

**UNIVERSITY OF BATH  
REGULATIONS FOR STUDENTS 2020/21**

**Apprenticeship students should refer to the Regulations for Student Apprentices**

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All registered students of the University are subject to rules and regulations, which may be changed from time to time. This Regulations Booklet is published annually. These Regulations are also published on the University's Website. Any amendments to these Regulations approved by Senate during the academic year will take effect on the date specified by Senate. The web page will be revised to identify any such amendments. References to a named post-holder should be construed as references to that post-holder or to a nominated substitute.

~~Dr N Kemp~~

~~Acting University~~ Secretary *to Senate*

August 2020

*\* These Regulations also apply to all members of the University, as defined by Statute 2.1*

## 1. REGISTRATION

- 1.1** All students, both undergraduate and graduate, are required to register at the beginning of each academic year. The days on which students shall register will be announced by the University. In exceptional circumstances a student may be permitted at the discretion of the Director of Academic Registry to register on a day other than an appointed day and in such cases an additional fee may be charged to the student. Only those who have registered shall have the rights and privileges of students and members of the University.

All persons entering the University as students shall, at the time of registration, sign a declaration in the following terms:

*'I agree to conform to all the statutes, ordinances, regulations and rules of the University for the time being in force and I accept responsibility for any loss or damage to University property rightly attributable to me.'*

- 1.2** At the time of registration students shall provide full and accurate information concerning all required personal and academic details and shall state their address during the academic year as well as their permanent address, in accordance with procedures prescribed by the Director of Academic Registry. Students must comply with all subsequent requests from University staff for proof of any changes to required personal details and are required to update their contact details, normally via the Registration On Line system, as soon as possible when any of these details change. Students failing to do this or who can be shown to have provided false or misleading information as part of an application or subsequent registration will be subject to action.
- 1.3** Students, including those away from the University on placement, are required to access at regular intervals the email account provided to them by the University, and to ensure that it remains within its permitted capacity and able to receive mail. Students failing to do this may be subject to action under the Disciplinary Regulations for Students (Regulations 7 and 8). The account will be used by the University to communicate important information about registration, unit-enrolment, assessment, degree ceremonies and other matters. Students who have failed to access their account or who have temporarily lost access to it because of failure to maintain registration, or because they have allowed the account to exceed its capacity may not cite loss of access as a reason for failing to respond appropriately to information sent to them by the University via the account.
- 1.4** Where programmes require students to provide a satisfactory check and/or Disclosure from the Disclosure and Barring Service and such checks/Disclosures are pending at Registration, students may be permitted to register provided the application process for the relevant checks/Disclosure has been completed; should the check/Disclosure subsequently returned prove to be unsatisfactory, the University will terminate the registration and require the student to withdraw.
- 1.5** Any person who fails to complete their initial student registration in accordance with Regulation 1.1 will be deemed to have declined their offer of a place to study at the University. The University reserves the right to terminate the registration of continuing students who do not complete registration in accordance with Regulation 1.1.

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date Published: 1 August 2020*

## **2. FEES General**

- 21** The responsibility for payment of fees rests with individual students. For further information on the payment of fees please refer to <http://www.bath.ac.uk/finance/student>

### **Tuition Fees**

- 22** All tuition fees are payable in full, for the academic year to which they relate, on registration. The University may from time to time allow payment by instalment or otherwise make special arrangements. Such arrangements will take account of government guidelines concerning payment of tuition fees. A period of grace may be allowed in individual cases at the discretion of the Director of Academic Registry.
- 23** Individual students are ultimately personally liable for tuition fees unpaid by sponsors (including Local Education Authorities and Research Councils).
- 24** If any student does not pay the annual tuition fee on registration, or by such time as may have been agreed either under instalment or other special University arrangements, or under any period of grace allowed by the Director of Academic Registry, then after due warning and unless the Director of Academic Registry determines otherwise, her or his registration will lapse and he or she will be required to withdraw from the University. A person who ceases in this way to be a student of the University may make representations to the Vice-Chancellor, who may exercise Statutory power to re-admit the student. Before considering any such representations the Vice-Chancellor will normally expect the debt to have been discharged in full.

### **Residence Fees**

- 25** Students' residence fees must be paid within three weeks of the beginning of the autumn letting period and within two weeks of subsequent letting periods in respect of which the payments are due, or within two weeks of such other date as a residence fee becomes due. Where residence fees are not paid by the due time, the University reserves the right to reallocate the accommodation and to conduct a review and follow-up process to recover the outstanding debt.

### **Examination Fees**

- 26** Examination fees will normally be included in the annual tuition fees, but any fee for re-examination shall be paid separately and shall be such fee as shall be prescribed from time to time.
- 27** A student shall not normally be eligible for examination unless the appropriate fee has been paid to the University at the due time.
- 28** If a candidate withdraws from an examination or leaves the University without presenting herself or himself for examination, or is not required to present herself or himself for examination at the end of any year, the candidate shall not be entitled to recover any annual or re-examination fee paid, and the fee paid shall not be transferable to a later occasion of examination; a refund of any fee shall be made only in exceptional circumstances.

### **Other Fees and Charges**

- 29** Other fees and charges for services, such as, but not limited to, library fines are payable in full when they are due. Non-payment of other fees and charges will be subject to a review and follow up process to recover the outstanding debt.

## **Academic Consequences of Non-Payment of Tuition Fees**

**2.10** If any person is in default in regard to payment of tuition fees to the University:

(a) no Degree, Diploma, Certificate or other academic award shall be granted to that person unless the Senate considers that there are exceptional circumstances which justify such grant, and

(b) the Senate may recommend to the Council that that person be deprived of any Degrees, distinctions or titles, Diplomas or Certificates conferred on or granted to that person by the University, and that all privileges connected therewith be withdrawn, and

(c) registration for the next academic year will normally only be permitted when all tuition fees incurred in previous years of study have been paid.

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*Date Published: 1 August 2020*

### **3. ATTENDANCE AND PROGRESS**

- 3.1** Students shall attend regularly. If a student's attendance is not satisfactory, or a student is unable to attend for legal reasons, the Director of Academic Registry, authorised to act under power delegated by Senate, and following consultation with the student's Faculty or School, may determine that the student be precluded from continuing their studies and, where applicable, their registration be terminated. A student who is prevented for legal reasons from attending will, in the first instance, normally be suspended for a period not exceeding 12 months. Where registration is terminated, a person who ceases in this way to be a student of the University may make representations to the Vice-Chancellor, who may exercise Statutory power to re-admit the student.
- 3.2** If a student's progress in the programme of study is not satisfactory, the Director of Academic Registry, authorised to act under power delegated by Senate, and following consultation with the student's Faculty or School, may determine that the student be precluded from continuing their studies, and, where applicable, their registration be terminated. A person who ceases in this way to be a student of the University may make representations to the Vice-Chancellor, who may exercise Statutory power to re-admit the student.
- 3.3** No student shall be treated as having completed a particular programme of study unless the student shall have complied with such conditions as the Senate may from time to time prescribe with relation thereto.
- 3.4** Absence due to ill health shall within three days be notified by students to the Head of their Department if the absence extends or is likely to extend beyond the period of three days. Apart from illness students will be granted leave of absence only with the prior permission of the Head of their Department or the person to whom the Head of Department delegates responsibility in this matter.
- 3.5** The University will require students in receipt of Research Council or other awards to satisfy such terms and conditions of their awards as are acceptable to the University.
- 3.6** If any students are required by:
- (a) their Head of Department or Group, or
  - (b) the Director of Studies for their programme of study, or
  - (c) the personal tutor to whom they have been assigned, or
  - (d) any Officer of the University, or
  - (e) the Director of Academic Registry or other Senior Administrative Officer, or
  - (f) the Dean of their Faculty or the Head of the School
  - (g) the Director of Student Services or other Professional Services Manager
- to see such person, the students shall attend at such place and time as shall be specified.

#### **Academic Integrity: Mandatory Skills Training and Test**

- 3.7** (a) All students registering for the first time for a taught or research programme leading to an award of the University of Bath are required to undertake an academic writing skills training session and satisfactorily complete a test of understanding within a defined initial period. The skills training session and test will be those as defined in the Quality Assurance Code of Practice.

(b) The defined initial period starts with first registration upon entry and ends at the first progression point encountered thereafter, with the following exception:

For the period 1st October 2011 to 31st July 2012, all\* students in the University at any stage of a programme of study will be required to undertake the training session and satisfactorily complete the test.

(c) Students who fail to complete the test satisfactorily by their next progression point will not be permitted to progress to the next stage of their programme of study or, in the case of students in their final year or on a one year or shorter programme, to receive their award.

\*Those students on a postgraduate taught programme with a scheduled completion date on or before 31st December 2011 and postgraduate research students who submit their thesis/portfolio for examination on or before 31st December 2011 are exempt from the requirement to complete the test satisfactorily.

- 3.8** The University will do all that it reasonably can to provide educational services as described on its website or in the prospectus or in other contractual documents issued by it to appropriately enrolled students. Sometimes circumstances beyond its control mean that at times it may not be able to provide such educational services. This might be because of, for example but not limited to, industrial action by University staff or third parties, acts of terrorism, the acts of any governmental or local authority, technical or power failure and/or bad weather conditions. In any of these circumstances, the University will take reasonable steps to minimise the resultant disruption to those services and to affected students, by for example, delivering a modified version of the same course or offering affected students the chance to move to another course or institution, but to the full extent that is possible under the law the University and students/applicants exclude liability to each other for any resultant loss and/or damage suffered. This does not affect any statutory rights of students/applicants that cannot be varied. The modifications that the University make may be to the content and syllabus of programmes, including in relation to placements, the timetable, location and number of classes, the content or method of delivery of programmes of study and/or the assessment and examination process. In making any changes, it will aim to keep the changes to the minimum necessary and will notify and consult where appropriate with students in advance about any changes that are required. If students are not satisfied with the changes, they may have the opportunity to withdraw from the course, move to another course and, if required, reasonable support to transfer to another provider.

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*Date Published: 1 August 2020*

**4. CONFERMENT OF QUALIFICATIONS**

- 41** No person shall be entitled to describe themselves as holding any Degree or other qualification conferred or granted by the University unless the award of such qualification has been approved by Senate.
- 42** Students are required to respond within the specified deadline to invitations to attend the Congregations which are held for the presentation of certificates for Degrees or other qualifications of the University.
- 43** Congregations shall be held at such times and places and in such manner as the Senate may from time to time prescribe.
- 44** Senate may at its discretion appoint for periods of three years a Marshal and a Deputy Marshal of the University, who shall be eligible for re-appointment.
- ~~**45** The Marshal, in consultation with the University Secretary, shall have overall responsibility for the effective execution of proceedings at Congregations.~~
- 46** The Deputy Marshal shall, in the absence of the Marshal, carry out the Marshal's functions and shall otherwise carry out such duties as the Marshal shall direct.

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date of Last Update: 25 September 2020*

**5. STUDENT HEALTH**

- 51** Each student of the University should register with the University Medical Centre or with a local medical Practice before the expiration of a period of 14 days from the beginning of the student's academic course.
- 52** Any students suffering or believing themselves to be suffering from an infectious illness or in whose home or lodgings there is or has been such illness shall immediately notify their medical practitioner and they may be required to absent themselves from the University if there is any danger of infection being conveyed to other persons.

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*Date Published: 1 August 2020*



**6. ACCOMMODATION**

**61** The Rules which are applicable to students who are allocated a place in University residence (which includes all types of accommodation administered by the University) are issued on the authority of the Director of Finance:

<https://www.bath.ac.uk/corporate-information/student-accommodation-terms-and-conditions-2020-to-2021/>

**62** Breaches of the Rules relating to University residence constitute misconduct under the provisions of Regulation 7.4(g).

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*Date Published: 1 August 2020*

## **7. DISCIPLINARY REGULATIONS FOR STUDENTS**

The Regulations in force at the time of the misconduct will apply.

### **Principles**

- 7.1** The University of Bath's Disciplinary Regulations are intended to support our duty of care and responsibility to our University community by:
- Setting clear expectations for how members of the University community should take care and responsibility for each other;
  - Upholding appropriate standards of behaviour;
  - Upholding the integrity of the University's academic context.

### **Authority**

- 7.2** Article 24 of the Charter of the University and the University Statutes (see the University's Charter and Statutes at: <http://www.bath.ac.uk/charter>) confer on the Senate the power to make Regulations to regulate, amongst other things, the education and discipline of the students of the University.  
The Students' Union has its own constitution, whose provisions are subject to approval by the University Council and apply to all members of the Students' Union.

### **Scope**

- 7.3** Disciplinary procedures will be used where a student has allegedly committed an act of misconduct on or off university premises (including online) where the injured party is:
- the university itself,
  - a student or employee of the university
  - any other person either within the campus or other precincts of the University or in the course of a University activity

### **Misconduct**

- 7.4.** Misconduct is broadly defined as behaviour where the University community has been, or could be impacted as a result, where a member of the community has not taken appropriate care or responsibility for how their behaviour has affected others.  
Our definition of misconduct is not equivalent to the legal definition of misconduct in criminal law.

### **Particular Definition of Misconduct**

- 7.5** In particular and by way of illustration but not limitation, the following shall (subject to the above) constitute misconduct:

a) **Health and Safety Misconduct:**

Action likely to cause injury or impair health or safety including:

- (i) Smoking in areas not designated for this purpose including the Underdeck, the Library Balcony or on the Parade.
- (ii) parking motor vehicles or bicycles in any place not specifically authorised for that purpose
- (iii) the driving of motor vehicles on campus in a dangerous, reckless or careless manner
- (iv) the use of any mode of personal transport or conveyance in pedestrian areas other than where duly authorised because of disability

(v) possession of any drug or drugs, possession of which, unless prescribed for the student by a registered medical practitioner, would render the student liable to prosecution. The first instance of drug possession will be processed as Health and Safety misconduct, subsequent breaches will be processed as misconduct that may also be a criminal offence.

(vi) improper interference with the services or plant of the University or the fabric of any part of the University estate or with fire alarm systems or fire fighting and safety equipment

(vii) walking on, or entering, any restricted area (including roofs) without obtaining official permission from the Director of Estates

(viii) dropping or throwing an object from a high-rise building

(ix) diving, swimming, paddling, boating or using the University lake in any other way without the permission of Security Services.

(x) failure to disclose name and other relevant details, or to provide your library card to an officer or employee of the University in circumstances when it is reasonable to require that such information be given

b) Operational Obstruction:

(i) disruption of, or improper interference with, the academic, administrative, sporting, social or other activities of the University

(ii) obstruction of, or improper interference with, the functions, duties or activities of any Student, member of staff or other employee of the University or any authorised visitor to the University

(iii) using or allowing others to use a University Library / Identity Card for purposes other than identification or access by the person named on the card, or misusing the card in any other way.

c) Regulatory breaches

(i) breach of the provisions of the University's Codes of Practice on Freedom of Expression, Health and Safety, Residential Rules, the IT Acceptable Use Policy and any other Code or University rule or regulation which provides for breaches to constitute misconduct under these Regulations

(ii) failure to comply with a previously-imposed penalty under these Regulations

(iii) taking or sharing audio, video or photographic recordings of teaching activities without the lecturer's express consent

d) Damage to property

(i) damage, misuse, unauthorised use or taking of items of property, including technology misuse

e) Academic Misconduct

(i) the use of unfair means in any examination or assessment procedure, including

- cheating, for example unauthorised reference to notes or course material in an examination
- fabrication, e.g. reporting on experiments never performed
- falsification, e.g. misrepresentation of the results of experimentation
- plagiarism, i.e. taking the writings or ideas of another and representing them as one's own (see Regulations 15.3(e) and 16.1(k))
- duplication of one's own work, i.e. submitting as if for the first time and without acknowledgement, content which has previously been assessed

f) Reputational Damage

- (i) behaviour that brings the University into disrepute (excluding legitimate complaints against the university, formal representations by the SU or whistleblowing)

g) Criminal offences

- (i) fraud, deceit, deception or dishonesty
- (ii) supply of any drug or drugs, possession of which, unless prescribed for the student by a registered medical practitioner, would render the student liable to prosecution (the first instance of drug possession will be processed as Health and Safety misconduct, subsequent breaches will be processed as misconduct that may also be a criminal offence)
- (iii) offences of dishonesty where the Student holds an office of responsibility in the University
- (iv) unless duly authorised possession or use of firearms, imitation firearms, fireworks, explosives or any highly combustible materials or any article which is made, adapted or intended to be used as an offensive weapon.
- (v) possession of a knife
- (vii) any other behaviour which could constitute a criminal offence

(h) Offensive or abusive behaviour

- (i) violent, indecent, disorderly, threatening or offensive behaviour or language
- (ii) taking or sharing audio, video or photographic recordings of others without their express consent
- (iii) unless duly authorised, using or causing to be used any means of sound reproduction or amplifying device so as to cause offence or inconvenience to others.
- (iv) organising or leading coercive initiation-type behaviours

(i) Breach of Dignity and Respect policy (which has not or cannot be resolved by informal means)

- (i) bullying, harassment, victimisation, stalking, coercive control or any other behaviour proscribed under the Dignity and Respect policy
- (iii) making malicious accusations against other students or staff

(j) Sexual misconduct:

Any non-consensual sexual activities, including but not limited to:

- (i) Sexual comments
- (ii) Touching
- (iii) Kissing
- (iv) Recording or sharing intimate images
- (v) Showing sexual organs
- (vi) Sexual acts
- (vii) Attempted sexual intercourse
- (viii) Sexual intercourse

The definition of consent is: "Freely agreeing to sexual activity and having the freedom and capacity to make that choice." Consent can be withdrawn at any time.

(k) Discrimination and hate motivated misconduct:

- (i) Discriminatory behaviour including racist, sexist, homophobic, xenophobic, ableist, ageist, transphobic or religiously-based hate language or actions
- (ii) Abusive behaviour including racist, sexist, homophobic, xenophobic, ableist, ageist, transphobic or religiously-based hate language or actions

## **7.6 Categorisation of misconduct**

The University will categorise the severity of misconduct according to that misconduct meeting one or more of the criteria in the categories listed below.

### Category A

No or minimal harm or disruption caused, or a limited impact on the proper functioning or activities of the University, or an accidental or inadvertent breach.

### Category B

Moderate harm or disruption caused, or a moderate impact (or risk thereof) on the proper functioning or activities of the University.

### Category C

Significant harm or disruption caused, or a severe impact (or risk thereof) on the proper functioning or activities of the University, or sustained or repeated misconduct.

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date of Last Update: 1 August 2020*

## 8. DISCIPLINARY PROCEDURES FOR STUDENTS

(Changes agreed 7 October 2020 are not indicated individually)

The Regulations in force at the time of the misconduct will apply.

### INTRODUCTION

- 8.1 Throughout these Disciplinary Procedures for Students the person raising an allegation is referred to as the 'Reporting Party', and the person against whom the allegation is made is referred to as the 'Respondent'.
- 8.2 Students are encouraged to seek guidance and support in relation to these Disciplinary Procedures from Student Services and/or the Students' Union.
- 8.3 Where necessary for fair investigation and consideration of a disciplinary case, the University may share information internally and with the Students' Union.
- 8.4 Disciplinary procedures will be used where a student has allegedly committed an act of misconduct on or off university premises (including online) where the injured party is:
  - the university itself,
  - a student or employee of the university
  - any other person either within the campus or precincts of the University or in the course of a University activity

### Delegation of responsibilities

- 8.5 Any of the functions of the Vice-Chancellor under ~~these~~ Regulations 8 may be delegated to a Deputy Vice-Chancellor, Pro-Vice-Chancellor or the Vice-President (Student Experience) *or a Chair of the Student Disciplinary and Misconduct Committee.*
- 8.6 Any of the functions of the Director of Student Services under these Regulations may be delegated to a nominated delegated authority (normally the Student Discipline Manager).

