Internal examiners

363 An internal examiner is defined as an examiner who is:

(a) a member or Associate member of staff, Research Fellow or Professor of the University (including Beacon Professors)
(b) a member of staff of the candidate's collaborating establishment.

### External examiners

364 To be appointed as an external examiner the nominee **must** be someone who is independent of the University, any collaborating institution and the candidate. Specifically the nominee **must not** be a person who:

(a) is currently or has previously been the candidate's supervisor or adviser
(b) has previously been a member of staff or a student of the University unless six years have elapsed since that role came to an end
(c) has previously been an external examiner for the University for more than two research degree candidates.

### Exclusions

365 The following are not permitted to be an internal or external examiner:

(a) a current student of the University or Associate Campus of the University
(b) anyone who has supervised or acted as an advisor to the candidate
(c) anyone who is related to the candidate or to a member of the Supervisory Team

366 Where two external examiners are required to be appointed for an individual candidate they may not be employed by the same institution.

### Approval of the examiners

367 Academic Board is responsible for appointing the internal and external examiners for research degrees. Nominations for the appointment of the examiners must be made to the Chair of Research and Research Degrees Committee, who will consult with the full committee as the Chair deems appropriate, before making a formal recommendation to the Academic Board.

368 External examiners will be paid fees at the rate specified by the University, and reasonable expenses in accordance with the University's scale of expenses.

### Confidentiality

369 Where RRDC has approved an application for the thesis to be retained as confidential (under para. 211 onwards) all examiners **must** complete and sign a Confidentiality Agreement before undertaking the viva voce.

## The Chair of the viva voce

370 Academic Board, on the recommendation of the Director of Academic Programmes and Research, **must** appoint an independent member to act as chair of the viva voce examination. The Chair must be a member of staff (including an Associate member of staff, Research Fellow or Professor of the University, including Beacon Professors) or exceptionally an external appointee) who is not otherwise involved in the supervision or examining of the candidate or otherwise disqualified from being an internal or external examiner (as set out in paras. 360 onwards). The Chair **must** be provided with training and support for the role, or have been provided with training within the previous three years.

371 The role of the independent Chair is to ensure that each stage of the examination is conducted rigorously, fairly, reliably and consistently. The Chair shall have a neutral role in the assessment process and **must** not take part in the actual assessment of the thesis or the determination of the outcomes.

372 The Chair is responsible for:

(a) chairing the preliminary meeting of the examiners, including agreeing a structure and format for the viva, including the roles of the examiners
(b) introducing all those present at the viva voce examination, including attempting to put all parties at their ease
(c) ensuring that all those present understand the procedures to be followed
(d) providing advice to the examiners on the University's procedures and Codes (as set out in these Regulations and related documents)
(e) outlining the structure and format of the viva voce to all those present
(f) intervening in the examining process only if there appears to be bias, misconduct, unfairness or if the examiners are diverting from the agreed format of the viva in such a manner as to disadvantage the student, or if the chair believes the viva is progressing in a manner which could compromise the University's academic standards. Actions which might be taken include calling a temporary halt to the meeting, holding a private discussion with the examiners or the candidate, or, most exceptionally, ending the examination
(g) chairing the post-viva discussion of the examiners and assist them in the formulation of a recommendation
(h) ensuring that the examiners complete and sign the relevant forms at the end of the viva voce
(i) providing information about the conduct of the viva voce in the event of an appeal.

## Examination criteria

373 Theses submitted for the MPhil or PhD by research will be examined against the following criteria, that:

(a) the candidate has identified a suitable postgraduate research topic and successfully completed a programme of training in research techniques and methodology (including, where appropriate, conformity with the ethics, legal and safety requirements, as set out by the University)
(b) the candidate has a satisfactory knowledge of the background literature and is able to relate their research to existing scholarship and in the field
(c) the thesis is the candidate's own work and is presented in a satisfactory manner (grammar, punctuation, spelling, clarity of expression, logical argument and appropriate language)
(d) the thesis contains technical apparatus (Abstract, Preface and Acknowledgements, Table of Contents, Footnotes, References, Appendices, Tables, Diagrams, Illustrations, Bibliography) set out according to the conventions of the field of study
(e) for the MPhil, the dissertation displays appropriate evidence of originality and independent critical judgement and demonstrates an understanding of research methods appropriate to the chosen field
(f) for the PhD, the thesis displays appropriate evidence of originality and independent critical judgement, demonstrates an understanding of research methods appropriate to the chosen field and constitutes a contribution to subject knowledge in the research field
(g) the thesis is consistent with the applicable UK QAA Qualification Descriptor.

## The Examination Process

### Preliminary Assessment of the Thesis

374 The University will provide each examiner with a copy of the thesis no less than one month prior to the date of the viva voce, together with the examiner's preliminary report form and the University's Academic Regulations: Research Degrees and the Notes of Guidance for Examiners, and ensure that the examiners are properly briefed as to their duties.

375 Each examiner will read the thesis and provide an independent preliminary report on the thesis to the Chair of RRDC no later than 10 days before the viva voce (and, if applicable, before any additional form of examination is held). In completing the preliminary report, each examiner **must** consider whether the thesis provisionally satisfies the requirements of the degree and should make an appropriate provisional recommendation subject to the outcome of the viva voce.

376 Prior to the viva voce, each examiner will be sent copies of the other examiners' reports.

377 All parties are required to keep the preliminary reports confidential. Any breach of confidentiality will result in the RRDC declaring the examination invalid.

## Dispensing with the viva voce Examination

378 Where all the examiners are independently of the opinion that the thesis is so unsatisfactory that no useful purpose would be served by conducting a viva voce, they may recommend in their preliminary reports that the RRDC dispense with the viva voce and refer the thesis for further work. In such cases the examiners **must** provide the RRDC with written guidance for the candidate concerning the deficiencies of the thesis. The examiners are not permitted to recommend that a candidate fail outright without holding a viva voce. The candidate will be required to resubmit the thesis within 12 months of the date of being informed of RRDC's decision.

## Pre-Examination Meeting

379 Prior to the viva voce (or any applicable additional examination), the independent Chair will convene a meeting of the examiners to consider their preliminary reports and the candidate's thesis. The aim of the meeting is to:

(a) discuss the respective preliminary reports concerning the thesis
(b) clarify the issues which the examiners – collectively and independently – wish to raise with the candidate
(c) agree the structure of the examination (order of questioning, turn-taking in questioning, anticipated time-frame, contingencies – such as running over time, ill-health)
(d) clarify any outstanding issues related to the regulatory framework governing the examination and the permitted recommendations for the award.

## The viva voce examination

380 The Chair of RRDC is responsible for ensuring that the arrangements for the viva voce are properly made, including setting the date, time and venue (at the University), and notifying the candidate, examiners, Supervisory Team and independent Chair in writing.

381 The viva voce should be conducted not less than one month and not more than three months of the date of receipt of the thesis by the examiners. The viva voce **must** be conducted face-to-face unless there is a compelling reason for this not to be the case which is approved by the Chair of RRDC.

382 The viva voce must be attended by:

(a) the candidate
(b) the independent Chair
(c) the internal and external examiners

383 Members of the Supervisory Team may also attend the viva, however candidates have the right to request that one or more supervisors are not present.

384 Members of the Supervisory Team attend solely as observers and **must** not attempt to contribute to the examination unless (and exceptionally) they are specifically invited to do so by the Chair. Where such an invitation is made the fact of, and reason for, **must** be recorded by the Chair.

385 Exceptionally, and after the candidate has left the room, the Chair may invite the Primary Supervisor or other member of the Supervisory Team to provide clarification of any outstanding issue arising from the examination. Where this occurs the fact of, and reason for, **must** be recorded by the Chair (including the reason for doing this in the absence of the candidate).

## Examination outcomes

### Permitted recommendations

386 After the conclusion of the viva voce (and, where applicable, informed by any additional examination) the examiners are permitted to recommend one of the following outcomes, that:

(a) the candidate be awarded the degree
(b) the candidate be awarded the degree subject to amendments being made to the thesis
(c) the candidate be permitted to re-submit for the degree and be re-examined without a further viva voce examination
(d) the candidate be permitted to re-submit for the degree and be re-examined with a further viva voce examination
(e) in the case of a PhD examination, the candidate be awarded the degree of MPhil subject to the presentation of the thesis amended to the satisfaction of the examiners and which meets the criteria for the award of the MPhil without a further viva voce examination
(f) in the case of a PhD examination, the candidate be awarded the degree of MPhil subject to the presentation of the thesis amended to the satisfaction of the examiners and which meets the criteria for the award of the MPhil with a further viva voce examination
(g) the candidate not be awarded the degree and not be permitted to re-submit or be re-examined.