### Principles

- 8.7 The purpose of this procedure is to protect members of the University community by upholding appropriate standards of behaviour, as outlined in Regulation 7.
- 8.8 The University will seek to protect the privacy and confidentiality of individuals involved in this procedure, where this does not compromise its ability to properly investigate an allegation or to safeguard members of the University community.
- 8.9 Respondents will normally be expected to represent themselves at all stages of the Disciplinary Procedure.
- 8.10 Respondents and Reporting Parties will be entitled to be accompanied by an adviser, family member or friend. At all stages of this procedure, if it is not possible to attend in person, the University will make reasonable efforts to allow the Respondent, Reporting Party and/or witnesses to participate in investigatory meetings and committee hearings by other means.
- 8.11 Those determining issues under these Regulations should be satisfied on the balance of probabilities of the evidence before them rather than 'beyond reasonable doubt'.
- 8.12 If the Reporting Party or Respondent are students of the University of Bath and

wish to raise a concern about the service they received at any stage of the Disciplinary Procedure they may use the Student Complaints policy.

## OVERVIEW OF PROCEDURES

The University will ensure that disciplinary procedures as a whole are concluded as quickly as possible, and normally within 90 calendar days from the start of the investigation.

### Witnessed Misconduct (Category A)

8.13 If a member of Security Services) witnesses misconduct which can be classified as Category A, according to the categorisation outlined in Regulation 7.5, they may take one of the following actions:

- a) Issue a verbal ~~warning~~ **advice** which is accepted by the student;
- b) Issue a fixed penalty notice of **no more than £50 (or up to £100 for a repeat breach)**. If a student does not wish to accept the fixed penalty notice or is not in a condition to understand the process, they will be referred to the Director of Student Services (see 8.17). A student may receive no more than two fixed penalty notices in any twelve-month period. A third offence will result in an automatic referral to the Director of Student Services

### Allegations

8.14 Allegations of misconduct will be addressed in one of the following ways:

- a) By the University Librarian, Chief Digital and Information Officer and/or the Director of Sport in accordance with Regulation 10, or the Students' Union in accordance with the [Students' Union Disciplinary Procedure](#);
- b) By referral to the Director of Student Services (see section 8.15);
- c) Through referral directly to the Police.

### Referral to Director of Student Services

8.15 An allegation will be considered by the Director of Student Services to establish if it meets the definition of misconduct as outlined in Regulation 7. They will decide one of the following:

- a) To investigate the allegation, including initial categorisation of the misconduct as Category A, B or C (see Regulation 7.6);
- b) To refer the reporting party to an alternative procedure;
- c) To dismiss the allegation, with the consequence that no further action will be taken.
- d) To address the allegation through an alternative procedure, for example Fitness to Study.

8.16 The Reporting Party may appeal against this decision using the Student Complaints Procedure.

### Investigatory Process

8.17 If the allegation can be investigated as misconduct, as defined in Regulation 7, the Director of Student Services will initiate the investigatory process, which will be conducted by trained investigators.

8.18 The Respondent will be told in writing at the beginning of this process about the allegation against them.

8.19 Category A or B alleged misconduct will normally be considered by the Director of Student Services (see 8.26). Category C alleged misconduct will normally be considered by the Student Disciplinary and Misconduct Committee (see 8.32).

- 8.20 Where the alleged misconduct was directed at an individual or individuals, the decision of Categorisation will be ratified by the Director of Student Services (or nominee) with a ~~Pro Vice-Chancellor or Vice-President~~ **Chair of the Student Disciplinary and Misconduct Committee** and decisions reported to Senate.
- 8.21 At the conclusion of the investigation, an Investigation Report will be produced. This will include confirmation of the categorisation of the alleged misconduct in accordance with Regulation 7.6.
- 8.22 Using the Investigation Report, the Director of Student Services will determine one of the following:
- a) That the Respondent is in breach of Regulation 7 (see 8.24);
  - b) That there has been no breach of Regulation 7, concluding the Disciplinary Procedure. A Completion of Procedures Letter will be sent to the Respondent within 14 calendar days of the dismissal. This will include information on how the student could submit a complaint to the Office of the Independent Adjudicator (OIA) for review;
  - c) That the case should be referred to Student Disciplinary and Misconduct Committee (see 8.32);
  - d) That the case should be addressed through an alternative procedure, for example Fitness to Study.
- 8.23 If the allegation under investigation is upheld by determination of either the Director of Student Services or the Student Disciplinary and Misconduct Committee then previous breaches of discipline may be considered when deciding on sanctions. This detail will not be provided before a determination on the current breach, unless they are a part of the categorisation of misconduct.

#### Category A or B Misconduct Disciplinary Process

- 8.24 If the Respondent has been found in breach of Regulation 7 under Category A or B as a result of the investigatory process, the Director of Student Services will decide the sanction(s) to be applied.
- 8.25 The Respondent and Reporting Party will be informed of the Director of Student Services decision in writing, including any sanction(s) to be applied, and the time- frame in which they will apply.
- 8.26 The Respondent may request a copy of the Investigation Report, though confidential or sensitive information may be redacted (see section 8.8).
- 8.27 A Respondent may appeal against the decision of the Director of Student Services (or nominee). An appeal must be in writing and must be submitted within 14 calendar days to [student-discipline-appeals@bath.ac.uk](mailto:student-discipline-appeals@bath.ac.uk). A Respondent may only make an appeal on one or more of the following grounds:
- a) That there was procedural error in the conduct of the investigation of such a nature as to cause doubt as to the determination reached;
  - b) That new evidence has been made available which the Respondent could not reasonably have provided during the investigatory process;
  - c) That there was bias during the procedure of such a nature as to cause doubt as to the determination reached;
  - d) That the sanction imposed was disproportionate.
- 8.28 An Appeal must include:
- a) A completed University Disciplinary Appeals form, indicating the outcome(s) against which the Respondent is appealing, the ground(s) on which the Appeal is based, and the Respondent's desired action following consideration of the Appeal;



- b) All evidence available to the Respondent in support of the Appeal.
- 8.29 ~~Two Pro Vice Chancellors, or delegated authorities,~~ ***A Chair and a member of the Student Disciplinary and Misconduct Committee*** will consider the Appeal Case and decide on an appropriate response. They should be independent of the disciplinary case and have not been involved in any previous stage of the Disciplinary Procedure. They will decide on one of the following options:
- a) To dismiss the appeal on the grounds of not meeting the criteria outlined in ~~8.29~~ **8.27**, with the consequence that no further action will be taken. This will conclude the Disciplinary Procedures for Students, and a Completion of Procedures Letter will be sent to the Respondent within 14 calendar days of the dismissal. This will include information on how the student could submit a complaint to the Office of the Independent Adjudicator (OIA) for review;
  - b) To uphold the Appeal and amend the outcome/sanctions as appropriate;
  - c) ~~To refer the case to the Senate Appeals Committee.~~ ***To reject the Appeal.***

Category C Misconduct: severe harm, disruption or impact (or risk thereof) caused Student Disciplinary and Misconduct Committee Process

- 8.30 On recommendation from the Director of Student Services a Student Disciplinary and Misconduct Committee will be convened, with the responsibilities and composition outlined in the Student Disciplinary and Misconduct Committee's Terms of Reference.
- 8.31 The Respondent(s) and Reporting Party(ies) will normally receive at least 7 calendar days' notice of any hearing. The notification will inform them of the time and place of the Student Disciplinary and Misconduct Committee Hearing, and will also provide them with:
- a) The Investigation Report, though confidential or sensitive information may be redacted (see section 8.8);
  - b) The names and roles of the Student Disciplinary and Misconduct Committee members.
- 8.32 Respondents and Reporting Parties may be accompanied by a friend, family member or adviser, whose identity must be provided to the Chair of the Student Disciplinary and Misconduct Committee within the timeframe given within the notice. Any accompanying individuals will not be entitled to speak on the Respondent or Reporting Parties behalf during the hearing.
- 8.33 The Respondent will have at least 3 calendar days after receiving notice of the Student Disciplinary and Misconduct Committee Hearing to submit any evidence additional to that included in the Investigation Report, or in response to the findings of the Investigation Report. Inclusion of any additional evidence outside the timeframe, including if the respondent requests more than 3 days to submit additional evidence, will be at the discretion of the Chair. Any accepted additional evidence will be shared with all parties involved in the case, including the Reporting Party. This may result in the Student Disciplinary and Misconduct Committee being rescheduled.
- 8.34 If the Respondent fails to attend the Student Disciplinary and Misconduct Committee Hearing (either in person or virtually), having had appropriate notice of the Hearing's time and place, the Student Disciplinary and Misconduct Committee

will consider the case in the Respondent's absence.

- 8.35 The Respondent will not be able to send a representative or spokesperson in their place, other than in exceptional circumstances and as agreed by the Chair of the Student Disciplinary and Misconduct Committee.

#### Conduct of a Student Disciplinary and Misconduct Committee Hearing

- 8.36 The Student Disciplinary and Misconduct Committee will consider the Investigation Report. They will invite the Respondent to answer questions from the Committee. The Committee may also invite the Reporting Party (and may invite witnesses) to answer questions from the Committee.
- 8.37 Reporting Parties, Respondents and witnesses (including any friends, family members or advisors accompanying them in the Hearing) will not be entitled to question or cross-examine each other's statements, or to call witnesses additional to those named in the Investigation Report and invited by the Student Disciplinary and Misconduct Committee.
- 8.38 The Chair, in consultation with members of the Committee, will determine the order of proceedings and the conduct of the hearing.
- 8.39 The Student Disciplinary and Misconduct Committee will determine either:
- a) That the Respondent is in breach of Regulation 7;
  - b) That there has been no breach of Regulation 7.
- 8.40 If the Respondent is found to be in breach of Regulation 7, the Student Disciplinary and Misconduct Committee will then decide on the sanction(s) to be applied using the University's Sanctioning guidelines.
- 8.41 The Respondent and Reporting Party will be informed of the Student Disciplinary and Misconduct Committee's decision in writing, no later than 7 calendar days, including how they have breached Regulation 7, any sanction(s) to be applied, and the time-frame in which they will apply. If the decision of the Student Disciplinary and Misconduct Committee is to recommend the expulsion of the student to Senate, the student will be informed of this in writing, no later than 7 calendar days along with any other sanction(s) or measures precluding the expulsion.

#### Appeal Process

- 8.42 If the Respondent wishes to appeal against the decision of Student Disciplinary and Misconduct Committee they may do this by submitting a written appeal to [student-discipline-appeals@bath.ac.uk](mailto:student-discipline-appeals@bath.ac.uk) within 14 days of receiving the Student Disciplinary and Misconduct Committee's decision. A Respondent may make an Appeal Case on one or more of the following grounds:
- a) That there was procedural error in the conduct of the investigation of such a nature as to cause doubt as to the determination reached;
  - b) That new evidence has been made available which the Respondent could not reasonably have provided during the investigatory process;
  - c) That there was bias during the procedure of such a nature as to cause doubt as to the determination reached;
  - d) That the sanction imposed was disproportionate.
- 8.43 Appeals ~~may be~~ **are normally** heard by the (Senate or Council) Appeals Committee. Appeals in relation to a decision to expel a student from the University will be considered by the Council Appeals Committee (see Statutes Section 27.2); all other appeals ~~will be~~ **are normally** heard by the Senate Appeals Committee. **Temporarily**

***during the coronavirus pandemic, appeals may be considered by one Senate member and one lay Council member on behalf of the Senate Appeals Committee; the appellant will normally be invited to put their case to the panel.***

- 8.44 An Appeal Case must include:
- a) A completed University Disciplinary Appeals form, indicating the outcome(s) against which the Respondent is appealing, the ground(s) on which the appeal is based, and the Respondent's desired action following consideration of the appeal;
  - b) All evidence available to the Respondent in support of the Appeal.
- 8.45 If a student is appealing against the sanctions imposed on them as a result of the Disciplinary Process, those sanctions will normally still be applied whilst the appeal is ongoing. Any precautionary measures (see 8.56) will still apply during the Appeals process.
- 8.46 The Deputy Director (Academic Governance & Compliance) (or a delegated authority) and the Chair of Senate or Council Appeals Committee will assess the Appeal Case against the criteria in 8.44 and determine whether there are grounds for appeal. They will decide on one of the following options:
- a) To dismiss the Appeal Case on the grounds of not meeting the criteria in 8.44, with the consequence that no further action will be taken. This will conclude the University Disciplinary Procedure, and a Completion of Procedures Letter will be sent to the Respondent within 14 calendar days of the dismissal. This will include information on how the student could submit a complaint to the Office of the Independent Adjudicator (OIA) for review;
  - b) To refer the case to the Senate or Council Appeals Committee (see 8.50)
- 8.47 The outcome of the Appeal process will normally be communicated in writing to the Respondent (and all those directly involved) within 30 days of the Appeal being lodged.

#### Senate or Council Appeals Hearing

- 8.48 When an appeal is determined to be eligible the Senate or Council Appeals Committee will ***normally*** be convened, with the responsibilities and composition outlined in their Terms of Reference. ***See 8.49 - 8.50. When a Council and a Senate member determine an appeal during the coronavirus pandemic, the decision will be made in light of the appeal information submitted, although the members may request clarification from either party.***
- 8.49 The Senate or Council Appeals Committee will consider the appeal case. The Senate or Council Appeals Committee may invite the Respondent to provide a verbal or written statement and answer questions from the Committee. The Reporting Party and any witnesses will not normally be invited to attend a Senate or Council Appeals Hearing. The Chair of the Student Disciplinary and Misconduct Committee may be invited to explain the decision of the Student Disciplinary and Misconduct Committee.
- 8.50 Respondents (and, if invited, Reporting Parties) may be accompanied by a friend, family member or adviser.
- 8.51 The Senate or Council Appeals Committee will decide on an appropriate response to the appeal. They will decide on one of the following options:
- a) To reject the appeal case, confirming the original outcome and sanctions;
  - b) To uphold the appeal case, and amend the outcome or sanctions appropriately;
  - c) To conduct additional investigative activities of new evidence, up to

and including a re-hearing of the original allegation. In this instance, the Senate Appeals Committee will take the role of the Student Disciplinary and Misconduct Committee.

- 8.52 At the completion of the internal Appeals Process an outcome and Completion of Procedures Letter should be sent to the Respondent within 14 days. This will include information on how the student could submit a complaint to the Office of the Independent Adjudicator (OIA) for review.
- 8.53 If an appeal is not submitted within 14 calendar days the student can request a Completion of Procedures letter. A Completion of Procedures letter can be requested within 28 days of the disciplinary outcome being communicated.

#### PRECAUTIONARY MEASURES

- 8.54 The University will take appropriate action to protect the safety and wellbeing of its members. Any interventions will be identified through a risk assessment conducted by trained members of University Staff.
- 8.55 Precautionary measures may include, but will not be limited to, one or more of the following options:
- a) Referral to an appropriate support service, such as Student Services, the Students' Union, or an external organisation;
  - b) A 'no contact' agreement to be put in place between the alleged Respondent, Reporting Party, and/or any witnesses;
  - c) Changes to the accommodation of the alleged Respondent, Reporting Party, and/or any witnesses;
  - d) Exclusion from certain parts of the University (see 8.61)
  - e) Suspension from the University (see 8.60)
- 8.56 These precautionary measures will be regularly reviewed throughout these Disciplinary Procedures. They do not constitute a sanction, and make no presumption as to whether or not the Respondent has committed the alleged misconduct.

#### Suspension or exclusion as a precautionary measure

- 8.57 A Student who fits one or more of these categories:
- a) Has been accused of misconduct;
  - b) Has a criminal charge pending against them;
  - c) Is the subject of police investigation;
  - d) Has failed to comply with precautionary measures (see 8.56);
- may as a precaution be suspended from any academic activities or excluded from any part of the University by the Vice-Chancellor or delegated authority (see 8.5), who will determine the period of such suspension or exclusion. Any such exclusion or suspension will be reported to Senate at its next meeting.
- 8.58 The precautionary suspension of a student involves a total prohibition on attendance or access to the University and on any participation in University activities including placement, study abroad or exchange activities. However, it may be subject to qualification such as permission to attend for specified academic purposes or for limited and prescribed access to the University for the purpose of obtaining information relating to a disciplinary or court hearing.
- 8.59 Exclusion of a Student involves prohibition on entering certain areas of the University and exercising the functions or duties of any office or committee membership in the University or the Students' Union. The details would be specified

in writing by to the student.

- 8.60 Where a decision has been made to temporarily exclude or suspend a student as a precautionary measure, the student will not be able to Appeal this decision until the Disciplinary Process is concluded.
- 8.61 A request may be made to the Students' Union that the student be excluded from Students' Union premises or activities.

#### Involvement of the Police and Criminal Courts

- 8.62 If there is an allegation which could also constitute an offence under criminal law, the University may refer this directly to the police. The University may also become aware through other means, of criminal cases involving University students. In either instance, any University disciplinary action will be put on hold until the criminal case is concluded, to prevent prejudicing a criminal investigation. Where relevant necessary precautionary measures (see 8.56) will be implemented.
- 8.63 Where an allegation which may constitute a criminal offence has been raised the Reporting Party will have a choice as to whether to report to the police, other than in circumstances where there is a risk to the safety of the University or wider community, or a legal obligation to report a particular allegation. In these cases, the University's decision to refer to the police will be explained to the Reporting Party.
- 8.64 After Court proceedings have been completed the Vice-Chancellor will determine whether internal disciplinary action will be taken, and from which point in these procedures.
- 8.65 Where an allegation has been proven and the Respondent has also been sentenced by a Court for the same incident, the penalty of the Court will be taken into consideration in determining the sanction under these Disciplinary Procedures. The University may impose additional sanctions according to its own Discipline Procedure.
- 8.66 The University may still proceed with the Disciplinary Procedure even if the police decide not to investigate an incident or if the Respondent is found not guilty. This is because those determining issues under this Procedure must make those judgements on the balance of probabilities, as opposed to beyond reasonable doubt, which is the burden of proof required for criminal cases.

#### Records and notification

- 8.67 An internal record will be kept of hearings held by the Student Disciplinary and Misconduct Committee, the Senate Appeals Committee and the Council Appeals Committee.
- 8.68 The outcome of Student Disciplinary and Misconduct Committees, Senate Appeals Committees and Council Appeals Committees will be reported to the Senate at its next meeting.

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date of Last Update: 14 June 2021*

**9. RESERVATION OF AREAS**

- 91** The University recognises the wish of categories of its members and employees to have areas within the University premises reserved for their exclusive use.
- 92** Council may therefore determine that certain rooms be used for certain purposes only, and may on the recommendation of Senate approve the terms of agreements with the members of the Senior Common Room, the Students' Union, and such other bodies as it sees fit whereby areas are reserved for their exclusive use, and such agreements duly signed by the parties shall have the force of regulations.

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date Published: 1 August 2020*

## **10. USE OF FACILITIES**

### **10.1 Introduction**

The use of University facilities (Library and Learning Centre, Computing facilities, Sports facilities) is governed by this Regulation and by local rules and regulations which have the force of University Regulations for discipline. These local rules and regulations are issued and amended on the authority of the University Librarian, the Director of Computing Services or the Director of Sport, as appropriate, in consultation with any relevant University Committee representing the interests of the users. Any inappropriate behaviour not relating to the use of facilities, or which is considered sufficiently serious to warrant further disciplinary action, will be dealt with in accordance with Regulation 8.