387 Where the examiners are in agreement as to the recommendation, the Chair **must** inform the candidate of the recommendation, and that the recommendation is subject to the approval of RRDC and, in the case of the award of the degree, the approval of Academic Board. The Chair **must** remind the candidate that (in the case of a PhD) they **must** not begin referring to themselves as 'Doctor' until the degree has been awarded by the Academic Board (see para. 413 onwards).

388 The examiners **must** submit a joint report and recommendation to the Chair of RRDC within 10 working days of the viva voce. The report **must** provide sufficiently detailed comments on the scope and quality of the candidate's work to assure the RRDC that the recommendation is correct.

### Disagreement by the examiners

389 Where the examiners cannot agree a recommendation the independent Chair **must** advise the candidate that the decision has been deferred to the RRDC because the examiners cannot agree. In such circumstances the examiners **must** submit separate reports and recommendations to the RRDC within five working days of the viva voce examination.

390 Based on the separate reports of the examiners the RRDC is permitted to:

(a) accept one of the recommendations of the examiners provided there are clear reasons for doing this (such reasons to be recorded in the minutes of the meeting)
(b) require the appointment of an additional external examiner who is not informed of the existing recommendations and who will prepare an independent report (which may require a further viva voce if the additional examiner considers that necessary and fair to the candidate).

391 The candidate **must** be informed of RRDC's decision, and the reasons for it, within five working days whichever option is adopted.

392 Where an independent report is completed by the additional external examiner, RRDC **must** determine whether to accept the recommendation. Where it does not accept the recommendation the Committee **must** determine the appropriate outcome. The candidate **must** be informed of RRDC's decision, and the reasons for it, whichever option is adopted.

### Examiners' report for the candidate

393 Where the outcome of the viva voce examination is other than the award of the degree for which the candidate was registered, the candidate **must** be provided within 10 working days of the meeting of RRDC with a joint statement of the examiners which sets out the reasons for the decision, and makes explicit the ways in which the thesis does not satisfy the standards required for the degree, and makes explicit requirements for further work; for example, additional research or experimental work and/or additional/extended theorisation within the disciplinary context or a reframing of the material to satisfy the requirement for the MPhil).

### Amendments

394 The recommendation of 'amendments' indicates that the thesis satisfies the standards of the award but changes are required for purposes of explanation, clarification, definition or other technical corrections. The candidate is not permitted to make any revision to the intellectual content of the thesis and the candidate should be able to undertake any such amendments with minimal supervision.

395 The internal examiner (or one of the external examiners where there is no internal examiner) is responsible for determining that the amendments have been satisfactorily made, and for confirming to RRDC that the degree may be awarded. RRDC **must** not recommend the award of the degree to Academic Board until it has received confirmation that the amendments have been completed satisfactorily.

396 The amended thesis **must** be re-submitted within six months of the date on which the candidate is informed of RRDC's confirmation of the outcome, unless (exceptionally) RRDC grants the candidate an extension for no more than six months for compelling reasons.

397 The amended thesis **must** be accompanied by a summary of where the changes have been made (chapter/page numbers).

## Resubmission and Re-Examination

398 Any recommendation of the examiners (approved by RRDC) allowing the candidate to resubmit and be re-examined (whether for the PhD or MPhil) permits resubmission/re-examination on one further occasion only.

399 Candidates are entitled to seek the support of their Supervisory Team in the revision and resubmission of the thesis and **must** produce an action plan for retrieval. All resubmissions must be accompanied by a summary of changes made and where they appear in the revised document (i.e. chapters/page numbers).

400 The thesis **must** be submitted within 12 months of the date of the candidate receiving the examiners' joint statement, unless a further and final extension of six months is approved by RRDC for compelling reasons. The arrangements for the submission and re-examination of the thesis are as set out above, subject to the following:

### Dispensing with the viva voce

401 Where the candidate had been permitted to re-submit and be re-examined with a further viva voce (para. 386(d,f)), the examiners may agree to dispense with the need for a further viva voce where they determine that:

(a) the revisions are satisfactory
(b) the revisions are not satisfactory but the criteria in para. 373 are met.

402 In either of the above cases the examiners may recommend the award of the degree with or without amendments.

### Conducting the viva voce

403 Where the criteria in para. 401 are not met, a further viva voce must be held, and **must** be conducted as set out for the original viva voce above.