### **10.2 The Library and Learning Centre**

(a) The University Librarian may from time to time make such rules and regulations as may be necessary for the maintenance of good order and satisfactory conditions for users of the facilities. Such rules and regulations will be publicised in Library publications and on the Library's website (<http://www.bath.ac.uk/library/>).

(b) Any breach of Library rules and regulations, including the misuse of a University Library Card, renders the user liable to suspension or removal of borrowing rights or exclusion from the Library and Learning Centre. For Members of the University any withdrawal of facilities by the University Librarian will be subject to a right of appeal to the ~~University Secretary~~ *Deputy Vice-Chancellor and Provost*.

(c) Fines for overdue lent materials are levied at the rates agreed from time to time by the University Librarian, in consultation with staff and student representatives. Current fines in force are advertised at the Library Issue Counter and on the Library's website (<http://www.bath.ac.uk/library/>).

(d) The University Librarian may additionally impose fines or replacement costs on any individual responsible for damage or loss of Library property, where such fines may represent the material and administrative costs to the Library of reparation.

(e) The following are eligible to make use of the Library:

- Members of the University as defined in Section 2 of the Statutes
- Other persons at the discretion of the University Librarian

All Members of the University who wish to use the Library are required to register on the occasion of their first visit. Persons who are not Members of the University may register as external members, subject to any required fee payment.

Any member of the public may apply in writing to the University Librarian for occasional reference use of the Library, on the understanding that the material consulted is not readily available to the public elsewhere within the region or at other libraries accessible to the applicant. Where permission is granted, individuals must provide proof of identity and must sign a visitors' book for each admission.

(f) Borrowing from the Library, subject to current rules and regulations, is an automatic right of staff and students of the University who are defined as Members of the University by the Statutes. Borrowing rights may be arranged for other persons at the discretion of the University Librarian and subject to any required fee payment.

(g) The hours of opening of the Library and Learning Centre are determined by the University Librarian from time to time in accordance with the needs of the University.

Within these hours, use may be restricted to consultation at certain times of the day.

(h) Smoking, eating and drinking are not permitted within the Library.

(i) Silence must be maintained in the silent study areas of the Library.

### 103 Computing Facilities

#### Definitions:

(i) Computing facilities: any facility which is directly or indirectly linked through a computer processor (including the use of authorised software) whether or not all or part of the process lies under the jurisdiction and ownership of the University of Bath.

(ii) Head of Department: Heads of Departments, the Deans, the Heads of School, the Librarian, the ~~University Secretary, Director of Computing Services,~~ **Chief Digital Information Officer** or the Heads of such other units as Senate may determine.

(iii) Code of Practice - Computer Users Code of Practice issued by Computing Services (<http://www.bath.ac.uk/bucs/aboutbucs/policies-guidelines/policies-acceptable-use.html>)

(iv) eduserv chest - software and information negotiation and licensing services for education and the public sector

(v) JANET/SuperJANET - Joint Academic Network

(a) All users of computing facilities are bound by general law, this Regulation, the Code of Practice, together with any specific rules that a Head of Department may from time to time introduce which apply to specific facilities within the appropriate department or to specific users.

(b) Computer facilities shall be used for approved purposes and by approved users only. If a person appears to be using computing facilities for other purposes which are in breach of the Code of Practice, that person shall be subject to the regulatory disciplines laid down in the Code of Practice.

(c) All users must respect the rights of others including those in proprietary software and datasets. The University subscribes to the eduserv User Acknowledgement of Third Party Rights (<http://www.eduserv.org.uk/services/Chest-Agreements/about-our-licences/user-obligations>). Breaches of these obligations shall be deemed to be breaches of this Regulation.

(d) Intended users of computing facilities for financial gain must obtain approval in advance from the appropriate Head of Department, in order to ensure that suitable arrangements are made and to avoid infringement of licensing regulations. Such use must not start without the written permission of the relevant Head of Department. Such usage must also conform to the regulatory measures laid down in the JANET-Acceptable Use Policy (<https://community.ja.net/library/acceptable-use-policy>).

(e) No person shall use computing facilities to hold or process personal data except in accordance with the provisions of the Data Protection Act 1998, or its successor Acts, in accordance with the procedures laid down by the University for that purpose.

(f) No person shall make use of computing facilities allocated to another person without the specific authorisation of the appropriate Head of Department.

(g) Where a breach of the Regulation, or the Code of Practice, occurs or is alleged, the user in breach shall be subject to the procedures laid down in the Code of Practice.

(h) Breaches of any rules relating to a computing facility will be regarded as a prima



facie evidence of a breach of discipline. If the user in breach is a student, disciplinary measures may be taken under the appropriate Regulation or Statute, regardless of the academic consequences.

If the user in breach is a member of staff, disciplinary measures may be taken through the Director of Human Resources.

(i) Potentially criminal behaviour may be reported by the University directly to the police. A note of current relevant law is appended to the Code of Practice. (Regulations 7 and 8 also refer).

#### **104 Sports Facilities**

(a) The Director of Sport may from time to time make such rules and regulations as may be necessary for the maintenance of good order and for the safety of users. Such rules and regulations will be displayed in appropriate places.

(b) Any breach of local rules and regulations for the use of sports facilities renders the user liable to suspension or exclusion from the facilities. The Director of Sport, with or without such rules and regulations, has the power to withhold facilities. For members of the University an appeal against any withdrawal of facilities may be made to the ~~University Secretary~~ **Deputy Vice-Chancellor and Provost**.

(c) The following are eligible to make use of the sports facilities:

- Members of the University as defined in Section 2 of the Statutes
- Other persons at the discretion of the Director of Sport.

Any person using the facilities may be required to produce evidence of eligibility.

(d) The hours of opening of the sports facilities are determined by the Director of Sport from time to time in accordance with the needs of the University. Within these hours, use may be restricted to certain categories of persons at certain times of the day.

(e) Any person committing a breach of any of the local rules and regulations or causing a disturbance within the facilities may be asked to leave.

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date of Last Update: 25 September 2020*

## **11. DOGS AND OTHER PET ANIMALS**

Dogs and other pet animals may not be brought into University buildings or on to the playing fields, with the exception of assistance dogs for people with disabilities.

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date Published: 1 August 2020*

## **12. USE OF MOTOR VEHICLES ON THE UNIVERSITY SITE**

- 12.1** No motor vehicle may be driven or parked within the University grounds unless it is licensed, insured, roadworthy and registered with the University through the Head of Security. Learner drivers are not permitted to drive within the University grounds whether accompanied by a qualified driver or not.
- 12.2** A vehicle will not be accepted for registration unless the person wishing to register it possesses a full driving licence.  
If registration is granted, a permit will be issued in the form of an identification parking permit. This must be displayed on the vehicle so that it is clearly visible.
- 12.3** A permit is issued subject to the conditions notified at the time of issue, and will be cancelled if the conditions are not complied with.
- 12.4** Undergraduate students living in non-University accommodation in postal districts BA1 and BA2 will not be granted a permit except in exceptional circumstances.
- 12.5** Students living in University accommodation on or off campus may not park motor vehicles on University property, unless granted a permit, or on public roads within the City of Bath boundaries. Permits will only be issued in exceptional circumstances.
- 12.6** When a registered driver disposes of his or her vehicle the Head of Security must be notified and the permit returned to the Head of Security. If the registered driver wishes to bring a different vehicle into use a fresh permit must be obtained before doing so.
- 12.7** The University has a parking enforcement procedure, details of which can be found at [www.bath.ac.uk/security/parking](http://www.bath.ac.uk/security/parking). Security Officers are authorised to take appropriate action under this procedure to deal with vehicles which they consider to be improperly parked; action could include the issue of a warning or civil penalty notices.
- 12.8** Drivers must observe the speed limits in force on roads within the University site, and drivers must observe the road signs for the safety of all road users. Drivers must stop when requested to do so by the Security Staff.
- 12.9** The University reserves the right to remove unauthorised vehicles and to dispose of them. The vehicle owner shall have no claim against the University if it exercises this right.

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date Published: 1 August 2020*

### 13. ADMISSIONS REGULATIONS FOR FIRST DEGREES

13.1 No applicant shall be admitted to a programme leading to a first degree in the University, except by special permission, unless:

- (a) he or she has satisfied the general entrance requirements of the University and
- (b) he or she has satisfied the specific requirements for the programme to which admission is sought and
- (c) he or she, if under 18 on 1st October of the year in which admission is sought, has complied with the requirements of the University Policy on the Admission of Students Under 18 and
- (d) he or she has accurately informed the University of any relevant criminal convictions as directed during the application process and has complied with the University's requirements in relation to the further scrutiny of any criminal convictions and
- (e) he or she has completed the application process for any checks and/or Disclosures required by the University from the Disclosure and Barring Service.

#### 13.2 General Entrance Requirements

The University maintains General Entrance Requirements for first degrees which will include at all times provisions that:

- (a) applicants should hold an appropriate range of prior qualifications. Detailed requirements, including appropriate references to international equivalent frameworks, will be specified in the admissions area of the University website. International qualifications for which general entrance requirements are not specified will be assessed by the Recruitment and Admissions Office on a case-by-case basis;
- (b) applicants' prior Level 2 qualifications will normally include a formal qualification at an appropriate level in English Language. A list of qualifications deemed to meet these requirements will be made available in the admissions area of the University website.

Departments, Schools and partner organisations may apply for exemptions from the General Entrance Requirements where they have evidence to show that the candidate has other equivalent or acceptable qualifications and/or experiences. Written cases outlining the basis on which the department, School or partner organisation believes the candidate to be qualified for admission may be submitted to the Director of ~~Academic Registry~~ **Student Recruitment and Admissions**, or nominated deputy. The number and nature of exemptions will be monitored by Director of ~~Academic Registry~~ **Student Recruitment and Admissions** and any exceptional cases will be reported to Senate on an annual basis.

Applicants must provide full and accurate information in relation to all the qualifications and personal information contained on a University application form. The University may withdraw the applications of candidates failing to do this.

#### 13.3 Programme Requirements

Programme requirements are approved by the Senate and may specify:

- (a) the academic qualifications necessary for entry in addition to the general entrance requirements;
- (b) any particular non-academic skills or attributes required for entry together with an indication of how these will be assessed as part of the admissions process;

(c) the nature of any additional tests which may form part of the admissions process and whether selective interviews are routinely required.

Departments, Schools and partner organisations are required to publish a summary of programme requirements in the Undergraduate Prospectus and, with appropriate further detail, on their web pages.

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date of Last Update: 7 October 2020*

**14. ADMISSIONS REGULATIONS FOR DIPLOMA AND CERTIFICATE PROGRAMMES**

No applicant shall be admitted to a programme leading to a Diploma or Certificate of the University, except by special permission, unless:

- (a) he or she has satisfied the programme requirements for the particular programme to which admission is sought and
- (b) he or she, if under 18 on 1st October of the year in which admission is sought, has complied with the requirements of the University Policy on the Admission of Students Under 18 and
- (c) he or she has accurately informed the University of any relevant criminal convictions as directed during the application process and has complied with the University's requirements in relation to the further scrutiny of any criminal convictions and
- (d) he or she has completed the application process for any checks and/or Disclosures required by the University from the Disclosure and Barring Service.

Programme requirements are approved by the Senate and departments, Schools and partner organisations are required to publish a summary in the Undergraduate or Postgraduate Prospectus and, with appropriate further detail, on their web pages.

Applicants must provide full and accurate information in relation to all the academic and personal information contained on a University application form. The University may withdraw the applications of candidates failing to do this.

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date Published: 1 August 2020*

## 15. ASSESSMENT OF UNDERGRADUATE AND TAUGHT POSTGRADUATE PROGRAMMES

### 15.1 Scope

(a) These regulations apply to all summative assessments, i.e. assessments used to determine progression or eligibility of an award, approved by Senate, or by any formally-constituted body receiving delegated authority from Senate to undertake such approval.

(b) These regulations do not apply to formative assessment, i.e. assessment not defined in approved schemes of studies but contributing to the student's learning experience. Such formative assessment shall be entirely at the discretion of the appropriate academic Department.

(c) With effect from 1st August 2008, the New Framework for Assessment: Assessment Regulations (NFAAR) will constitute the regulations and procedures applicable to the students defined in Regulation 15.1(d) below who are on the programmes defined in Regulation 15.1(f) below, for whom the following sections of Regulation 15 will not apply:

- (i) all of paragraph 15.2;
- (ii) all of paragraph 15.3;
- (iii) and paragraph 15.4(a) and (b).

The provisions of the new framework will formally be part of the University Regulations, but will be separately produced as a supplement to them entitled, for the time being: *New Framework for Assessment: Assessment Regulations*, and abbreviated as *NFAAR* (<http://www.bath.ac.uk/registry/nfa/#nfaar>).

(d) For the purpose of defining the students to which the new framework for assessment is applicable, the following will be the **relevant students**:

- (i) all new entrants with effect from those joining the first stage of **Phase 1 relevant programmes** in 2008/09, **Phase 2 relevant programmes** in 2010/11, **Phase 3 relevant programmes** in 2011/12, **Phase 4 relevant programmes** in 2011/12, and **Phase 5 relevant programmes** in 2012/13;
- (ii) any continuing students required to repeat the first stage of **Phase 1 relevant programmes** in 2008/09, **Phase 2 relevant programmes** in 2010/11, and **Phase 3 relevant programmes** in 2011/12, **Phase 4 relevant programmes** in 2011/12, and **Phase 5 relevant programmes** in 2012/13;
- (iii) all other continuing students on **Phase 4 relevant Continuing Professional Development framework programmes** in 2011/12.

(e) For the purpose of defining the students to which the new framework for assessment is applicable, the following will *not* be **relevant students**:

- (i) all students already on **Phase 1 relevant programmes** in 2008/09, **Phase 2 relevant programmes** in 2010/11, **Phase 3 relevant programmes** in 2011/12, **Phase 4 relevant programmes** in 2011/12 (other than Continuing Professional Development framework programmes), or **Phase 5 relevant programmes** in 2012/13;

- (ii) any students entering **Phase 1 relevant programmes** in 2008/09, **Phase 2 relevant programmes** in 2010/11, **Phase 3 relevant programmes** in 2011/12, **Phase**

**4 relevant programmes** in 2011/12 (other than Continuing Professional Development framework programmes), or **Phase 5 relevant programmes** in 2012/13, with advanced standing (*i.e.*, not starting at the beginning with all other new entrants);

(iii) all students undertaking individual units under the auspices of the Continuing Professional Development framework without being registered for a programme, who are assessed under the Unit Regulations established for that purpose.

(f) For the purpose of defining the programmes to which the new framework for assessment is applicable, the following will be the **relevant programmes**:

(i) in Phase 1, all first degree programmes leading to Bachelor awards with honours or to Master of Architecture with honours;

(ii) in Phase 1, integrated first degree programmes leading to classified Master awards with honours;

(iii) in Phase 2, postgraduate taught programmes listed in NFAAR-PGT, Appendix 10;

(iv) in Phase 3, all other postgraduate taught programmes not listed in NFAAR-PGT, Appendix 10;

(v) in Phase 4, Foundation degree programmes listed in NFAAR-FD, Appendix 10;

(vi) in Phase 4, all Honours Year programmes leading to Bachelor awards with honours;

(vii) in Phase 4, all Continuing Professional Development (CPD) framework programmes;

(viii) in Phase 5, all other Foundation degree programmes not listed in NFAAR-FD, Appendix 10.

(g) For the purpose of defining the programmes to which the new framework for assessment is applicable, the following will *not* be **relevant programmes**:

(i) integrated master programmes leading to awards that are not classified;

(ii) Bachelor ordinary programmes already in existence;

(iii) research postgraduate programmes.

## **152 Definitions**

(a) **Units** are discrete components of learning with defined outcomes and assessment. Each unit has a credit weighting which represents its fractional contribution to a student's notional workload in a full-time academic year of study.

(b) **Schemes of study** are those documents which set down the approved curriculum, rules, requirements and scheme of assessment for a programme of study.

(c) **Programmes of study** are those compulsory, optional and elective units defined within approved schemes which lead to named awards of the University.

(d) **Final Assessments** are those assessments the results of which count in determining the award or the level of the final award (Degree, Diploma or Certificate of the University).

(e) **Progress Assessments** are those assessments the results of which contribute to the evaluation of a candidate's fitness to proceed from one year, or part of the programme of study, to the next.

(f) **Supplementary Assessments** are those assessments approved by the appropriate Board of Studies for deferred assessment or retrieval of failure in accordance with the



provisions of approved schemes. Supplementary assessments are regarded as 'final' or 'progress' in accordance with the provision of the individual scheme of study.

(g) **Formative Assessments** are those assessments not defined in approved schemes of studies but contributing to the student's learning experience.

(h) **Summative Assessments** are those assessments defined within approved schemes of studies to test the achievement of learning outcomes. Summative assessments can be either 'final' or 'progress' according to the individual scheme of study.

### 153 Assessment Procedure

(a) Each unit within the University's modularised academic framework has its own assessment requirements which enable a Board of Examiners for Units to determine whether or not a candidate has achieved the intended learning outcomes. A Board of Examiners for Units will be responsible for determining the marks achieved by students taking units under its academic authority. External examiners will be involved in agreeing the marks for any final assessment.

(b) Examinations will be conducted by a Board of Examiners for Units and will be subject to the provisions of Ordinance 15. All examinations will be conducted in English, unless the scheme of study otherwise requires. All other forms of assessment will be submitted in English unless the Board of Studies approves a presentation in another specified language.

(c) Unit results will be forwarded to the appropriate Board(s) of Examiners for Programmes. A Board of Examiners for Programmes will be responsible for determining award classifications and for considering the progression of students registered on programmes of study under its academic authority, taking account of individual mitigating circumstances as it deems appropriate. External examiners will be involved in reaching all decisions relating to the conferment of awards and the determination of final degree classifications.

(d) A student who wishes any individual mitigating circumstances to be taken into account by the Board of Examiners for Programmes should notify the appropriate Director of Studies within ~~three~~ **seven calendar** days of the completion of the assessment, **or assessment period in the case of multiple examinations**, for which representation is being made ~~and should submit a medical certificate if the circumstances relate to illness or injury.~~

Where individual mitigating circumstances exist prior to the assessment period, students will normally be expected to have notified the Director of Studies of those circumstances before the start of the assessment period.

Full guidance on the University's principles and procedures for dealing with IMCs and assessment are set out in the document entitled *Individual Mitigating Circumstances & Assessment – Principles & Procedures within & outside the New Framework for Assessment: Assessment Regulations*, abbreviated as IMCA, **and associated webpages**.

(e) Any student who is requested by her or his Director of Studies to do so must provide an electronic version of a piece of work to be assessed, selected by the Director of Studies, for submission to a service such as the Joint Information Services Committee (JISC) Plagiarism Detection Service (<http://www.plagiarismadvice.org/>). All assessed coursework will be accompanied by a declaration from the student that the work is their own and that any re-use of their own work, or use of the work of others, is referenced appropriately. Where work is submitted electronically via

Moodle the coursework submission page will include a statement indicating that by submitting the assessed work the student confirms that the work is their own and that any re-use of their own work, or use of the work of others, is referenced appropriately.

(f) Boards of Examiners for Programmes will assess the performance of each student and will make recommendations to the appropriate Board of Studies concerning the progress of each student. These recommendations will be based on the impartial application of the assessment criteria embodied in the scheme of assessment. In the case of students who have failed to satisfy the criteria for progression, a Board of Examiners for Programmes will specify any supplementary assessment that will need to be successfully completed before the student can proceed to the next year or part of their programme of study.

(g) In the case of a student the extent of whose failure precludes the possibility of retrieval by supplementary assessment, a Board of Examiners for Programmes will recommend to the Board of Studies whether the candidate should be required to withdraw from the University or should be required to re-take all of the failed units and their associated assessments or should be required to repeat the failed year of their programme. The Board of Studies will not normally approve any recommendation to require a student to withdraw from the University at the end of the first semester.

(h) Boards of Studies will consider the recommendations of the Board of Examiners for Programmes and will approve decisions on progression and the conferment of awards by the authority of Senate. Boards of Studies will be responsible for the publication of their decisions.

(i) A student may appeal against a Board of Studies' decision on any of the grounds listed in Regulation 17. Regulation 17 outlines the appeal procedures to be adopted in such a case.

(j) If a candidate is prevented by death, illness or other sufficient cause from presenting for, or completing, a final assessment for the Degree, Diploma or Certificate, Senate may confer the award of an Aegrotat Degree (with or without Honours), Diploma or Certificate but may not place the candidate in a class or division. (The procedure for the award of an Aegrotat Degree is stated in Ordinances 14.8 and 14.9).

(k) Only in exceptional circumstances, known and accepted in advance by the Board of Studies, may a final year candidate be permitted to retrieve failure in order to qualify for a classified Honours Degree.

#### **154 Regulatory Framework**

(a) Detailed policies and guidelines relating to assessment procedures and the conduct of Boards of Examiners are included in the University's Quality Assurance Code of Practice. (<http://www.bath.ac.uk/quality/cop/>)

(b) Schemes of assessment outline the regulations for progression and conferment associated with particular programmes. Schemes of assessment are published by the Departments and are available to students.

(c) The Director of Academic Registry, in consultation with Boards of Studies, may from time to time prescribe the procedure of preparing question papers, invigilation arrangements, and any other matters relating to assessment. These procedures will be published as University Rules.

#### **155 Use of Calculators in Examinations**

1. Candidates are not permitted to bring calculators into examinations unless the

rubric of the examination specifically permits it. In such cases, only calculators approved by the Board of Studies under approved procedures will be permitted.

2. Where the rubric specifies the use of University-supplied calculators, candidates should on no account be allowed to use their own calculators even though the model be alleged to be identical to those supplied by the University.

3. No power supply will be made available to candidates.

4. Calculators must operate quietly and cause no disturbance to other candidates; invigilators are empowered to remove offending machines.

5. All forms of instruction manual, operating guide or aide memoire, and written or printed program record or listing, are prohibited.

**Note:** In rare instances, where students are permitted to use their own calculators, they use them at their own risk, and no account can be taken by the Examiners of any malfunction.

### **15.6 Use of Dictionaries in Examinations**

1. Dictionary provision may be made as follows:

Senate has resolved that all candidates should be allowed access to an English (only) dictionary, except in cases where this is inappropriate because part of the purpose of the examination is to test the use of language. It is the responsibility of the Board of Studies concerned to determine which examinations are excluded from this provision.

2. English (only) dictionaries will be present in each examination venue and provided to students upon request during the examination.

3. Electronic dictionaries may only be used in examinations if their use has been approved by the appropriate Board of Studies as a special need for a named individual. The Board of Studies will determine the procedures necessary to ensure that such a named individual does not have an unfair advantage over other students through use of an electronic dictionary.

### **15.7 Maximum period for completion of study and assessment**

(a) This regulation limits the period available for the completion of studies and assessments for specified awards, and applies to:

- (i) students on first-degree programmes assessed under the Phase 1 of the New Framework for Assessment (defined above in paragraph 15.1(d) and (f)); and
- (ii) students on equivalent programmes assessed outside Phase 1 of the New Framework for Assessment, including those ordinary degree programmes leading to Bachelor awards, but excluding any first-degree programmes assessed under Phase 4 of the New Framework for Assessment for Continuing Professional Development (CPD) framework programmes.

(b) This limited period will be the length of the programme in years plus two years, such that the following maximum periods of study will apply unless a specific variation has been sought and granted:

- (i) Two-year full-time Master of Architecture with honours: four years;
- (ii) Three-year full-time Bachelor (ordinary): five years;
- (iii) Three-year full-time Bachelor with honours: five years;
- (iv) Four-year Bachelor with honours including professional placement and/or study abroad: six years;

- (v) Four-year full-time Master with honours: six years;
  - (vi) Four-year Master with honours including professional placement and/or study abroad: six years;
  - (vii) Five-year Master with honours including professional placement and/or study abroad: seven years.
- (c) Extended periods for the completion of studies and/or assessments, up to the maximum period allowed, will only be permitted for students for whom such extension becomes necessary as a result of failure to progress normally within a programme.
- (d) When calculating a student's position in relation to the maximum period for completion of studies and assessments for a specified award, the following definitions and criteria will apply:
- (i) any whole academic year (or whole twelvemonth period, or as necessitated by the structure of a thin-sandwich programme an equivalent pre-arranged period or periods not exceeding twelve months) for which a period of suspension of study has been granted will not be counted;
  - (ii) any individual pattern of study and/or assessment considered for approval by a Board of Studies must fall within the provisions of this regulation.
- (e) For the purposes of this regulation, decisions to grant or deny requests to transfer from one programme to another are considered to be made at the University's discretion. Where a transfer between programmes is permitted, the period already elapsed in the former programme will be counted as elapsed in the latter programme at the point of transfer. A transfer between programmes subject to different maximum periods may only be permitted in accordance with the following provisions:
- (i) a student who transfers to a longer programme may only subsequently transfer back to a shorter programme if the latter can be completed within its maximum period;
  - (ii) a student who, at the point of being considered for transfer from a longer programme to a shorter programme, would be able to complete either within the respective maximum period, must accept the limit of the maximum period for the latter programme;
  - (iii) a student who, at the point of being considered for transfer from a longer programme to a shorter programme, would be able to complete the longer programme within its maximum period but would not be able to complete the shorter programme within its maximum period, may be permitted to transfer and to complete the shorter programme within the longer maximum period;
  - (iv) a student who, at the point of being considered for transfer, would not be able to complete the current programme within its maximum period, will not be permitted to transfer and will only be eligible to be awarded any exit award available from the current programme.
- (f) Three special provisions will apply, as follows:
- (i) a student who, at the start of the 2014/15 academic year, would have exceeded the relevant maximum period of study will be permitted to seek to complete the programme and its assessment as if this regulation did not apply;
  - (ii) a Board of Examiners for Programmes considering a student's eligibility for a final award may determine that an award from a Designated Alternative

- Programme be made without consideration of the maximum period specified for that programme;
- (iii) a Board of Studies may make a recommendation to Senate to agree specific arrangements for any student who might be deemed, for good reason, to be unable to meet the terms of the regulation.

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date of Last Update: 18 November 2020*

## **16. ADMISSIONS REGULATIONS AND CONDITIONS FOR THE AWARD OF HIGHER DEGREES**

These Regulations shall apply to the following higher degrees awarded by the University:

Master of Arts (MA)  
Master of Business Administration (MBA)  
Master of Research (MRes)  
Master of Science (MSc)  
Master of Philosophy (MPhil)  
Doctor of Business Administration (DBA)  
Doctor of Education (EdD)  
Doctor of Philosophy (PhD)  
Master of Surgery (MS)  
Doctor of Medicine (MD)  
Doctor of Science (DSc)  
Doctor of Letters (DLitt)  
Doctor of Health (DHealth)  
Doctor of Engineering (EngD)  
Doctor of Clinical Psychology (DClinPsy)  
Doctor of Policy Research and Practice (DPRP)

### **16.1 General Provisions applying to Higher Degrees**

(a) ADMISSIONS PROVISIONS FOR ALL HIGHER DEGREES OTHER THAN DSc AND DLitt

Applicants must provide full and accurate information in relation to all the qualifications and personal information contained on a University application form. The University may withdraw the applications of candidates failing to do this.

No applicant shall be admitted to a programme leading to a higher degree in the University, except by special permission, unless:

(i) he or she has provided the University with satisfactory evidence of his or her standard of English language ability. This evidence will normally comprise a formal recognised test. Minimum standards for entry to higher degrees, together with a list of recognised tests such as IELTS, will be approved by the Senate. Applicants who have been awarded a bachelors or higher degree from a recognised higher education institution in which English is the medium of instruction will normally be deemed to have satisfied these minimum requirements provided they have not subsequently spent a significant period of time away from an English-speaking environment. Departments and Schools may stipulate additional or higher requirements for which further testing or evidence is required. Candidates attending and achieving appropriate outcomes on a pre-sessional English language programme at the University of Bath will be deemed to have satisfied the minimum English language requirements set by the Senate. Departments and schools may apply for exemption from the formal minimum English Language requirement for particular applicants where they have satisfactory evidence to show that the candidate has the capacity to cope with the demands of the programme. Written cases outlining the basis on which the exemption is sought may be submitted to the Director of Student Recruitment and Admissions or nominated deputy. The number of exemptions will be monitored annually by the Recruitment and Admissions Committee and

(ii) he or she has a first degree from a recognised higher education institution, normally at honours (or equivalent) level . Applicants who have an ordinary degree (or equivalent) may be admitted provided this is consistent with the department or school's approved admissions criteria. Applicants who do not have a degree but who may be qualified for admission through the assessment of Accreditation of Prior (Experiential) Learning must be considered under specific procedures in place in Departments and Schools and approved by the Board of Studies and

(iii) he or she has satisfied any additional specific requirements for the programme to which admission is sought and

(iv) he or she has accurately informed the University of any relevant criminal convictions as directed during the application process and has complied with the University's requirements in relation to the further scrutiny of any criminal convictions and

(v) he or she has completed the application process for any checks and/or Disclosures required by the University from the Disclosure and Barring Service.

(vi) in the case of candidates transferring into the University in order to continue work started in another institution (for example when accompanying a supervisor moving from another University to Bath), the candidate will, in accordance with the provision of Ordinance 14.5, be required to complete a minimum of 12 months' full-time study/24 months' part-time study before submitting the final thesis/portfolio for examination.

#### (b) CHANGES IN ACADEMIC DETAILS OF THE CANDIDATE'S REGISTRATION FOR ALL HIGHER DEGREES

Any changes proposed to the academic details of the registration are subject to approval by the appropriate Board of Studies. 'Academic details' include the following: transfer from one programme of study to another (including confirmation of PhD registration and transfer from MPhil to PhD, both of which require Board of Studies' approval); change of mode of study (including transfer to 'writing up' status); change of supervisory arrangements; change of thesis/portfolio title; suspension of registration; extension of registration; termination of registration; withdrawal; transfer to another institution.

#### (c) COMPLETION OF REGISTRATION PERIOD FOR THE DEGREES OF MA, MBA, MRes, MSc, MPhil, DBA, DClinPsy, DHealth, DPRP, EdD, EngD and PhD

A candidate who, having completed the prescribed minimum period of attendance, has not completed the work and requires continued supervision and use of University facilities at the same level as during the prescribed minimum period, must continue to be registered on a full-time, part-time, industrially/externally-based or distance-learning basis as appropriate and pay the appropriate fee.

A candidate who, having completed the prescribed minimum period of full-time, part-time, industrially/externally-based or distance-learning-based study (such as may be permitted by the regulations applying to the particular degree), requires continued supervision and use of University facilities at a reduced level, must continue to be registered and pay a continuation fee.

A candidate who, having completed the prescribed minimum period of full-time, part-time, industrially/externally-based or distance-learning-based study (such as may be permitted by the regulations applying to the particular degree), and any period in which a continuation fee has been payable, and who no longer requires supervision or the use of University facilities, must pay an administration fee until the work is presented for examination.

If a candidate, having attended on a full-time basis, wishes to transfer registration to part-time, industrially/externally-based or distance-learning candidature (such as may be permitted by the regulations applying to the particular degree), this transfer requires approval by the Board of Studies who may specify the minimum period of study required of the candidate.

#### (d) SUSPENSION OF REGISTRATION FOR ALL HIGHER DEGREES

A candidate who has to discontinue the programme of study for a period of time by reason of illness or other specific reasons or, except in the case of full-time candidature, pressure of other business, may apply for suspension of registration for a period of up to twelve months. Each application must be considered by the Board of Studies on its merits and will not normally be granted for reasons other than the following:

*(i)* A serious or incapacitating injury, illness, or medical condition (or a sudden, marked deterioration in an on-going or longer-term condition), or an emergency operation.

*(ii)* Significant disruption of personal life including maternity, paternity, childbirth and, in the case of part-time students only, pressure from other business/employment.

*(iii)* Election as a Students' Union Officer.

Appropriate corroborating evidence (such as a medical certificate) will normally be required in support of requests for suspension.

Approval will not normally be given for retrospective requests for suspension, or for periods of suspension totalling more than 12 months during a candidate's total period of registration, or, in the case of Degrees by Research, for suspension during the final 12 months of registration of the normal maximum period of study (as defined in the Regulation for the particular degree).

No fees shall be charged during a period of approved suspension of studies. Suspension of registration should not be sought in cases where an extension of registration or re-registration is more appropriate. In the case of the degrees by research, the effect of the suspension of registration will be to postpone the earliest date for the submission of the research thesis and the expiry date of the registration by the length of the suspension granted.



#### (e) EXTENSION OF REGISTRATION FOR ALL HIGHER DEGREES

The Regulation for each particular Degree sets out the scope for extension of registration for that degree. Significant data loss or unforeseeable difficulties with data gathering which have not completely prevented the candidate from pursuing their research or preparing a dissertation, and which were beyond their control, will normally be acceptable as a basis for an extension. These may include, but not be limited to, difficulties in conducting fieldwork, or equipment failure. Requests for extension received later than 3 months prior to the expiry of registration for a Degree by Research will only exceptionally be granted.

The following will not normally be acceptable as grounds for permitting an extension of registration:

- i)* Conduct of research, such as fieldwork, away from the University.
- ii)* Issues more properly addressed by means of suspension (see Regulation 16.1(d)).
- iii)* Lack of progress/attendance on the part of the student.
- iv)* Any decision to change the format of the thesis.

#### (f) CHANGE OF MODE OF STUDY

Where the particular Degree Programme Regulations permit both full-time and part-time study, candidates will normally be permitted to seek change from full-time to part-time registration or vice-versa on only one occasion during their registration for the particular Degree. Change of mode of study will not normally be permitted during the final twelve months of registration of the normal maximum period of study for Degrees by Research.

#### (g) PROGRESSION MONITORING FOR ALL HIGHER DEGREES BY RESEARCH

A report must be completed by the candidate and the lead supervisor and submitted to Boards of Studies every six months, starting six months after the date of first registration. In the case of programmes with a formally assessed taught element, the first report shall be completed six months after the date of commencement on the research element of the programme.

#### (h) TERMINATION OF REGISTRATION

In addition to the provisions of Regulations 3.1 and 3.2, a candidate's registration may be terminated by the Board of Studies on one or more of the following grounds:

- i)* The wish of the candidate, with or without the agreement of the supervisor or Director of Studies, to withdraw from the University.
- ii)* Failure by the candidate to make progress considered by the Board of Studies to be satisfactory where the cause of the failure is beyond the University's control.

iii) Failure by a probationer PhD candidate both to be confirmed for PhD registration and to achieve a standard of work considered by the Progression Board of Examiners to be sufficient to enable the candidate to continue on MPhil registration (see Regulation 16.5 (b)).

(i) HOLIDAY ENTITLEMENT

Research students are entitled to take up to 25 working days' (full-time students, pro-rata for part-time students) leave from their programme in any 12 month period, in addition to days on which the University is closed. The scheduling of periods of leave must be negotiated with the Lead Supervisor. Students on research programmes that include a formally-assessed taught element should not normally take leave during the taught element.

(j) PRESENTATION OF THE THESIS/PORTFOLIO FOR THE DEGREES OF MPhil, PhD, DBA, DClInPsy, DHealth, DPRP, EdD, EngD, MS and MD

Candidates shall present a thesis or portfolio as permitted by the Regulation for the particular Degree as follows.

(i) Two (three in the cases of MS and MD) copies of the thesis or, in the case of the degrees of MS, MD and MPhil/PhD by Staff Method B only, submission of published or other works, in accordance with a format specified in the Specification for Higher Degree Theses and Portfolios given at Appendix 6 of QA7 Research Degrees or in the case of the degrees of EngD and DClInPsy, a portfolio, must be lodged with the Doctoral College. The candidate shall keep a third (fourth) copy, identical to the submitted copies, for reference before and during the examination process.

Theses/portfolios shall embody at the beginning a summary of the work not exceeding 300 words in length. Theses submitted for the degrees of MPhil, DBA, EdD, DHealth and PhD may include academic papers in accordance with the alternative format specified in the Specification for Higher Degree Theses and Portfolios given at Annex 6 of QA7 Research Degrees. After completion of any viva voce examination, and approval of the outcome of the examination, one paper and one electronic copy of the thesis/portfolio shall be retained in the University Library.

(ii) The thesis/portfolio shall be written in English. In the case of a candidate in the Department of Politics, Languages and International Studies, the Board of Studies, where appropriate, may agree that the thesis be written in another language offered in the Department. In such a case, a summary of the thesis shall be provided in English.

(iii) Candidates who are about to submit theses/portfolios shall give at least two months' prior notice to the Doctoral College, including the full title of the thesis/portfolio.

(iv) A hardbound paper copy of the thesis/portfolio, in good condition, shall be deposited by the candidate or the candidate's representative in the Doctoral College no later than fourteen days before the meeting of the Board of Studies at which the award of a degree to the candidate is approved. The Doctoral College shall arrange for deposit of the thesis/portfolio in the Library. In addition, it is required that a copy must be submitted in a suitable electronic format to the Library. The electronic copy shall be deposited no later than the hardbound paper copy and shall be accompanied by a declaration by the candidate to confirm that the hardbound paper and electronic

copies are identical in content, and a declaration by the Department or School that they include all corrections and revisions required by the Board of Examiners.

(v) Access to a thesis/portfolio deposited in the Library shall be unrestricted unless, for reasons of confidentiality, the Board of Studies has approved a proposal which states the reasons for such restricted access, and the period of time for which the restriction should hold. If the proposed restriction is for longer than three years, the Board of Studies decision must be reported to Senate.

#### (k) PLAGIARISM CHECKING

Any student who is requested by his or her Director of Studies to do so must provide an electronic version of a piece of work to be assessed, selected by the Director of Studies, for submission to a service such as the Joint Information Services Committee (JISC) Plagiarism Detection Service. This piece of work may be the entire thesis.

#### (l) CONSTITUTION OF BOARDS OF EXAMINERS FOR THE DEGREES

The Board of Examiners shall be constituted in accordance with Ordinance 15 for the degrees of MA, MBA, MRes, MSc, MPhil, DBA (by thesis), DPRP, EdD (by thesis) and PhD. The Board of Examiners for all other higher degrees (including DBA by portfolio of papers, DClinPsy, DHealth, EdD by portfolio of papers and EngD) shall be constituted in accordance with the Regulations for the particular degree.

#### (m) PROGRAMME OF RESEARCH

Registration as a student for a Higher Degree does not imply approval of a proposed programme of research; such approval must be given by the Board of Studies, and in some cases candidates may be required to undergo tuition and/or successfully complete assessments to pass an examination to the satisfaction of the Board as a condition of and prior to the registration of their topic of research (see also Regulation 16.13).

#### (n) CONSTRAINTS UPON PUBLICATION OF WORK

Any constraint upon publication of the thesis/portfolio must be approved by the relevant Board of Studies. If constraint relates to a period of confidentiality longer than three years, the Board of Studies decision must be reported to Senate.

#### (o) BOARD OF STUDIES

All references to the 'Board of Studies' means the Board of Studies (Doctoral), with the exception of section 16.1(b) and 16.2 where it refers to the Board of Studies of the Faculty or School in which the candidate is registered. In the case of the School of Management it means the Board of Studies of the School of Management.