### Permitted recommendations

404 After the conclusion of the viva voce the examiners are permitted to recommend one of the following outcomes, that:

(a) the candidate be awarded the degree
(b) the candidate be awarded the degree subject to amendments being made to the thesis
(c) in the case of the PhD, the candidate be awarded the degree of MPhil subject to the presentation of the thesis amended to the satisfaction of the examiners and which must meet the criteria for the award of MPhil
(d) the candidate not be awarded the degree and not be permitted to re-submit or be re-examined.

405 Recommendation (c) does not permit the candidate to undertake new or further research. The thesis **must** be amended only to the extent of re-presenting existing material in way which will demonstrate that the standards and criteria for the MPhil are met.

406 Where the examiners are in agreement as to the recommendation, the Chair **must** inform the candidate of the recommendation, and that the recommendation is subject to the approval of RRDC and, in the case of the award of the degree, the approval of Academic Board. The Chair **must** remind the candidate that (in the case of a PhD) they **must** not begin referring to themselves as 'Doctor' until the degree has been awarded by the Academic Board.

407 The examiners **must** submit a joint report and recommendation to the Chair of RRDC within 10 working days of the viva voce. The report **must** provide sufficiently detailed comments on the scope and quality of the candidate's work to assure the RRDC that the recommendation is correct.

408 Disagreements between the examiners will be addressed as set out in para. 389 onwards.

409 Where the outcome of the viva voce examination is other than the award of the degree for which the candidate was registered, the candidate **must** be provided within 10 working days of the meeting of RRDC with a joint statement of the examiners which sets out the reasons for the decision, and makes explicit the ways in which the thesis does not satisfy the standards required for the degree.

410 Where the candidate is permitted to revise the thesis for the award of the MPhil, resubmission must take place within three months of the candidate receiving the joint statement of the examiners, and be completed to the satisfaction of the examiners. Agreement of the examiners may be achieved through correspondence. The examiners may recommend that:

(e) the candidate be awarded the MPhil
(f) that the candidate be failed.

## Academic appeals

411 A candidate may appeal against the recommendations of the examiners on procedural grounds only as set out in Chapter X.

# CHAPTER IX: AWARD AND CONFERMENT

## Official Transcripts

412 Provided they are not in debt to the University for payment of tuition fees exceeding £50, a research degree candidate is entitled to a Transcript of Academic Record which provides confirmation of the research training which they have undertaken as part of their research degree.

## Award

413 A research degree is awarded on the date when the recommendation of the examiners, endorsed by Research and Research Degrees Committee, is approved by the Academic Board.

## Conferment

414 A research degree is conferred on each candidate who has met the University's requirements for the qualification and been awarded the qualification as defined above at a degree ceremony designated for the purpose, whether or not the candidate attends the degree ceremony in person or elects conferment *in absentia*. An official certificate will be issued at the ceremony or be sent to the graduate following the ceremony and will bear the date of the Academic Board meeting which approved the degree.

## Candidates in debt

415 A candidate will not be provided with a Transcript of Academic Record, be awarded a qualification or be permitted to participate in a degree or other ceremony to recognise an award where they are in debt to the University for the payment of tuition fees, provided the sum involved is greater than £50.

## Revoking a qualification

416 The University is empowered to revoke any award of a qualification where it is established to the satisfaction of the Academic Board that:

(a) there was an administrative error in the award made under the procedures required by the University
(b) the qualification was achieved in whole or in part through any form of research misconduct which has been investigated and judged proven by a Research Misconduct Panel
(c) the candidate obtained entry to a University programme of study based on qualifications and/or experience which have subsequently been proven to be false or substantially misrepresented.

## Aegrotat awards

### Nature of Aegrotat awards

417 An Aegrotat award is an award which is conferred on a candidate who is unable for compelling reasons (death, serious illness or other similar sufficient cause) to complete their studies now

or in the foreseeable future, and for whom there are sufficient grounds to believe that had they been able to complete their studies they would have done so successfully.

418 Aegrotat awards relate to the degree for which the candidate was registered and to the stage of research programme they had reached at the time that they became unable to continue their studies. All Aegrotat awards are unclassified. Nothing on the certificate will indicate that the award was an Aegrotat.

419 The award will normally be a named award based on the research degree in question unless that is considered inappropriate taking into account the requirements of any relevant professional, statutory or regulatory body. An Aegrotat award does not necessarily entitle the holder to registration with a professional body, or be exempt from the requirements of any professional qualification which might otherwise be associated with the research degree concerned unless such entitlement is confirmed by the Research and Research Degrees Committee after consultation with the relevant professional, statutory or regulatory body.