#### (p) RESEARCH INTEGRITY

Candidates conducting research whilst registered at the University of Bath are expected to comply with the *Code of good practice in research integrity* in addition to meeting the requirements for academic integrity set out in Regulation 3.7. Candidates who initially registered on a higher degree by research on or after 1 August 2016 are required, by a suitable progression point in their programme, to have:

- (i) Completed the University's online course on research integrity;
- (ii) Completed a data management plan;

(iii) Secured appropriate ethical approvals for their research project.

A suitable progression point will be dependent on the programme and mode of study but will normally be 12 months (18 months for part-time students) after starting the research element of the programme. This point will therefore be:

(i) at confirmation or transfer of candidature where these are requirements of the programme, or

(ii) as defined within the Scheme of Studies for the Programme, where confirmation or a transfer do not apply, or

(iii) if neither of the preceding provisions is applicable, as determined by the Candidate's Lead Supervisor.

## **162 The Degrees of Master of Arts (MA), Master of Business Administration (MBA), Master of Research (MRes) and Master of Science (MSc)**

This Regulation should be read in conjunction with Regulation 16.1.

### **(a) ADMISSION**

(i) For English Language requirements, see Regulation 16.1 (a).

(ii) Graduates of the University, or any other University approved by the Senate for this purpose, may be admitted to a programme leading to the Degree of Master, provided they have satisfied the Head of the Department concerned (or a nominated deputy) as to their fitness to pursue the programme of study.

Persons who are not graduates of a University may be admitted as candidates for the Degree by the appropriate Board of Studies provided they hold qualifications which are approved by the Board of Studies for this purpose and provided they have satisfied the Board of Studies as to their fitness to pursue the programme of study. The current minimum non-graduate qualifications acceptable to individual Departments for registration for higher degrees are published in the Postgraduate Prospectus.

### **(b) PROGRAMME OF STUDY**

The programme to be followed shall be one of supervised study following an approved scheme of studies.

### **(c) MINIMUM PERIODS OF REGISTRATION**

In accordance with Ordinance 14, the period of study shall not be less than twelve calendar months.

#### *(i) Full-time candidature*

The period of study shall be at least twelve calendar months.

#### *(ii) Part-time and distance-learning candidature*

The period of study shall be at least twenty-four calendar months.

### **(d) MAXIMUM PERIODS OF REGISTRATION *Full-time, part-time and distance-learning candidature***

A full-time, part-time or distance-learning candidate for a Degree by coursework shall present the required written work for examination as prescribed in the scheme of studies. Subject to the provision of Regulation 16.1 (e) a candidate unable to do so may seek an extension of registration for a period not exceeding twelve months and the Board of Studies may grant such extension on one occasion only.

(e) SUSPENSION OF REGISTRATION

See Regulation 16.1 (d).

(f) COMPLETION OF REGISTRATION

See Regulation 16.1 (c).

(g) RE-REGISTRATION

A candidate whose registration has lapsed either by the passage of time or through non-payment of fees must seek permission of the Board of Studies to register as a candidate for the degree. In such cases the Board of Studies may specify what previous periods of study if any may be counted towards the minimum prescribed period of study.

(h) ATTENDANCE REQUIREMENTS

*(i) Full-time candidature*

The programme of study shall be pursued in the University.

*(ii) Part-time and distance-learning candidature*

The attendance requirements shall be as specified in the appropriate scheme of studies.

(i) SUPERVISION

Every candidate shall be assigned to an internal supervisor or supervisors, by the

Board of Studies. In the case of distance-learning candidates and for other candidates where necessary, an external supervisor shall in addition be assigned.

(j) BOARD OF EXAMINERS

See Regulation 16.1 (l).

(k) AWARD OF THE DEGREE OF MASTER

*(i)* The Degree of Master may be awarded to candidates who shall have pursued a programme as prescribed under Regulation 16.2(b) above and have satisfied the examiners by presenting a satisfactory dissertation or project (having passed the examination requirements as prescribed in the scheme of studies).

*(ii)* Candidates who fail to satisfy the examiners may, subject to the provisions of Regulation 15, present themselves again for examination as directed. If they fail to satisfy the examiners at the second attempt they shall not be eligible again as candidates for the same award.

*(iii)* Subject to Regulation 16.2 (d) dissertations, projects or other required work must be submitted as prescribed in the scheme of studies.

(l) REVIEWS

Regulation 17 sets out the procedures to be followed in cases where a review of a candidate's progression or result is required.

**163 The Degree of Master of Philosophy (MPhil)**

This Regulation should be read in conjunction with Regulation 16.1

(a) ADMISSION

*(i)* For English Language requirements, see Regulation 16.1 (a).

(ii) Graduates of the University, or any other University approved by the Senate for this purpose, may be admitted to a programme of study leading to the Degree of Master, provided they have satisfied the Board of Studies (or a nominated representative) as to their fitness to pursue the programme of study.

Persons who are not graduates of a University may be admitted as candidates for the Degree by the Board of Studies provided they hold qualifications which are approved by the Board of Studies for this purpose and provided they have satisfied the Board of Studies as to their fitness to pursue the programme of study. The current minimum non-graduate qualifications acceptable to individual Departments for registration for higher degrees are published in the Postgraduate Prospectus.

#### (b) PROGRAMME OF STUDY

The programme to be followed shall be one of supervised research.

#### (c) MINIMUM PERIODS OF REGISTRATION

In accordance with Ordinance 14, the period of study shall not be less than twelve calendar months.

(i) *Full-time candidature within the University or on an Industrial/External basis*  
The period of study shall be at least twelve calendar months.

(ii) *Part-time candidature within the University or on a Distance-Learning basis*  
The period of study shall be at least twenty-four calendar months.

(iii) Candidates for the Degree of Doctor of Philosophy may be permitted by the Board of Studies to submit for the Degree of Master, and the whole or part of the period while registered for the Degree of Doctor of Philosophy may be regarded as equivalent to the whole or part of the period required for the Degree of Master.

#### (d) MAXIMUM PERIODS OF REGISTRATION

##### (i) *Full-time candidature and Industrially/externally-based candidature*

A full-time candidate or industrially/externally-based candidate for a Degree by research shall present for examination within three years of the date of registration. Subject to the provision of Regulation 16.1 (e) a candidate unable to do so may, before the end of the third year, seek an extension of registration for a period not exceeding twelve months, and the Board of Studies may grant such an extension on one occasion only.

##### (ii) *Part-time candidature*

A part-time candidate for a Degree by research shall present for examination within four years of the date of registration. Subject to the provision of Regulation 16.1 (e) a candidate unable to do so may before the end of the fourth year seek an extension of registration for a period not exceeding twelve months and the Board of Studies, may grant two such twelve-months extensions only.

#### (e) SUSPENSION OF REGISTRATION

See Regulation 16.1 (d).

#### (f) COMPLETION OF REGISTRATION

See Regulation 16.1 (c).

#### (g) RE-REGISTRATION

A candidate whose registration has lapsed either by the passage of time or through non-payment of fees or who wishes to change the registered research topic must seek

permission of the Board of Studies to re-register as a candidate for the degree. In such cases the Board of Studies may specify what previous periods of study if any may be counted towards the minimum prescribed period of study.

#### (h) ATTENDANCE REQUIREMENTS

##### *(i) Full-time candidature*

The programme of study shall be pursued in the University, except for any period, which may, with the approval of the Board of Studies, be spent elsewhere.

##### *(ii) Part-time candidature*

The attendance requirements shall be as prescribed by the Board of Studies.

##### *(iii) Industrial/Externally-based candidature*

Candidates pursuing full-time research at another establishment shall normally be expected to accept a programme of attachment to include attendance at the University for periods as prescribed by the Board of Studies.

##### *(iv) Distance-learning candidature*

The attendance requirements shall be as specified in the appropriate scheme of studies.

#### (i) SUPERVISION

Every candidate shall be assigned to a supervisory team by the Board of Studies. In the case of industrially/externally-based candidates, an external supervisor shall in addition be assigned. Where more than one internal supervisor is appointed, the Faculty/School Doctoral Studies Committee shall nominate one to report on the work and progress of the candidate as and when required by the Board of Studies. The Board of Studies shall ensure the appointment of a replacement internal supervisor in those cases where the original supervisor has left the employ of the University or is on leave of absence or study leave.

#### (j) PRESENTATION OF THE THESIS

See Regulation 16.1 (j).

#### (k) SUBMISSION OF THE THESIS

(i) Subject to the provisions of Ordinance 14.5, the thesis for the Degree of Master of Philosophy must be the result of work done mainly while the student is registered as a candidate for the Degree of Master or Doctor (see Regulation 16.3 (c) (iii)) of Philosophy of this University. A certificate to this effect shall be signed by the candidate when presenting the thesis.

(ii) The thesis shall also indicate:

(a) where the thesis, or any part of the thesis such as a published paper, has been produced by a candidate jointly with others, that a substantial part is the original work of the candidate, and

(b) where the thesis incorporates material already submitted for another degree, the extent of that material and the degree, if any, obtained.

(iii) Subject to Regulation 16.3(d) and (e) above, theses may be submitted at any time after completion of the prescribed minimum period of study or research.

#### (l) BOARD OF EXAMINERS

*(i)* The Board of Examiners for research degrees shall make recommendations as detailed below. If the Board of Examiners cannot agree, the Board of Examiners shall report this disagreement to the Board of Studies who may recommend to Senate that a

new Board of Examiners be appointed, without prejudice to the candidate.

(ii) The Board of Examiners for research degrees may recommend to the Board of Studies:

either: (1) that the candidate be awarded the degree of Master of Philosophy;  
or: (2) that the candidate be awarded the degree of Master of Philosophy subject to minor corrections to the thesis being executed to the satisfaction of the internal examiner(s);  
or: (3) that the candidate be permitted to submit a revised thesis;  
or: (4) that the candidate fail and be neither awarded for the degree of Master of Philosophy nor be allowed to submit a revised thesis.

(iii) A written report on the thesis submitted must be provided by the examiners. Where a candidate satisfies the examiners regarding the contents of the thesis but fails to satisfy the examiners at the viva voce, the candidate shall be given the opportunity of re-examination at a second viva voce; failure to satisfy at the second viva voce shall constitute failure of the degree submission as a whole.

(iv) Under the provisions of paragraph (3), candidates may, with the permission of the Board of Studies, be permitted to submit a revised thesis, within such lapse of time as may be prescribed, and present themselves for re-examination; no further resubmission is permitted if the candidates fail to satisfy the Board of Examiners at this second attempt.

(m) AWARD OF THE DEGREE OF MASTER OF PHILOSOPHY

The Degree of Master of Philosophy may be awarded to candidates who shall have pursued a programme as prescribed under Regulation 16.3(b) above and have satisfied the Board of Examiners by presenting a satisfactory thesis and, if the Board of Examiners so requires, by passing a viva voce examination. The thesis must satisfy the examiners as giving evidence of originality of mind and critical judgement in a particular subject. The examiners may, at their discretion, require that a candidate presents for a written examination.

(n) REVIEWS

Regulation 17 sets out the procedures to be followed in cases where a review of a candidate's progression or result is required.

**164 The Degree of Doctor of Education (EdD)**

This Regulation should be read in conjunction with Regulation 16.1.

(a) ADMISSION

(i) For English Language requirements, see Regulation 16.1 (a).

(ii) Graduates holding at least upper second class honours or equivalent of the University, or of any other Institution approved by the Senate for this purpose and who have at least three years of appropriate professional experience as set out in the Scheme of Studies, or those who hold an approved graduate-equivalent qualification, and who also hold an advanced qualification (eg a Masters degree) in education or a related field, and who have at least three years of appropriate professional experience as set out in the Scheme of Studies, may be admitted as candidates for the Degree of Doctor of Education provided that they have satisfied the Board of Studies as to the subject of their research enquiry and their fitness to undertake it. Candidates who meet the entry criteria except for the advanced qualification referred to above may be admitted to the degree following the successful completion of two education-focused



units from the Department's Masters programme as specified in the Scheme of Studies.

**(b) PROGRAMME OF STUDY**

The Programme of Study for the degree of Doctor of Education shall be one of supervised study following an approved Scheme of Studies of taught units and a thesis. Candidates shall be registered initially for the degree of Doctor of Education (EdD). However, depending upon the quantity and nature of the work undertaken and subject both to the criteria set out in the Scheme of Studies, candidates may be awarded one of the qualifications of Postgraduate Certificate in Educational Studies, Postgraduate Diploma in Education or Master of Philosophy in place of the Degree of Doctor of Education.

**(c) MINIMUM PERIODS OF REGISTRATION**

In accordance with Ordinance 14, the period of study for the degree shall be not less than twenty-four calendar months.

*(i) Full-time candidature*

The period of study shall be at least twenty-four calendar months.

*(ii) Part-time candidature*

The period of study shall be at least thirty-six calendar months.

**(d) MAXIMUM PERIODS OF REGISTRATION**

*(i)* A full-time candidate shall present for examination within five years of the date of registration for the degree. Subject to the provision of Regulation 16.1 (e) a candidate unable to do so may, before the end of the fifth year, seek an extension of registration for a period not exceeding twelve months and the Board of Studies may grant such an extension on one occasion only.

*(ii)* A part-time candidate shall present for examination within eight years of the date of registration for the degree. Subject to the provision of Regulation 16.1 (e) a candidate unable to do so may, before the end of the eighth year, seek an extension of registration for a period not exceeding twelve months and the Board of Studies may grant such an extension on two occasions only.

**(e) SUSPENSION OF REGISTRATION**

See Regulation 16.1 (d).

**(f) COMPLETION OF REGISTRATION**

See Regulation 16.1 (c).

**(g) RE-REGISTRATION**

A candidate whose registration has lapsed either by the passage of time or through non-payment of fees or who wishes to change the registered topic must seek permission of the Board of Studies to re-register as a candidate for the degree. In such cases, the Board may specify what previous periods of study may be counted towards the minimum prescribed period of study. The Board of Studies may specify the minimum period of study of a candidate before it is deemed that the provisions of the Regulations have been met.

**(h) ATTENDANCE REQUIREMENTS**

*(i) Full-time candidature*

The programme of study shall be pursued in the University, except for any period which may, with the approval of the Board of Studies be spent at any establishment or institution outside the university where attendance is required in order to pursue the research.

*(ii) Part-time candidature*

The attendance requirements shall be prescribed by the Board of Studies.

**(i) SUPERVISION**

Every candidate shall be assigned to a supervisory team by the Board of Studies. Where more than one supervisor is appointed, the Faculty/School Doctoral Studies Committee shall nominate one to report on the work of the candidate. The Board of Studies shall ensure the appointment of another supervisor in those cases where the original supervisor has left the employ of the University or is on leave of absence or study leave.

**(j) PRESENTATION OF THE THESIS**

See Regulation 16.1 (j).

**(k) SUBMISSION OF THE THESIS**

*(i)* Subject to the provisions of Ordinance 14.5, and excepting those circumstances set out in 16.4(l)(i), the thesis of the Degree of Doctor of Education must be the result of work done mainly while the student is registered as a candidate for the Degree of Doctor of Education of this University. A certificate to this effect shall be signed by the candidate when presenting the thesis.

*(ii)* The thesis shall also indicate:

- (a)* where the thesis or any part of the thesis such as a published paper, has been produced jointly with others, that a substantial part is the original work of the candidate, and
- (b)* where the thesis incorporates material already submitted for another degree, the extent of that material and the degree, if any, obtained.
- (c)* Subject to Regulation 16.4(d), a thesis may be submitted at any time after completion of that prescribed minimum period of study and research.
- (d)* Where, in place of a thesis, a candidate submits a portfolio of four papers (which have recently been published or accepted for publication in accredited refereed national or international journals and which embody the results of sustained personal research in the field of Education), the papers submitted need not have been produced whilst the candidate has been registered at the University.

**(l) BOARD OF EXAMINERS**

*(i)* Where, in place of a thesis, a candidate submits a portfolio of published papers, the Board of Examiners shall include two external examiners, at least one of whom shall be a recognised authority in the field of the candidate's work. The Board of Examiners shall make recommendations as detailed below. A report on the thesis must be provided by the examiners. If the Board of Examiners cannot agree, the Board of Examiners shall report this disagreement to the Board of Studies which may recommend to Senate that a new Board of Examiners be appointed, without prejudice to the candidate.

- (ii) The Board of Examiners may recommend to the Board of Studies:  
 either: (1) that the candidate be awarded the Degree of Doctor of Education;  
 or: (2) that the candidate be awarded the Degree of Doctor of Education, subject to minor corrections to the thesis being executed to the satisfaction of the internal examiner(s);  
 or: (3) that the candidate be awarded the Degree of Doctor of Education subject to satisfactory performance at a second viva voce examination and subject also to any minor corrections to the thesis required by the examiners. Failure to satisfy the examiners at the second viva shall constitute failure of the submission for the Degree of Doctor of Education;  
 or: (4) that the candidate not be awarded the Degree of Doctor of Education but be given the opportunity of submitting a revised thesis for the degree of Doctor of Education. The examiners shall normally require the candidate to undergo a second viva voce examination. If, in the opinion of the examiners, the thesis as first submitted is worthy of the award of the Degree of Master of Philosophy, the examiners may offer the candidate the opportunity to accept the Degree of Master of Philosophy, subject to any minor corrections to the thesis which may be prescribed by the examiners and which must be carried out to their satisfaction. A candidate wishing to accept the Degree of Master of Philosophy under these circumstances shall inform the examiners in writing of this wish by the date prescribed by the examiners;  
 or: (5) that the candidate not be awarded the Degree of Doctor of Education but be awarded the Degree of Master of Philosophy (subject to any minor revisions to the thesis which may be prescribed by the examiners and which must be carried out to their satisfaction);  
 or: (6) that the candidate be awarded neither the Degree of Doctor of Education nor the Degree of Master of Philosophy, but be awarded either the Postgraduate Diploma in Education or the Postgraduate Certificate in Educational Studies, subject to the requirements for each award as set out in the Scheme of Studies;  
 or: (7) that the candidate fail and be awarded none of the relevant awards (Doctor of Education, Master of Philosophy, Postgraduate Diploma in Education, Postgraduate Certificate in Educational Studies).
- (iii) Where submission of a revised thesis has been recommended candidates may, with the approval of the Board of Studies, be permitted to submit a revised thesis, within such lapse of time as may be prescribed, and present themselves for re-examination; no further resubmission is permitted if the candidate fails to satisfy the Board of Examiners at this second attempt.

(m) AWARD OF THE DEGREE OF DOCTOR OF EDUCATION

The Degree of Doctor of Education shall be awarded to a candidate who shall have:  
 (i) pursued a programme of study as prescribed under Regulation 16.4(b) above; and  
 (ii) presented a thesis on the candidate's advanced study and research which satisfies the Board of Examiners as:

- (a) making an original and significant contribution to knowledge
- (b) giving evidence of originality of mind and critical judgement in a particular subject
- (c) containing material worthy of peer-reviewed publication
- (d) being satisfactory in its literary and/or technical presentation and structure with a full bibliography and references

- (e) demonstrating an understanding of the context of the research: this must include, as appropriate for the subject of the thesis, the scientific, engineering, commercial and social contexts

(iii) passed a viva voce examination conducted by the examiners on the broader aspects of the field of research in addition to the subject of the thesis. A viva voce examination is mandatory once a Doctor of Education candidate has submitted a thesis. Where a candidate satisfies the examiners regarding the contents of the thesis but fails to satisfy the examiners at the viva voce, the candidate shall be given an opportunity of re-examination at a second viva voce; failure to satisfy at the second viva voce shall constitute failure of the submission for the Doctor of Education.

Candidates at the discretion of the examiners may be required to pass a written examination to test their knowledge of the chosen field of research.

#### (n) REVIEWS

Regulation 17 sets out the procedures to be followed in cases where a review of a candidate's progression or result is required.

### **165 The Degree of Doctor of Philosophy (PhD)**

This Regulation should be read in conjunction with Regulation 16.1 and, in the case of Integrated PhD programmes, Regulation 16.13.

#### (a) ADMISSION

(i) For English Language requirements, see Regulation 16.1 (a).

(ii) Graduates may be admitted as candidates for the Degree of Doctor of Philosophy, provided that they have satisfied the Board of Studies both as to their chosen subject of research and their fitness to undertake it and either hold the degree of Master by research of the University or of another Institution approved by Senate for this purpose or hold the degree of Master by taught course of the University or of another Institution approved by Senate for this purpose and have satisfied the Board of Studies that they have an appropriate level and quantity of research experience/training.

(iii) Graduates entering the University on or after 1st October 2012 who do not hold the degree of Master as specified in paragraph (ii) above may be admitted as probationer candidates for the Degree of Doctor of Philosophy, provided they hold a first or second class Honours Degree or its approved equivalent and have satisfied the Board of Studies both as to their chosen subject of research and their fitness to undertake it.

#### b) CONFIRMATION/TRANSFER OF PhD REGISTRATION

(i) Probationer candidates for the Degree of Doctor of Philosophy shall have their candidature confirmed only after they have submitted a satisfactory report, passed an oral examination conducted by a Progression Board of Examiners (established for this purpose by the Board of Studies), completed any skills training specified during candidature approval, and have been the subject of a satisfactory progress report by their supervisor. Candidates shall be permitted to seek confirmation of PhD status on a maximum of two occasions. No third attempt will be permitted. Submission of work for the first attempt must take place on or before the deadline specified during the process of formal approval of candidature. This deadline will normally fall within twelve months of a full-time candidate's first registration for the degree of PhD

(eighteen months for part-time candidates). A candidate who fails to submit the work by the deadline will normally be deemed to have failed their first attempt. Where the candidate fails either to meet the deadline or to achieve the required standard for confirmation for PhD candidature, submission of work for the second attempt must take place on or before a further deadline specified by the Board of Examiners, normally within six months (nine months for part-time candidates) of the first attempt. A candidate who fails to submit the work by this deadline will normally be deemed to have failed their second attempt.

The Progression Board of Examiners may recommend to the Board of Studies that:

- (1) the candidate's registration for the Degree of Doctor of Philosophy be confirmed;  
or
- (2) the candidate be permitted to make a second submission for confirmation within a timescale to be determined by the Progression Board of Examiners; or
- (3) the candidate's registration be transferred to the Degree of Master of Philosophy;  
or
- (4) the candidate, having failed to achieve the standard required for continuation as a candidate for the degree of Master of Philosophy, be required to withdraw.

Regulation 17 sets out the procedures to be followed in cases where a review of a progression decision is required.

Recommendations (3) and (4) shall only be made either:

- (a) following a candidate's first attempt to seek confirmation of PhD registration where no second attempt is permitted because the academic judgement of the Progression Board of Examiners is that the candidate has failed to demonstrate sufficient potential to achieve the required standard at a second attempt; or
- (b) following a candidate's second attempt..

Once confirmation of PhD candidature has been approved, the start date for that candidature shall be deemed to be the same as that of the original probationer candidature, and the period of registration carried out since that date shall be counted as part of the minimum and maximum periods of registration permitted for the Degree of PhD.

*(ii)* Candidates for the Degree of Master of Philosophy of the University, may, with the permission of the Board of Studies, and provided they hold a first or second class Honours Degree or its approved equivalent transfer their candidature to the Degree of Doctor of Philosophy. Permission for this transfer shall only be given after candidates have submitted a satisfactory report, passed an oral examination conducted by a Progression Board of Examiners (established for this purpose by the Board of Studies), completed the skills training specified during the process of candidature approval, and have had a satisfactory report on their progress presented by their supervisor. Candidates shall be permitted to seek confirmation of PhD status on a maximum of two occasions. No third attempt will be permitted. Submission of work for the first attempt must take place on or before the deadline specified during the process of formal approval of candidature. This deadline will normally fall within twelve months of a full-time candidate's first registration for the degree of MPhil (eighteen months for part-time candidates). A candidate who fails to submit the work by the deadline will normally be deemed to have failed their first attempt. Where the candidate fails either to meet the deadline or to achieve the required standard for transfer to PhD candidature, submission of work for the second attempt must take place on or before a further deadline specified by the Board of Examiners, normally within six months (nine months for part-time candidates) of the first attempt. A candidate who fails to submit the work by this deadline will normally be deemed to

have failed their second attempt.

The Progression Board of Examiners may recommend to the Board of Studies:

- (1) that the candidate's registration be transferred to the Degree of Doctor of Philosophy; or
- (2) that the candidate be permitted to make a second submission for confirmation within a timescale determined by the Progression Board of Examiners; or
- (3) that the candidate's registration for the Degree of Master of Philosophy be confirmed; or
- (4) that the candidate, having failed to achieve the standard required for continuation as a candidate for the degree of Master of Philosophy, be required to withdraw.

Regulation 17 sets out the procedures to be followed in cases where a review of a progression decision is required.

Recommendations (3) and (4) shall normally only be made either:

- (a) following a candidate's first attempt to seek transfer to PhD registration where no second attempt is permitted because the academic judgement of the Progression Board of Examiners is that the candidate has failed to demonstrate sufficient potential to achieve the required standard at a second attempt, or
- (b) following a candidate's second attempt.

Once the transfer to PhD candidature has been approved, the start date for that candidature shall be deemed to be the same as that of the original MPhil candidature, and the period of registration carried out since that date shall be counted as part of the minimum and maximum periods of registration permitted for the Degree of PhD.

Candidates whose registration has been transferred from probationer PhD to MPhil under the provision of 16.5(b)(i) above may not subsequently seek transfer from MPhil to PhD candidature.

*(iii)* Candidates who are qualified for registration for a Master's Degree and intend ultimately to pursue a course for a Doctorate but are debarred from transfer by reason of an inadequate first qualification, must submit for and be awarded the Degree of Master in the first instance. Thereafter registration for the Degree of Doctor of Philosophy shall be subject to the general rules in the first part of this section. The period of registration for the degree of Master of Philosophy shall not be counted towards the maximum period of registration permitted for candidature for the Degree of Doctor of Philosophy.

#### (c) PROGRAMME OF STUDY

The programme to be followed shall be one of supervised research.

#### (d) MINIMUM PERIODS OF REGISTRATION

In accordance with Ordinance 14, the period of study shall not be less than twenty-four calendar months.

##### *(i) Full-time candidature*

The period of study shall be at least twenty-four calendar months.

##### *(ii) Part-time candidature*

The period of study shall be at least thirty-six calendar months.

##### *(iii) Industrially/Externally-based candidature*

The period of study shall be at least twenty-four calendar months.

(e) MAXIMUM PERIODS OF REGISTRATION

(i) A full-time candidate shall present for examination within four years of the date of registration. Subject to the provision of Regulation 16.1 (e) a candidate unable to do so may, before the end of the fourth year, seek an extension of registration for a period not exceeding twelve months and the Board of Studies may grant such an extension on one occasion only.

(ii) An industrially/externally-based candidate shall present for examination within four years of the date of registration. Subject to the provision of Regulation 16.1 (e) a candidate unable to do so may before the end of the fourth year, seek an extension of registration for a period not exceeding twelve months and the Board of Studies may grant such an extension on one occasion only.

(iii) A part-time candidate shall present for examination within six years of the date of registration. Subject to the provision of Regulation 16.1 (e) a candidate unable to do so may before the end of the sixth year, seek an extension of registration for a period not exceeding twelve months and the Board of Studies may grant two such twelve months extensions only.

(f) SUSPENSION OF REGISTRATION

See Regulation 16.1 (d).

(g) COMPLETION OF REGISTRATION

See Regulation 16.1 (c).

(h) RE-REGISTRATION

A candidate whose registration has lapsed either by the passage of time or through non-payment of fees or who wishes to change the registered topic must seek permission of the Board of Studies to re-register as a candidate for the Degree. In such cases the Board of Studies may specify what previous periods of study, if any, may be counted towards the minimum prescribed period of study. The Board of Studies may specify the minimum period of study of a candidate before it is deemed that the provisions of the Regulations have been met.

(i) ATTENDANCE REQUIREMENTS

*(i) Full-time candidature*

The programme of research shall be pursued in the University, except for any period which may, with the approval of the Board of Studies, be spent at any establishment or institution outside the University which has been approved by Senate for this purpose.

*(ii) Part-time candidature*

The attendance requirements shall be as prescribed by the Board of Studies.

*(iii) Industrially/Externally-based candidature*

Candidates pursuing full-time research at another establishment shall normally be expected to accept a programme of attachment, to include such attendance at the University as may be prescribed by the Board of Studies.

(j) SUPERVISION

Every candidate shall be assigned to a supervisory team by the Board of Studies. In

the case of industrially/externally-based candidates, an external supervisor shall in addition be assigned. Where more than one supervisor is appointed, the Faculty/School Doctoral Studies Committee shall nominate one to report on the work and progress of the candidate. The Board of Studies shall ensure the appointment of another internal supervisor in those cases where the original supervisor has left the employ of the University or is on leave of absence or study leave.

(k) PRESENTATION OF THE THESIS

See Regulation 16.1 (j).

(l) SUBMISSION OF THE THESIS

(i) Subject to the provisions of Ordinance 14.5, the thesis for the Degree of Doctor of Philosophy must be the result of work done mainly while the student is registered as a candidate for the Degree of Doctor of Philosophy of this University. A certificate to this effect shall be signed by the candidate when presenting the thesis.

(ii) The thesis shall also indicate:

- (a) where the thesis or any part of the thesis such as a published paper, has been produced by a candidate jointly with others, that a substantial part is the original work of the candidate, and
- (b) where the thesis incorporates material already submitted for another degree, the extent of that material and the degree, if any, obtained.

(iii) Subject to Regulation 16.5(e), a thesis may be submitted at any time after completion of the prescribed minimum period of study and research.

(m) BOARD OF EXAMINERS

(i) The Board of Examiners shall make recommendations as detailed below. A report on the thesis and the viva examination must be provided by the examiners. If the Board of Examiners cannot agree, the Board of Examiners shall report this disagreement to the Board of Studies who may recommend to Senate that a new Board of Examiners be appointed, without prejudice to the candidate.

(ii) The Board of Examiners may recommend to the Board of Studies:

either: (1) that the candidate be awarded the Degree of Doctor of Philosophy;

or: (2) that the candidate be awarded the Degree of Doctor of Philosophy subject to minor corrections to the thesis being executed to the satisfaction of the internal examiner(s);

or: (3) that the candidate be awarded the Degree of Doctor of Philosophy subject to satisfactory performance at a second viva examination and subject also to any minor corrections to the thesis required by the examiner(s). Failure to satisfy the examiners at the second viva shall constitute failure of the submission for the Degree of Doctor of Philosophy;

or: (4) that the candidate not be awarded the Degree of Doctor of Philosophy but be given the opportunity to submit a revised thesis for the degree of Doctor of Philosophy. The examiners may require the candidate to undergo a second viva voce examination. If, in the opinion of the examiners, the thesis as first submitted is worthy of the award of the Degree of Master of Philosophy, the examiners may offer the candidate the opportunity to accept the Degree of Master of Philosophy, subject to any minor corrections to the thesis which may be prescribed by the examiners and which must be carried out to their satisfaction. A candidate wishing to accept the degree of Master of Philosophy under these circumstances shall inform the examiners



in writing of this wish by a date prescribed by the examiners;

or: (5) that the candidate not be awarded the Degree of Doctor of Philosophy but be awarded the Degree of Master of Philosophy (subject to any minor revisions to the thesis which may be prescribed by the examiners and must be carried out to their satisfaction);

or: (6) that the candidate fail and be awarded neither the Degree of Doctor of Philosophy nor the Degree of Master of Philosophy.

(iii) Where submission of a revised thesis has been recommended candidates may, with the permission of the Board of Studies, be permitted to submit a revised thesis, within such lapse of time as may be prescribed, and present themselves for re-examination; no further resubmission is permitted if the candidate fails to satisfy the Board of Examiners at this second attempt.

#### (n) AWARD OF THE DEGREE OF DOCTOR OF PHILOSOPHY

The Degree of Doctor of Philosophy shall be awarded to a candidate who shall have:

(i) pursued a programme of study as prescribed under Regulation 16.5(b) during which PhD candidature has been confirmed under the provision of 16.5(b) above

(ii) presented a thesis on the candidate's advanced study and research which satisfies the Board of Examiners as:

- (a) making an original and significant contribution to knowledge
- (b) giving evidence of originality of mind and critical judgement in a particular subject
- (c) containing material worthy of peer-reviewed publication
- (d) being satisfactory in its literary and/or technical presentation and structure with a full bibliography and references
- (e) demonstrating an understanding of the context of the research: this must include, as appropriate for the subject of the thesis, the scientific, engineering, commercial and social contexts, and

(iii) passed a viva voce examination conducted by the examiners on the broader aspects of the field of research in addition to the subject of the thesis. A viva voce examination is mandatory once a Doctor of Philosophy candidate has submitted a thesis.

Candidates at the discretion of the examiners may be required to pass a written examination to test their knowledge of the chosen field of research.

#### (o) REVIEWS

Regulation 17 sets out the procedures to be followed in cases where a review of a candidate's progression or result is required.

### **16.6 The Degrees of Doctor of Medicine (MD) and Master of Surgery (MS)**

This Regulation should be read in conjunction with Regulation 16.1.

(a) Graduates holding a qualification which is recognised for registration by the General Medical Council of the UK may be admitted as candidates for the degrees of Doctor of Medicine (MD) or Master of Surgery (MS) provided that they have satisfied the Board of Studies that they:

(i) hold the qualification recognised by the General Medical Council of the UK referred to above at the time of admission (candidates wishing to submit work in accordance with Regulation 16.6(e)(i));

(ii) have held the qualification recognised by the General Medical Council of the UK referred to above for at least three years at the time of submission (candidates wishing to submit work in accordance with Regulation 16.6(e)(ii));

(iii) have been engaged for at least two years in appropriate clinical or scientific work in one or more hospitals or institutions approved by the Board of Studies and have completed the majority of the work for the degree during that employment;

(iv) have satisfied any other University requirements. For English Language requirements, see Regulation 16.1 (a).

(b) A candidate wishing to present for the MD or MS degree shall give at least six month's notice of intention to the Head of the appropriate Department or School, together with an outline of the proposed research and a list of the candidate's qualifications. The Head of Department or School shall forward this to the Board of Studies for its consideration of the chosen subject of research and the candidate's fitness to undertake it. If the candidature and the proposed research are approved, the Board shall appoint supervisors (both internal and external as required), at least one of whom normally shall be a clinician.

(c) The supervisors shall, in due course, report to the Board of Studies whether the work presented is worthy of examination, and, if so:

(i) the candidate's name, qualifications and the nature of the work to be submitted shall be put before the Board of Studies for approval of the candidature;

(ii) the candidate shall submit his or her work to the Director of Academic Registry in the manner prescribed below; and

(iii) the Board of Studies shall nominate a Board of Examiners consisting of one internal and two external examiners, at least one of whom must be a recognised authority in the field of the candidate's work.

(d) **MAXIMUM PERIOD OF REGISTRATION**

If a thesis or other submission is not submitted within five years of the approval of candidature as outlined in Regulation 16.6 (b) above, the candidature will normally lapse. Subject to the provision of Regulation 16.1(e) a candidate unable to submit for examination may before the end of the fifth year seek an extension of registration for a period not exceeding twelve months and the Board of Studies may grant two such twelve-months extensions only.

(e) **PRESENTATION AND SUBMISSION OF THE THESIS OR OTHER WORK**

Candidates should note that they are expected and advised to seek consultation at an early date. The work shall be submitted in accordance with paragraph (i) or (ii) below. In either case the work shall be presented in accordance with Regulation 16.1 (e).

(i) **Either:** a candidate for the degree of Doctor of Medicine or the degree of Master of Surgery may present a thesis embodying the results of work done mainly while the candidate is employed in appropriate clinical or scientific work in one or more of the hospitals or institutions as approved under 16.6(a)(iii) above. A certificate to this effect shall be signed by the candidate when presenting the thesis. The certificate should indicate, where the thesis or other submission has been produced by a candidate jointly with others, that a substantial part is the original work of the candidate.

(ii) **Or:** a candidate may submit a substantial body of published work or works

embodying the results of personal observations or research in some aspect of Medicine or Surgery. There should be an accompanying account of the candidate's role in initiating and carrying out the research which should normally be the result of sustained work in a single field to which it makes an original contribution.

**(f) AWARD OF THE DEGREES OF DOCTOR OF MEDICINE OR MASTER OF SURGERY**

The degree of Doctor of Medicine or Master of Surgery may be awarded by the Board of Studies either if:

(i) the candidate has presented a thesis (see Regulation 16.6(e)(i)) which satisfies the examiners as containing original work worthy of publication, having been supervised for a minimum of twelve months;

**or:** the candidate has submitted published work (see Regulation 16.6(e)(ii)).

In either case the examiners must be satisfied that the submitted work:

- (a) makes an original and significant contribution to knowledge in a particular subject of Medicine or Surgery
- (b) gives evidence of originality of mind and critical judgement in a particular subject of Medicine or Surgery
- (c) contains material worthy of peer-reviewed publication
- (d) is satisfactory in its literary and/or technical presentation and structure with a full bibliography and references
- (e) demonstrates an understanding of the context of the research: this must include, as appropriate for the subject of the thesis, the scientific, engineering, commercial and social contexts, and

(ii) the candidate has passed a viva voce examination conducted by the examiners on the broader aspects of the field of research in addition to the subject of the submitted work. A viva voce examination is mandatory once a Doctor of Medicine or Master of Surgery candidate has submitted a thesis or other work as provided in Regulation 16.6(e)(i) or (ii) above.

(iii) If the thesis or other submission, though inadequate, shall seem of sufficient merit to justify such action, the Board of Examiners may at their discretion permit the candidate to represent the work in a revised form not later than a date to be prescribed by the examiners.

**16.7 The Degrees of Doctor of Science (DSc) and Doctor of Letters (DLitt)**

This Regulation should be read in conjunction with Regulation 16.1.

A graduate of the University, or a student of one of the former institutions from which the University has developed, holding a qualification of equivalent degree standard, after the expiry of eight years from qualifying in the former institution, or a member of staff applying under the provisions of Regulation 16.9(c), may make application to the Senate to be admitted as a candidate for the Degree of Doctor of Science or the Degree of Doctor of Letters.

(a) A candidate for the Degree shall submit specially composed or published work, or a series of published papers within a field of work, or any combination of these.

(b) The matter submitted shall be accompanied by a declaration signed by the candidate stating:

- (i) that the candidate is the author of the thesis or publication submitted, and
  - (ii) that the work described therein has been carried out by the candidate personally,
- or

(iii) those parts of the work which have been done by others, and  
(iv) those parts of the work which have previously been submitted for a higher degree, the University to which they were submitted and the degree, if any, awarded.

(c) Three copies of the work to be submitted must be presented with the application. If the Degree is awarded to the candidate, one copy of the work shall be retained in the University Library, one in the appropriate Department or School, and the third shall be returned to the candidate.

(d) The Senate, if satisfied by the candidate's compliance with Regulation 16.7(a) hereof, shall submit the work to a Board of Examiners consisting of two internal and two external examiners, one of whom must be a recognised authority in the field of the candidate's work.

(e) The Board of Examiners shall certify to the Senate that:

(i) the candidate's work constitutes an original and substantial contribution to knowledge, and

(ii) the candidate is a fit and proper person to have the Degree awarded.