### Application and decision making process

420 An application for an Aegrotat **must** be made by the candidate or a person authorised to act on behalf of the candidate, and will be considered by the Research and Research Degrees Committee. RRDC will make a recommendation to the Academic Board.

421 In considering the application RRDC, and in turn Academic Board, **must** be satisfied that:

(a) there are compelling reasons, supported by appropriate – usually medical – evidence that the candidate cannot continue their studies and will not be able to in the foreseeable future
(b) based on the candidate's academic record (evidenced at each stage of progression set out in these Regulations) there is strong evidence that had the candidate been able to complete the research degree programme they would have completed a thesis which would have met the standards and criteria for the Award.

422 The RRDC will take such advice as it deems necessary from the University's professional services and/or a suitably qualified medical practitioner designated by the University.

423 Where the RRDC is satisfied that the conditions for the award have been satisfied, and prior to making a recommendation to Academic Board, the Chair of RRDC will invite the candidate (or authorised representative) to confirm that the candidate wishes to receive the award. If the candidate elects instead to waive the Aegrotat and attempt to continue their studies, the candidate may not thereafter apply again for an Aegrotat award.

## Posthumous Awards

424 The University may award a qualification posthumously where the requirements of the award set out in these Regulations have been satisfied, and the award has been requested by the deceased candidate's next of kin.

425 Applications will be considered by the Research and Research Degrees Committee with a formal recommendation made by the Committee to the Academic Board.

426 Where the deceased candidate had not completed their programme, Research and Research Degrees Committee will also consider whether an Aegrotat award, based on what the candidate was likely to achieve, is appropriate. The Research and Research Degrees Committee will follow the process set out in paragraphs 420 to 423, and will seek the agreement of the candidate's next of kin before making a recommendation to the Academic Board.

# CHAPTER X: STUDENT ENGAGEMENT, COMPLAINTS AND ACADEMIC APPEALS

## Student engagement: Students as Partners

427 Candidates on research degrees have full opportunities to engage in a partnership with the University as set out in the Code on Students as Partners (QH:F1) which covers:

(a) their role as representatives on Student-Staff Liaison Committees for the MPhil/PhD programme
(b) their role as representatives on University committees: the Governing Body, Academic Board and the Research and Research Degrees Committee
(c) engaging with staff to provide their opinions, ideas and feedback on their research degree experience, including through surveys (including the biennial Postgraduate Research Experience Survey)
(d) membership of University Panels: programme approval, Periodic Development Review and student complaints.

## Feedback from Candidates

428 The University is committed to the continuous improvement of all aspects of its management and delivery of education and related services to candidates. As part of this commitment it welcomes constructive feedback from all members of its student body.

429 The University also gathers feedback from all applicants on their experience of applying and as research students and candidates throughout the duration of their studies. Feedback can be about any aspect of a candidate's experience, for example:

(a) the learning and research experience
(b) the opportunities, support and facilities on offer.

## Complaints by candidates

430 Research degree candidates have a right to lodge a formal complaint where they are dissatisfied with an action or a lack of action by the University, or with the standard of service provided by or on behalf of the University. The University is committed to fostering an environment in which candidates are encouraged to raise any matters of concern informally at a local level (such as with their Primary Supervisor or the Director of Academic Programmes and Research) as soon as they arise, as this often removes the need for formal complaints.

431 All candidates, including those who have left/graduated from the University, have a right of complaint no later than **three months** from when the initial event or issue occurred, in order to enable the issue to be addressed in a timely manner.

432 Complaints must be lodged as set out in the Code on Complaints by Students (QH:G1). The University is committed to investigating and resolving complaints with objectivity and respect.

# Academic Appeals

## Scope

433 This chapter governs appeals by candidates registered on programmes leading to the award of a research degree. An academic appeal is a challenge to an academic decision such as the recommendation of the examiners as to whether the thesis meets the standards for the award, or decisions relating to applications for mitigating circumstances, or extensions. The appeal seeks a change to that decision.

434 A candidate may appeal one of the following decisions:

(a) a rejection of the formal research proposal and/or research ethics proposal
(b) a refusal to Confirm Candidature
(c) a refusal of an extension
(d) a refusal to grant confidentiality to the thesis
(e) the decision of RRDC to require an action plan following an annual progress review
(f) the decision to suspend a candidate on grounds of being unfit to study
(g) the termination of the candidate's registration for the degree
(h) the revision of the candidate's registration from PhD to MPhil
(i) a refusal to upgrade the candidate's registration from MPhil to PhD
(j) a refusal to allow the candidate to enter the writing-up stage
(k) the decision of a Research Misconduct Panel.

435 Appeals may be made by anyone who is enrolled as a candidate of the University on a programme leading to the award of a research degree.

436 'Enrolled' includes candidates on placements which form part of their research programme of study, and those who have been given permission to interrupt their studies, or an extension to a submission deadline.

437 An appeal will not be progressed by the University where the candidate decides to graduate (whether involving attendance at the degree ceremony or having the award conferred *in absentia*) before the matter has been resolved. Graduating constitutes acceptance of the award and all examination decisions which led to the award.

438 The University will not process appeals about matters which have already been, or are currently under consideration by a court or tribunal.

439 Appeals by applicants to the University relating to the outcome of their application **must** appeal using the procedures set out in Chapter III.

440 Academic appeals are managed by the Registrar and by the Research and Research Degrees Committee on behalf of Academic Board.

## Principles

441 The processes described here are under-pinned by the principles of objectivity and respect and are intended to safeguard, as far as possible, the interests and well-being of candidates making an appeal and the staff who may be named or otherwise involved.

442 Wherever possible all appeals will be resolved 'locally' at the earliest opportunity. However, a change in the decision of the Examiners can only be made by the Examiners albeit acting under the direction of an Appeals Panel or if the Examiners agree that the decision should be reconsidered without the need for a full Appeals Panel. Otherwise, local resolution may take the form of 'verification': where the Director of Academic Programmes and Research checks and confirms that the appropriate procedures have been followed in making the decision which is disputed by the candidate.

443 Appeals will be dealt with confidentially by all parties involved, except where it is necessary to disclose information to conduct a fair investigation and/or where disclosure is necessary to meet professional body requirements. Where it emerges that confidentiality has been breached unnecessarily disciplinary action and/or sanction may follow.

444 All parties involved in an appeal are required to act reasonably and fairly towards each other and to respect the University's procedures.

445 All appeals will be dealt with promptly, and any time-critical factors set out in the Appeal form will be taken into account. Time limits **should** be met by all parties and may only be extended where it is necessary to do so to ensure a fair outcome.

446 No one investigating an appeal **should** have any conflict of interest in the matter. Where conflicts of interest are apparent, or arise, the Research and Research Degrees Committee will appoint a replacement investigator.

447 The process and outcome of the appeals procedure should not have a more general detrimental effect on the candidate's experience at the University, and candidates are entitled to continue to pursue their studies whilst the appeal is under investigation.

## Grounds for appeal

448 An appeal can only be made on the following grounds, where there is evidence that there:

(a) are or were circumstances materially affecting the candidate's performance, for which supporting evidence exists, which were not known to the Examiners at the time the decision was taken and for which there was a legitimate reason for the circumstances not to have been brought to the attention of the Examiners
(b) has been a significant procedural irregularity (including administrative error) in the assessment process
(c) are reasonable grounds to believe that the recommendation or decision was influenced by prejudice or bias or lack of proper assessment on the part of one or more of the Examiners or other decision-makers.

449 There is no right of appeal:

(a) against academic judgement
(b) on the basis of retrospective submission of mitigating circumstances which could have reasonably been expected to be presented to the Examiners before they made a decision
(c) where the matter has already been considered and rejected unless additional evidence in support of the appeal is provided and there is a valid reason (supported by evidence) why additional evidence was not submitted originally.

## Submitting an Appeal

**Local resolution**

450 Before making a formal appeal, candidates are asked to explore their concerns with either their Supervisory Team or the Director of Academic Programmes and Research. This might, for example, include asking for confirmation that the procedure for the assessment or examination process has been correctly followed – termed 'verification'.

**Formal appeal**

451 Where the matter raised by the candidate cannot be resolved at a local level the candidate can submit a formal appeal using the Academic Appeal Form. This **must** be submitted to the Registrar within 20 working days of the date of notification of the decision against which the candidate wishes to appeal.

452 Only in very exceptional circumstances will the Registrar agree to an extension on the time limit in which to make an appeal. Exceptional circumstances may arise where the candidate has, for example an ongoing illness, debilitating condition, or personal domestic circumstances that precludes them making an appeal in a timely manner.