(f) The Senate if satisfied by the report of the Board of Examiners, shall award the Degree.

**Note:** Senate has delegated its functions under this section to the Vice-Chancellor, except for the award of the degree by Senate on the Vice-Chancellor's recommendation. The names of candidates or examiners will not be disclosed unless an award is recommended.

## **168 Staff Candidature for Higher Degrees and Postgraduate Diplomas**

For the purposes of candidature for postgraduate qualifications the following are defined as members of staff:

(i) At the discretion of the Director of Student Recruitment and Admissions members of the staff of the University of Bath who are employed by the University on at least a half-time basis

(ii) At the discretion of the Director of Student Recruitment and Admissions members of staff of the partner organisations associated with the University of Bath who teach on a programme leading to a University of Bath award.

## **169 Staff Candidature - Method A**

(a) A member of staff as defined in Regulation 16.8 may be admitted by the Board of Studies as a candidate for the Degree of Master by research, or for the Degree of Doctor of Education, or for the Degree of Doctor of Business Administration, or for the Degree of Doctor of Health, or for the Degree of Doctor of Philosophy in accordance with the appropriate regulations for those Degrees provided that the candidate is a graduate of a University approved by Senate for this purpose or holds another approved qualification. A candidate may in exceptional cases apply to the Board of Studies for a reduction in the period of registration by 6 months, but a reduction of more than 6 months shall need specific Senate approval.

(b) A candidate for a higher degree under this Regulation shall be otherwise bound by

the Regulations applying to the particular degree for which the candidate is registered.

(c) A member of the academic staff of the University may, after the expiry of four years from the date of appointment and not less than eight years from the date of first graduation, make application to the Senate to be admitted as a candidate for the Degree of Doctor of Science or the Degree of Doctor of Letters.

#### **16.10 Staff Candidature - Method B**

(a) A member of staff as defined in Regulation 16.8 may be admitted as a candidate for the Degree of Master by research, or for the Degree of Doctor of Philosophy in accordance with the subsequent provisions of this Regulation, provided that the candidate is a graduate of a University approved by Senate for this purpose or holds another approved qualification.

(b) A candidate for a higher Degree under this regulation:

(i) shall not be required to attend a prescribed programme of study

(ii) shall have been engaged in research during the period of employment at the University and if a candidate for the Degree of Master, shall have been employed at the University for at least two years and if a candidate for the Degree of Doctor of Philosophy shall have been employed at the University for at least three years

(iii) shall submit either: a thesis consisting solely of work written specifically for submission for consideration for the higher degree within a field of work included in the studies of the University; or a collection of published work consisting of books and/or published papers within a field of work included in the studies of the University; or a combination of specifically composed work and previously published work within a field of work included in the studies of the University. Where previously published work forms all or part of the submission, the candidate shall also submit a commentary on the published work in order to demonstrate its contribution to the field of study.

(c) A candidate wishing to present for examination under this regulation shall give at least six months' notice of intention to the Director of Academic Registry, and shall specify the nature of the work to be submitted. The Director of Academic Registry shall submit the application to the Board of Studies, which shall appoint a member or members of the academic staff of the University to advise the candidate on whether the work presented should be worthy of examination and, if so, on its presentation. The candidate is required to satisfy the Board of Studies both as to their chosen subject of research and to their fitness to undertake it by putting their qualifications and the nature of the work to be submitted before the Board for approval of the candidature. If the candidate is approved the candidate shall submit the work to the Director of Academic Registry in the manner prescribed below; and the Board of Studies shall nominate a Board of Examiners consisting of one internal and two external examiners, at least one of whom must be a recognised authority in the field of the candidate's work.

(d) The work submitted under the provisions of Regulation 16.10(c) shall be accompanied by a declaration signed by the candidate stating:

(i) that the candidate is the author of the thesis, or the author or co-author of the published or other works submitted, and

(ii) that the work described therein has been carried out by the candidate, or, if the

- candidate is a co-author, which specific parts of the work have been done by others, and
- (iii) those parts of the work which have previously been submitted for a Higher Degree, the University to which they were submitted and the Degree, if any, awarded. Those parts shall not be taken into account by the examiners except as supporting evidence in determining whether the candidate is worthy of a Degree of the University.
- (e) The work shall be presented in accordance with Regulation 16.1 (j).
- (f) The Board of Examiners shall examine the candidate by viva voce examination and may if it thinks fit also examine the candidate by written or practical examination or both. The viva voce examination is optional, at the discretion of the Board of Examiners, in the case of candidates who have submitted work for the degree of Master by Research.
- (g) The Board of Examiners shall then if it sees fit, certify to the Board of Studies that the candidate has presented a body of work on the candidate's advanced study and research which satisfies the Board of Examiners as giving evidence of originality of mind and critical judgement in a particular subject. In the case of work submitted for the degree of Doctor of Philosophy the submitted work in all or in part should contain material worthy of publication.
- (h) The Board of Studies, if satisfied by the report of the Board of Examiners, shall award the Degree.
- (i) A member of staff who leaves the employment of the University having already been admitted as a staff candidate shall, subject to the approval of the Board of Studies, be permitted to submit for a Higher Degree by research as a part-time student with such reduction of the minimum qualifying period as the Board of Studies agrees; provided that the reduction is not greater than the period of employment of the member of staff in the University.
- (j) Save as provided in this Regulation the candidature of members of staff of the University for Higher Degrees shall otherwise be governed by the general Regulations for Higher Degrees.

#### **16.11 Staff candidature for taught programmes**

- (a) A member of staff as defined in Regulation 16.8 may be admitted to a postgraduate Diploma, or to the Degree of Bachelor by taught programme, or to the Degree of Master by taught programme provided that the member of staff is appropriately qualified and that the particular scheme of studies makes provision for the programme to be followed on a part-time or modular basis.
- (b) A candidate who ceases to be eligible under Regulation 16.8 due to leaving the employment of the University or one of the associated FE colleges but wishes to continue to follow the degree or diploma programme is required to transfer registration to part-time or modular as appropriate to the scheme of studies.
- (c) Save as provided for in this Regulation the candidature of members of staff for taught programmes shall otherwise be governed by the general Regulations for Higher

Degrees, First Degrees and Diplomas as appropriate.

## **16.12 The Degree of Doctor of Business Administration (DBA).**

This Regulation should be read in conjunction with Regulation 16.1.

### **a) ADMISSION**

(i) For English Language requirements, see Regulation 16.1 (a).

(ii) Candidates should be graduates of an approved university or hold a graduate equivalent professional qualification. In addition, they will be expected to hold a post- or advanced graduate qualification in a field relevant to the programme, and the particular DBA specialism they wish to follow. Candidates will have held a senior management position of responsibility for at least a period of 3-4 years. They will be expected, normally, to have the full support of their organisation, to facilitate completion, and access to project data.

### **b) PROGRAMME OF STUDY**

The Programme of Study for the Doctor of Business Administration shall be one of supervised study following an approved Scheme of Studies and a research enquiry leading to submission of a thesis.

### **c) MINIMUM PERIODS OF STUDY**

Part-time candidature

The period of study shall be at least thirty-six calendar months.

### **d) MAXIMUM PERIODS OF STUDY**

A part-time candidate shall present for examination within eight years of the date of registration for the degree. Subject to the provision of Regulation 16.1 (e) a candidate unable to do so may, before the end of the eighth year, seek an extension of registration for a period not exceeding twelve months and the Board of Studies may grant such an extension on two occasions only.

### **e) SUSPENSION OF REGISTRATION**

See Regulation 16.1 (d).

### **f) COMPLETION OF REGISTRATION**

See Regulation 16.1 (c).

### **g) RE-REGISTRATION**

A candidate whose registration has lapsed either by the passage of time or through non-payment of fees or who wishes to change the registered topic must seek permission of the Board of Studies to re-register as a candidate for the degree. In such cases, the Board may specify what previous periods of study may be counted towards the minimum prescribed period of study. The Board of Studies may specify the minimum period of study of a candidate before it is deemed that the provisions of the Regulations have been met.

### **h) ATTENDANCE REQUIREMENTS**

Part-time candidature

The attendance requirements shall be prescribed by the Board of Studies.

i) SUPERVISION

Every candidate shall be assigned to a supervisory team by the Board of Studies. Where more than one supervisor is appointed, the Faculty/School Doctoral Studies Committee shall nominate one to report on the work of the candidate as and when required by the Board of Studies. The Board of Studies shall ensure the appointment of another supervisor in those cases where the original supervisor has left the employ of the University or is on leave of absence or study leave.

j) PRESENTATION OF THE THESIS

See Regulation 16.1 (j).

k) SUBMISSION OF THE THESIS

Subject to the provisions of Ordinance 14.5 the thesis of the Degree of Doctor of Business Administration must be the result of work done mainly while the student is registered as a candidate for the Degree of Doctor of Business Administration of this University. A certificate to this effect shall be signed by the candidate when presenting the thesis.

The thesis shall also indicate:

*i)* where the thesis, or any part of the thesis such as a published paper, has been produced jointly with others, that a substantial part is the original work of the candidate,

and

*ii)* where the thesis incorporates material already submitted for another degree, the extent of that material and the degree, if any, obtained.

Subject to Regulation 16.12d) a thesis may be submitted at any time after completion of that prescribed minimum period of study and research.

l) BOARD OF EXAMINERS

The Board of Examiners shall be constituted in accordance with Ordinance 15. The Board of Examiners shall make recommendations as detailed below. A report on the thesis must be provided by the examiners. If the Board of Examiners cannot agree, the Board of Examiners shall report this disagreement to the Board of Studies which may recommend to Senate that a new Board of Examiners be appointed, without prejudice to the candidate.

The Board of Examiners may recommend to the Board of Studies:

either: (1) that the candidate be awarded the Degree of Doctor of Business Administration;

or: (2) that the candidate be awarded the Degree of Doctor of Business Administration, subject to minor corrections to the thesis being executed to the satisfaction of the internal examiner(s);

or: (3) that the candidate not be awarded the Degree of Doctor of Business Administration but be given the opportunity of submitting a revised thesis for examination. The examiners shall normally require the candidate to undergo a second viva voce examination if a revised thesis is submitted;

or: (4) that the candidate fail and not be awarded the Degree of Doctor of Business



Administration.

Where resubmission has been recommended candidates may, with the approval of the Board of Studies, be permitted to submit a revised thesis, within such a lapse of time as may be prescribed, and present themselves for re-examination; no further resubmission is permitted if the candidate fails to satisfy the Board of Examiners at this second attempt.

m) AWARD OF THE DEGREE OF DOCTOR OF BUSINESS ADMINISTRATION  
The Degree of Doctor of Business Administration shall be awarded to a candidate who shall have:

i) pursued a programme of study as prescribed under Regulation 16.12b) above:

And

ii) presented a thesis on the candidate's advanced study and research which satisfies the Board of Examiners as:

- (a) making an original and significant contribution to knowledge
- (b) giving evidence of originality of mind and critical judgement in a particular subject
- (c) containing material worthy of peer-reviewed publication
- (d) being satisfactory in its literary and/or technical presentation and structure with a full bibliography and references
- (e) demonstrating an understanding of the context of the research: this must include, as appropriate for the subject of the thesis, the scientific, engineering, commercial and social contexts, and

iii) passed a *viva voce* examination conducted by the examiners on the broader aspects of the field of research in addition to the subject of the thesis. A *viva voce* examination is mandatory once a Doctor of Business Administration candidate has submitted a thesis. Where a candidate satisfies the examiners regarding the contents of the thesis but fails to satisfy the examiners at the *viva voce*, the candidate shall be given an opportunity of re-examination at a second *viva voce*: failure to satisfy at the second *viva voce* shall constitute failure of the submission for the Doctor of Business Administration.

Candidates at the discretion of the examiners may be required to pass a written examination to test their knowledge of the chosen field of research.

n) REVIEWS

Regulation 17 sets out the procedures to be followed in cases where a review of a candidate's progression or result is required.

### **16.13 Integrated PhD Programmes**

Integrated PhD Programmes are subject to Regulations 16.1, 16.2 (Master by taught course), (where the approved Scheme of Studies prescribes the award of Degree of Master following successful completion of the taught component) 16.3 (MPhil) and 16.5 (PhD), except in the following aspects:

(a) PROGRAMME OF STUDY (in place of Regulations 16.2b (where applicable) and 16.5b)

The programme to be followed shall be one of supervised research, taught modules, professional training and training in research skills. The timescales set out in Regulation 16.5 (b) for confirmation of PhD candidature shall apply from the

beginning of the research component of the programme.

**(b) MINIMUM AND MAXIMUM PERIODS OF REGISTRATION FOR PROGRAMMES THAT INCLUDE THE AWARD OF THE DEGREE OF MASTER BY TAUGHT COURSE (in place of Regulations 16.2 paragraphs c and d, and 16.5 paragraphs c and d)**

The minimum and maximum periods of registration for the Integrated PhD programme shall equal the combined periods prescribed in Regulation 16.2 and 16.5 for the full-time degrees of Master by taught course and PhD, namely:

- (i)* The period of study shall be at least thirty-six calendar months, and shall not exceed sixty months from the date of initial registration on the programme
- (ii)* A full-time candidate unable to present a thesis for examination within sixty months of the date of registration may, before the end of the fifth year and subject to the provision of Regulation 16.1 (e), seek an extension of registration for a period not exceeding twelve months and the Board of Studies may grant such an extension on one occasion only.

**(c) AWARD OF THE DEGREES OF MASTER OF RESEARCH OR MASTER OF SCIENCE AND DOCTOR OF PHILOSOPHY FOR PROGRAMMES THAT INCLUDE THE AWARD OF THE DEGREE OF MASTER BY TAUGHT COURSE**

At the end of the first twelve months, and subject to satisfactory completion of the required work as specified in the scheme of studies, the candidate shall have met the requirements for the degree of Master of Research or Master of Science, as specified in the scheme of studies. Following this and subject to the requirements of Regulation 16.5(a)(iii) the candidate shall be permitted to transfer to probationer candidature for the degree of Doctor of Philosophy with the opportunity subsequently to seek confirmation of candidature for the degree of Doctor of Philosophy, as set out in Regulation 16.5a) (iii). The award of the degree of Doctor of Philosophy (or Master of Philosophy) shall be subject to the requirements set out in Regulation 16.5(n) (or Regulation 16.3(m)).

**(d) MINIMUM AND MAXIMUM PERIODS OF REGISTRATION FOR PROGRAMMES THAT DO NOT INCLUDE THE AWARD OF THE DEGREE OF MASTER BY TAUGHT COURSE**

- (i)* The period of study shall be at least twenty-four calendar months, and shall not exceed the maximum period of registration from the date of initial registration on the programme as prescribed in the approved Scheme of Studies.
- (ii)* A full-time candidate unable to present a thesis for examination within the maximum period of registration prescribed in the approved Scheme of Studies may, before the end of that period and subject to the provision of Regulation 16.1(e), seek an extension of registration for a period not exceeding twelve months and the Board of Studies may grant such an extension on one occasion only.

**(e) AWARD OF THE DEGREES OF MASTER OF RESEARCH OR MASTER OF SCIENCE AND DOCTOR OF PHILOSOPHY FOR PROGRAMMES THAT DO NOT INCLUDE THE AWARD OF THE DEGREE OF MASTER BY TAUGHT COURSE**

Subject both to satisfactory completion of the required work as specified in the approved Scheme of Studies and to the requirements of Regulation 16.5(a)(iii), the candidate shall be permitted to transfer to probationer candidature for the degree of

Doctor of Philosophy with the opportunity subsequently to seek confirmation of candidature for the degree of Doctor of Philosophy, as set out in Regulation 16.5(a)(iii). The award of the degree of Doctor of Philosophy (or Master of Philosophy) shall be subject to the requirements set out in Regulation 16.5(n) (or Regulation 16.3(m)).

#### **16.14 The Degree of Doctor of Health (DHealth)**

This Regulation should be read in conjunction with Regulation 16.1.

##### **(a) ADMISSION**

*(i)* For English Language requirements, see Regulation 16.1 (a).

*(ii)* Graduates of the University, or of any other Institution approved by the Senate for this purpose, or those who hold an approved graduate-equivalent qualification, and who additionally have at least ~~five~~ **one** years of appropriate professional experience, may be admitted as candidates for the Degree of Doctor of Health provided that they have satisfied the Board of Studies as to the subject of their research enquiry and their fitness to undertake it. Candidates are required to have completed Phases 1 and 2 successfully in order to progress to Phase 3.

##### **(b) PROGRAMME OF STUDY**

The Programme of Study for the Degree of Doctor of Health shall be one of supervised study following an approved Scheme of Studies and a research enquiry leading to submission of a thesis.

##### **(c) MINIMUM PERIODS OF STUDY**

Part-time candidature

The period of study shall be at least thirty-six calendar months.

##### **(d) MAXIMUM PERIODS OF STUDY**

A part-time candidate shall present for examination within eight years of the date of registration for the degree. Subject to the provision of Regulation 16.1 (e) a candidate unable to do so may, before the end of the eighth year, seek an extension of registration for a period not exceeding twelve months and the Board of Studies may grant such an extension on two occasions only.

##### **(e) SUSPENSION OF REGISTRATION**

See Regulation 16.1 (d).

##### **(f) COMPLETION OF REGISTRATION**

See Regulation 16.1 (c).

##### **(g) RE-REGISTRATION**

A candidate whose registration has lapsed either by the passage of time or through non-payment of fees or who wishes to change the registered topic must seek permission of the Board of Studies to re-register as a candidate for the degree. In such cases, the Board may specify what previous periods of study may be counted towards the minimum prescribed period of study. The Board of Studies may specify the minimum period of study of a candidate before it is deemed that the provisions of the Regulations have been met.

##### **(h) ATTENDANCE REQUIREMENTS**

#### Part-time candidature

The attendance requirements shall be prescribed by the Board of Studies.

#### (i) SUPERVISION

Every candidate shall be assigned a panel of supervisors by the Board of Studies. The Board of Studies shall nominate one to report on the work of the candidate as and when required by the Board of Studies. The Board of Studies shall ensure the appointment of another supervisor in those cases where the original supervisor has left the employ of the University or is on leave of absence or study leave.

#### (j) PRESENTATION OF THE THESIS

See Regulation 16.1 (j).

#### (k) SUBMISSION OF THE THESIS

(i) Subject to the provisions of Ordinance 14.5, the thesis of the Degree of Doctor of Health must be the result of work done mainly while the student is registered as a candidate for the Degree of Doctor of Health of this University. A certificate to this effect shall be signed by the candidate when presenting the thesis.

(ii) The thesis shall also indicate:

- (a) where the thesis, or any part of the thesis such as a published paper, has been produced jointly with others, that a substantial part is the original work of the candidate, and
- (b) where the thesis incorporates material already submitted for another degree, the extent of that material and the degree, if any, obtained.
- (c) Subject to Regulation 16.14(d), a thesis may be submitted at any time after completion of that prescribed minimum period of study and research.

#### (l) BOARD OF EXAMINERS

(i) The Board of Examiners shall make recommendations as detailed below. A report on the thesis must be provided by the examiners. If the Board of Examiners cannot agree, the Board of Examiners shall report this disagreement to the Board of Studies which may recommend to Senate that a new Board of Examiners be appointed, without prejudice to the candidate.