453 The appeal **must** state the grounds on which the candidate wishes to make an appeal (as set out in para. 448) and include all relevant evidence supporting the appeal, including a statement as to why the issue(s) of concern could not be resolved satisfactorily at a local level.

454 Appeals on the grounds of illness must be accompanied by supporting documented medical evidence (i.e. medical certificates), and an explanation of the reasons why the evidence was not originally presented at the time of assessment.

455 The Registrar has the right to call for additional written evidence from the candidate and/or University staff and to include any such additional evidence they deem relevant to the appeal.

## Scrutiny of the Appeal

456 The Registrar **must** determine whether the formal appeal constitutes a valid appeal in that it:

(a) appears to demonstrate grounds for appeal (as defined in para. 448)
(b) would not be better resolved as a complaint (or should be progressed as a complaint as well)
(c) it has been made by the candidate concerned or an authorised representative
(d) is not malicious, frivolous or vexatious
(e) is supported by relevant evidence.

**Complaints and academic appeals**

457 The University recognises that candidates may raise multiple issues which do not fall neatly into the category of complaint or academic appeal and that an appeal may be better progressed as a complaint (as defined in the Code on Complaints by Students (QH:G1)). Where this is the case the Registrar and the Chair of the Research and Research Degrees Committee will determine whether the appeal should be reclassified (at whatever stage of the process has been reached). The candidate will be consulted regarding the most appropriate procedure, and their agreement obtained before progressing the matter further.

**Submission by the candidate**

458 Appeals will only be considered where they are made directly by the candidate concerned, or the authorised representative of a candidate. Appeals made by third parties will not be considered. 'Authorised' means that the candidate has confirmed in writing that the representative may act on their behalf. Anonymous appeals will not be considered.

**Malicious, frivolous or vexatious appeals**

459 The University will not process appeals that are deemed to be malicious, frivolous or vexatious in that they are obsessive, harassing or repetitive, abusive in tone or language, insistent on pursuing unrealistic or unreasonable outcomes, designed to cause disruption or annoyance, or demanding disproportionate redress. The University reserves the right to terminate the appeal process at any time where an appeal is judged malicious, frivolous or vexatious.

460 A candidate who submits an appeal which is malicious, frivolous or vexatious may be subject to disciplinary action.

## Establishing an Appeals Panel

461 Within 10 working days of receiving the appeal, the Registrar **must** inform the candidate in writing either that:

(a) the appeal is valid and that an Appeals Panel will be established to hear and determine the matter or
(b) the appeal is not valid, stating the reasons for that decision, and confirming that the matter is closed.

## Membership of the Appeals Panel

462 Where the appeal is judged valid, the Registrar **must** establish an Appeals Panel. The membership of an Appeals Panel will comprise three members of academic staff who:

(a) have no connection with the appellant or the appellant's research degree programme (such as member of the Supervisory Team or collaborating as part of a research team)
(b) have had no prior involvement in the decision or matter which is the subject of the appeal
(c) have received training by the University on the appeal procedures and in good practice in conducting appeals.

463 A member of the Appeals Panel who has also received training in chairing Appeals Panels **must** be nominated as the Chair of the Appeals Panel.

464 All members of the Appeals Panel **must** declare any significant connection with the appeal or the candidate, and where a conflict of interest is identified that member of the Appeals Panel **must** be withdrawn from the Appeals Panel and be replaced by another member who does not have a conflict of interest.

### Further evidence

465 Once the membership of the Appeals Panel has been established, the Appeals Panel **must** determine whether further evidence is required including whether potential witnesses need to be contacted, whether they are named in the appeal or not. The Registrar is responsible for obtaining such further evidence and for notifying witnesses that they will be asked to attend an appeal hearing.

### Notice of the appeal hearing

466 Once the date of the Appeals Panel hearing has been agreed by the Registrar and the Appeals Panel members, the Registrar **must** inform the candidate and any witnesses in writing, stating the date, time and venue of the hearing and giving no fewer than 10 working days' notice of the hearing. The candidate **must** also be informed of their right to be accompanied by a person of their choosing, and must be informed of any witnesses who will appear at the hearing and be provided with copies of any further evidence which will be considered by the Appeals Panel.

### Appeals Panel hearing

467 The hearing **must** be conducted in a manner which the Appeals Panel considers appropriate given the nature of the appeal and the evidence to be considered. The Chair **must** ensure that the candidate is given a fair and proper opportunity to make their case, to question any witnesses, and to comment on any evidence provided at or prior to the hearing.

468 The Registrar will act as Appeals Panel Secretary and make a record of the proceedings at the hearing, a copy of which **must** be provided to the candidate within five working days of the hearing. Neither party will digitally record the proceedings of the hearing.

469 If the candidate declines to attend the hearing the Appeals Panel may agree to progress the matter in the candidate's absence. If the candidate is unable to attend for a reason which the Appeals Panel considers legitimate (such as illness) the hearing **must** be rearranged giving no fewer than 10 working days' notice of the new date.

470 If the candidate does not appear at the hearing, the Appeals Panel may proceed provided it is satisfied that the Appeals Panel Secretary has properly notified the candidate of the hearing.

471 Where the candidate is accompanied by a person of their choosing, that person may not address the Appeals Panel or witnesses other than in exceptional circumstances and at the invitation of the Chair.

472 Neither the University nor the candidate, shall have recourse to legal representation at the Appeals Panel hearing.

473 Once the Appeals Panel is satisfied that it has received sufficient information on which to make a decision, and that both parties have had a fair opportunity to make their case, it shall require all parties and witnesses to withdraw while it makes a decision.

## Outcome of the appeal

474 The Appeals Panel is empowered to:

(a) uphold the appeal where it is satisfied that one or more of the grounds for appeal (set out in para. 448) has been established
(b) reject the appeal.

475 Where the appeal is upheld, the Appeals Panel **must** declare the decision against which the appeal was lodged invalid and make one or more of the following directions:

(a) that the Examiners reconsider their decision in the light of the evidence presented in the appeal
(b) that the Research Misconduct Panel reconsider its decision in the light of the evidence presented in the appeal
(c) that the candidate be permitted a new submission of the thesis
(d) that the candidate be permitted a new viva voce examination
(e) such other order as the Appeals Panel deems appropriate, provided that this does not involve substituting its own decision for that of the applicable decision-making body and does not involve seeking to award the candidate a qualification.

476 The Appeals Panel **should** inform the candidate verbally of the outcome of the appeal including the appropriate resolution where the appeal is upheld, and the reasons for its decision. The Registrar **must** confirm the decision in writing within five working days of the hearing. Confirmation **must** include notice of the candidate's right to seek a review of the appeal as defined in paragraph 478 onwards.

477 The Registrar must inform the Examiners, Research Misconduct Panel or other decision-makers, and the candidate's Supervisory Team in writing within five working days of the hearing of the outcome of the appeal and any direction made by the Appeals Panel under paragraph 475.

## Right of Review

478 Where a candidate is not satisfied with the conduct of the Appeals Panel hearing the candidate can request a review of the appeal by writing to the Vice-Chancellor only where there is clear evidence that the Appeals Panel did not follow the University's procedures as set out in this Chapter in some material way.

479 Such a request **must** be made in writing within 10 working days of receiving written notification of the Appeals Panel decision.

480 There are no grounds for review on the basis of the following:

(a) new evidence not disclosed at the hearing
(b) disputing the academic judgement of the Appeals Panel
(c) disputing the competence of the Appeals Panel members.

481 The request for a review must specify in writing **precisely** what aspect(s) of the procedure was not followed.

482 If the Vice-Chancellor is satisfied that a review is justified they will either:

(a) make a judgement on the basis of the candidate's submission or
(b) convene, within 10 working days, a Review Panel with new members, none of whom has been involved with the appeal; where appropriate the Review Panel may include a member of the Board of Governors.

483 The Review Panel will review all of the evidence of the proceedings at the Appeals Panel and determine whether it considers the candidate's claim of a material procedural error is valid.

484 If the Vice-Chancellor, acting alone or on the advice of the Review Panel, determines that the candidate's claim is valid, they **must**:

(a) inform the candidate of the decision in writing within five working days of making the decision
(b) direct the Registrar to establish a new Appeals Panel, constituted with a new membership and drawing on external members if necessary. This Panel will then proceed as set out in paragraph 462 onwards.

485 If the Vice-Chancellor, acting alone or on the advice of the Review Panel, determines that the candidate's claim is invalid they must notify the candidate of the decision within five working days of making the decision. This notification will also make clear that the decision is final and, as all internal procedures have been completed, no further review will be undertaken by the University. The University will also inform the student of their right to take the matter to the Gibraltar Public Services Ombudsman if they remain dissatisfied with the outcome.

<End of document>