(ii) The Board of Examiners may recommend to the Board of Studies:

either: (1) that the candidate be awarded the Degree of Doctor of Health;

or: (2) that the candidate be awarded the Degree of Doctor of Health, subject to minor corrections to the thesis being executed to the satisfaction of the internal examiner(s); or:

(3) that the candidate not be awarded the Degree of Doctor of Health but be given the opportunity of submitting a revised thesis for examination. The examiners shall normally require the candidate to undergo a second viva voce examination if a revised thesis is submitted;

or: (4) that the candidate not be awarded the Degree of Doctor of Health but be awarded the Degree of Master of Philosophy (subject to minor revisions to the thesis which may be prescribed by the examiners and which must be carried out to their satisfaction);

or: (5) that the candidate fail and not be awarded either the Degree of Doctor of Health or the Degree of Master of Philosophy.

(iii) Where submission of a revised thesis has been recommended candidates may, with the approval of the Board of Studies, be permitted to submit a revised thesis, within such lapse of time as may be prescribed, and present themselves for re-examination; no further resubmission is permitted if the candidate fails to satisfy the Board of Examiners at this second attempt.

(iv) Where a candidate does not meet the criteria for Degree of Doctor of Health or

Degree of Master of Philosophy, the relevant Board of Examiners for Programmes may recommend to the Board of Studies that the candidate be awarded the Postgraduate Diploma in Research in Health Practice as prescribed in the Scheme of Studies.

**(m) AWARD OF THE DEGREE OF DOCTOR OF HEALTH**

The Degree of Doctor of Health shall be awarded to a candidate who shall have:

- (i)* pursued a programme of study as prescribed under Regulation 16.14(b) above; and
- (ii)* presented a thesis on the candidate's advanced study and research which satisfies the Board of Examiners as:

- (a)* making an original and significant contribution to knowledge
- (b)* giving evidence of originality of mind and critical judgement in a particular subject
- (c)* containing material worthy of peer-reviewed publication
- (d)* being satisfactory in its literary and/or technical presentation and structure with a full bibliography and references
- (e)* demonstrating an understanding of the context of the research: this must include, as appropriate for the subject of the thesis, the scientific, engineering, commercial and social contexts, and

*(iii)* passed a viva voce examination conducted by the examiners on the broader aspects of the field of research in addition to the subject of the thesis. A viva voce examination is mandatory once a Doctor of Health candidate has submitted a thesis. Where a candidate satisfies the examiners regarding the contents of the thesis but fails to satisfy the examiners at the viva voce, the candidate shall be given an opportunity of re-examination at a second viva voce; failure to satisfy at the second viva voce shall constitute failure of the submission for the Doctor of Health.

**(n) REVIEWS**

Regulation 17 sets out the procedures to be followed in cases where a review of a candidate's progression or result is required.

### **16.15 The Degree of Doctor of Engineering (EngD)**

This Regulation should be read in conjunction with Regulation 16.1.

**(a) ADMISSION**

- (i)* For English Language requirements, see Regulation 16.1 (a).
- (ii)* Graduates of the University, or of any other Institution approved by the Senate for this purpose who hold at least an upper second class honours degree or its equivalent, may be admitted as candidates for the Degree of Doctor of Engineering provided that they have satisfied the Board of Studies as to their fitness to pursue the programme of study. Persons who are not graduates of a University may be admitted as candidates for the Degree by the Board of Studies provided they have achieved Chartered status or can demonstrate significant, relevant industrial experience, provided they have satisfied the Board of Studies as to their fitness to pursue the programme of study.

- (b)* Students enrolled on the programme shall be known as Research Engineers (RE).

**(c) PROGRAMME OF STUDY**

The Programme of Study for the degree of Doctor of Engineering shall be one of

supervised study following an approved Scheme of Studies of taught units offered by universities participating in the programme, followed by submission of a thesis or portfolio of work as set out in the Scheme of Studies. Candidates shall be registered initially for the degree of Doctor of Engineering (EngD). However, depending upon the quantity and nature of the work already undertaken and subject both to the criteria set out in the Scheme of Studies and to the approval of the Board of Studies, Research Engineers may be permitted to transfer their registration to one of the qualifications of Postgraduate Certificate, Postgraduate Diploma, Master of Science or Master of Philosophy. The Board of Studies shall specify the quantity and nature of any further work that is required to meet the requirements for the award of any of these qualifications.

**(d) MID-TERM REVIEW AND CONFIRMATION OF EngD REGISTRATION  
(WHERE SPECIFIED BY THE SCHEME OF STUDIES)**

Where specified by the Scheme of Studies, candidature for the degree of Doctor of Engineering will only be confirmed after submission of a satisfactory major report of 8,000-10,000 words as specified in the Scheme of Studies and successful completion of an oral examination conducted by a Progression Board of Examiners (established for this purpose by the Board of Studies) as specified in the Scheme of Studies. The supervisors may attend the oral examination by invitation of the candidate or the panel (by permission of the candidate). The Director and/or Assistant Director reserve the right to attend such examinations.

Candidates shall be permitted to seek confirmation of the EngD status on a maximum of two occasions. No third attempt will be permitted. The first submission of the Mid-term Review report must take place not more than twenty-four months after the Research Engineer's first registration for the degree of EngD. A candidate who fails to submit the work by the deadline will normally be deemed to have failed their first attempt. Where the candidate fails either to meet the deadline or to achieve the required standard for confirmation for EngD candidature, submission of work for the second attempt must take place on or before a further deadline specified by the Board of Examiners, normally within six months of the first attempt. A candidate who fails to submit the work by this deadline will normally be deemed to have failed their second attempt.

The Progression Board of Examiners may recommend to the Board of Studies that:

- (i) the candidate's registration for the Degree of Doctor of Engineering be confirmed; or
- (ii) the candidate be permitted to make a second submission for confirmation within a timescale to be determined by the Progression Board of Examiners; or
- (iii) the candidate be awarded either a Postgraduate Diploma or the Degree of Master; or
- (iv) the candidate, having failed both to achieve the standard required for continuation on the programme and the standard required for the award of Postgraduate Diploma or the Degree of Master, be required to withdraw.

Regulation 17 sets out the procedures to be followed in cases where a review of a progression decision is required.

As an outcome of the Mid-term Review recommendations (iii) and (iv) shall only be made either:

- (a) following a candidate's first attempt to seek confirmation of EngD registration where no second attempt is permitted because the academic judgement of the

Progression Board of Examiners is that the candidate has failed to demonstrate sufficient potential to achieve the required standard at a second attempt; or

(b) following a candidate's second attempt.

(e) MINIMUM PERIOD OF REGISTRATION

In accordance with Ordinance 14, the period of study for the degree shall be not less than twenty-four calendar months.

(i) *Full-time industrially-based candidature*

The period of study shall be at least twenty-four calendar months.

(f) MAXIMUM PERIODS OF REGISTRATION

(i) A full-time industrially-based candidate shall present for examination within sixty months of the date of registration for the degree. Subject to the provision of Regulation 16.1 (e) a candidate unable to do so may, before the end of the fifth year, seek an extension of registration for a period not exceeding twelve months and the Board of Studies may grant such an extension on one occasion only.

(g) SUSPENSION OF REGISTRATION

See Regulation 16.1 (d).

(h) COMPLETION OF REGISTRATION

See Regulation 16.1 (c).

(i) RE-REGISTRATION

A candidate whose registration has lapsed either by the passage of time or through non-payment of fees must seek permission of the Board of Studies to re-register as a candidate for the degree. In such cases, the Board may specify what previous periods of study may be counted towards the minimum prescribed period of study. The Board of Studies may specify the minimum period of study of a candidate before it is deemed that the provisions of the Regulations have been met.

(j) ATTENDANCE REQUIREMENTS

(i) *Full-time industrially-based candidature*

As specified in the Scheme of Studies.

(k) SUPERVISION

Every candidate shall be assigned to a supervisory team containing at least one academic supervisor and one industrial supervisor. The academic supervisor shall be responsible for reporting to the Board on the work of the candidate as and when required by the Board of Studies. The Board of Studies shall ensure the appointment of another academic supervisor in those cases where the original supervisor has left the employ of the University or is on leave of absence or study leave.

(l) PRESENTATION OF THE THESIS OR PORTFOLIO

See Regulation 16.1 (j).

(m) SUBMISSION OF THE THESIS OR PORTFOLIO

(i) Subject to the provisions of Ordinance 14, the thesis or portfolio of the Degree of Doctor of Engineering must be the result of work done mainly while the student is registered as a candidate for the Degree of Doctor of Engineering of this University. A certificate to this effect shall be signed by the candidate when presenting the thesis or

portfolio.

(ii) The thesis or portfolio shall also indicate:

- (a) where the thesis or portfolio, or any part of the thesis or portfolio such as a published paper, has been produced jointly with others, that a substantial part is the original work of the candidate, and
- (b) where the thesis or portfolio incorporates material already submitted for another degree, the extent of that material and the degree, if any, obtained.

(iii) Subject to Regulation 16.4(d), a thesis or portfolio may be submitted at any time after completion of that prescribed minimum period of study and research.

#### (n) BOARD OF EXAMINERS

Provided that the Research Engineer has submitted a thesis or portfolio of work in accordance with paragraph (l) above:

(i) The Board of Examiners shall make recommendations as detailed below. A report on the thesis or portfolio must be provided by the examiners. If the Board of Examiners cannot agree, the Board of Examiners shall report this disagreement to the Board of Studies which may recommend to Senate that a new Board of Examiners be appointed, without prejudice to the candidate.

(ii) The Board of Examiners may recommend to the Board of Studies:  
either:

(1) that the candidate be awarded the Degree of Doctor of Engineering; or:

(2) that the candidate be awarded the Degree of Doctor of Engineering, subject to minor corrections to the thesis or portfolio being executed to the satisfaction of the internal examiner(s); or:

(3) that the candidate not be awarded the Degree of Doctor of Engineering but be given the opportunity of submitting a revised thesis or portfolio for examination. The examiners may require the candidate to undergo a second viva voce examination if a revised thesis or portfolio is submitted;

or:

(4) that the candidate not be awarded the degree of Doctor of Engineering but be required to present her/himself for a second viva voce examination within six months of the first viva voce examination;

or:

(5) that the candidate be awarded the degree of Master of Philosophy; or:

(6) that the candidate fail and not be awarded either the Degree of Doctor of Engineering or the Degree of Master of Philosophy.

(iii) Where submission of a revised thesis or portfolio has been recommended candidates may, with the approval of the Board of Studies, be permitted to submit a revised thesis or portfolio, within such lapse of time as may be prescribed, and present themselves for re-examination; no further resubmission is permitted if the candidate fails to satisfy the Board of Examiners at this second attempt.

#### (o) AWARD OF THE DEGREE OF DOCTOR OF ENGINEERING

The Degree of Doctor of Engineering shall be awarded to a candidate who shall have:

(i) pursued a programme of study as prescribed under Regulation 16.15(c) above; and

(ii) presented a thesis or portfolio on the candidate's advanced study and research which satisfies the Board of Examiners as:

- (a) making an original and significant contribution to knowledge
- (b) giving evidence of originality of mind and critical judgement in a particular subject



- (c) containing material worthy of peer-reviewed publication
  - (d) being satisfactory in its literary and/or technical presentation and structure with a full bibliography and references;
  - (e) demonstrating an understanding of the context of the research: this must include, as appropriate for the subject of the thesis or portfolio, the scientific, engineering, commercial and social contexts
- (iii) passed a viva voce examination conducted by the examiners on the broader aspects of the field of research in addition to the subject of the thesis or portfolio. A viva voce examination is mandatory once a Doctor of Engineering candidate has submitted a thesis or portfolio. Where a candidate satisfies the examiners regarding the contents of the thesis or portfolio but fails to satisfy the examiners at the viva voce, the candidate shall be given an opportunity of re-examination at a second viva voce not more than six months after the first viva voce examination; failure to satisfy at the second viva voce shall constitute failure of the submission for the Doctor of Engineering. Candidates at the discretion of the examiners may be required to pass a written examination to test their knowledge of the chosen field of research.

(p) REVIEWS

Regulation 17 sets out the procedures to be followed in cases where a review of a candidate's progression or result is required.

## **16.16 The Degree of Doctor of Clinical Psychology (DClinPsy)**

This Regulation should be read in conjunction with Regulation 16.1.

(a) ADMISSION

- (i) For English Language requirements, see Regulation 16.1 (a).
- (ii) Graduates of the University, or of any other Institution approved by the Senate for this purpose who hold at least an upper second class honours degree or its equivalent, may be admitted as candidates for the Degree of Doctor of Clinical Psychology provided that they satisfy the admissions requirements set out in the Scheme of Studies and have satisfied the Board of Studies as to their fitness to pursue the programme of study.

(b) PROGRAMME OF STUDY

The Programme of Study for the degree of Doctor of Clinical Psychology shall be one of supervised study following an approved Scheme of Studies of taught units and clinical placements, and submission of a portfolio of work as set out in the Scheme of Studies.

(c) MINIMUM PERIOD OF REGISTRATION

In accordance with Ordinance 14, the period of study for the degree shall be not less than twenty-four calendar months.

(i) *Full-time candidature*

The period of study shall be at least thirty-six calendar months.

(d) MAXIMUM PERIODS OF REGISTRATION

- (i) A full-time candidate shall present for examination within thirty-six months of the date of registration for the degree. Subject to the provision of Regulation 16.1 (e) a candidate unable to do so may, before the end of the third year, seek an extension of

registration for a period not exceeding twelve months and the Board of Studies may grant such an extension on one occasion only.

(e) SUSPENSION OF REGISTRATION

See Regulation 16.1 (d). Additionally, no student shall be permitted to suspend their studies for such a length of time that the period between initial registration and completion of all required work exceeds seventy-two months.

(f) COMPLETION OF REGISTRATION

See Regulation 16.1 (c).

(g) ATTENDANCE REQUIREMENTS

*(i) Full-time candidature*

As specified in the Scheme of Studies.

(h) SUPERVISION

Every candidate shall be assigned supervisors as specified in the Scheme of Studies. The lead academic supervisor shall be responsible for reporting to the Board on the work of the candidate as and when required by the Board of Studies. The Board of Studies shall ensure the appointment of another academic supervisor in those cases where the original supervisor has left the employ of the University or is on leave of absence or study leave.

(i) PRESENTATION OF THE PORTFOLIO

See Regulation 16.1 (j).

(j) SUBMISSION OF THE PORTFOLIO

*(i)* Subject to the provisions of Ordinance 14, the portfolio of the Degree of Doctor of Clinical Psychology must be the result of work done wholly while the student is registered as a candidate for the Degree of Doctor of Clinical Psychology of this University. A certificate to this effect shall be signed by the candidate when presenting the portfolio.

*(ii)* The portfolio shall also indicate:

- (a)* where parts of the portfolio have been produced jointly with others, that a substantial part is the original work of the candidate, and
- (b)* where the portfolio incorporates material already submitted for another degree, the extent of that material and the degree, if any, obtained.

*(iii)* A portfolio may be submitted at any time after completion of the prescribed minimum period of study and research.

(k) PROGRAMME BOARD OF EXAMINERS

Provided that the student has submitted a research portfolio of work in accordance with paragraph (j) above:

*(i)* The Programme Board of Examiners shall make recommendations as detailed below. A report on the research portfolio must be provided by the portfolio examiners. If the research portfolio Examiners cannot agree, the Programme Board of Examiners shall report this disagreement to the Board of Studies which may recommend to Senate that new Examiners for the research portfolio be appointed, without prejudice to the candidate.

*(ii)* The Programme Board of Examiners may recommend to the Board of Studies:

either:

(1) that the candidate be awarded the Degree of Clinical Psychology subject to successful completion of the remaining units of study as prescribed in the Scheme of Studies;

or:

(2) that the candidate be awarded the Degree of Clinical Psychology subject to minor corrections to the research portfolio being executed to the satisfaction of the internal research portfolio Examiner(s) and subject to successful completion of the remaining units of study as prescribed in the Scheme of Studies;

or:

(3) that the student be required to attend a second viva voce examination, normally within six months;

or:

(4) that the student be given the opportunity of submitting a revised portfolio for examination, normally within twelve months. The Programme Board of Examiners, considering the recommendations of the research portfolio Examiners shall determine whether a second viva voce examination is necessary;

or;

(5) that the student, having failed one of the clinical units, be awarded the degree of Master of Philosophy (subject to any minor revisions to the research portfolio which may be prescribed by the examiners and must be carried out to their satisfaction) and satisfactory completion of all non-clinical unit assessments;

or;

(6) that the student fail and not be awarded the degree of Doctor of Clinical Psychology or the degree of Master of Philosophy.

#### (l) AWARD OF THE DEGREE OF DOCTOR OF CLINICAL PSYCHOLOGY

The Degree of Doctor of Clinical Psychology shall be awarded to a candidate who shall have:

(i) pursued a programme of study as prescribed under Regulation 16.16(b) above and successfully completed all units of study; and

(ii) presented a portfolio on the candidate's advanced study and research which satisfies the Board of Examiners as:

- (a) making an original and significant contribution to knowledge
- (b) giving evidence of originality of mind and critical judgement in a particular subject
- (c) containing material worthy of peer-reviewed publication
- (d) being satisfactory in its literary and/or technical presentation and structure with a full bibliography and references;
- (e) demonstrating an understanding of the context of the research as appropriate for the subjects of the papers in their scientific, professional and social contexts

(iii) passed a viva voce examination conducted by the examiners on the broader aspects of the field of research in addition to the subject of the portfolio.

#### (m) REVIEWS

Regulation 17 sets out the procedures to be followed in cases where a review of a candidate's progression or result is required.

### **16.17 The Degree of Doctor of Policy Research & Practice (DPRP)**

This Regulation should be read in conjunction with Regulation 16.1.

(a) ADMISSION

(i) For English Language requirements, see Regulation 16.1 (a).

(ii) Graduates holding at least upper second class honours or equivalent of the University, or of any other Institution approved by the Senate for this purpose and who have at least three years of appropriate professional experience as set out in the Scheme of Studies, or those who hold an approved graduate-equivalent qualification, and who also hold an advanced qualification (a Masters degree) in a related field, and who have at least three years of appropriate professional experience as set out in the Scheme of Studies, may be admitted as candidates for the Degree of Doctor of Policy Research & Practice provided that they have satisfied the Board of Studies as to the subject of their research enquiry and their fitness to undertake it.

(b) PROGRAMME OF STUDY

The Programme of Study for the degree of Doctor of Policy Research & Practice (DPRP) shall be one of supervised study following an approved Scheme of Studies of taught units and a thesis. Candidates shall be registered initially for the degree of Doctor of Policy Research & Practice. However, depending upon the quantity and nature of the work undertaken and subject to the criteria set out in the Scheme of Studies, candidates may be awarded one of the qualifications of Postgraduate Certificate in Policy Research & Practice, Postgraduate Diploma in Policy Research & Practice, ***Master of Science in Policy Research and Practice*** or Master of Philosophy in place of the Degree of Doctor of Policy Research & Practice.

(c) MINIMUM PERIODS OF REGISTRATION

In accordance with Ordinance 14, the period of study for the degree shall be not less than twenty-four calendar months.

(i) Part-time candidature

The period of study shall be at least forty-eight calendar months.

(d) MAXIMUM PERIODS OF REGISTRATION

(i) A part-time candidate shall present for examination within eight years of the date of registration for the degree. Subject to the provision of Regulation 16.1 (e) a candidate unable to do so may, before the end of the eighth year, seek an extension of registration for a period not exceeding twelve months and the Board of Studies may grant such an extension on two occasions only.

(e) SUSPENSION OF REGISTRATION

See Regulation 16.1 (d).

(f) COMPLETION OF REGISTRATION

See Regulation 16.1 (c).

(g) RE-REGISTRATION

A candidate whose registration has lapsed either by the passage of time or through non-payment of fees or who wishes to change the registered topic must seek permission of the Board of Studies to re-register as a candidate for the degree. In such cases, the Board may specify what previous periods of study may be counted towards the minimum prescribed period of study. The Board of Studies may specify the minimum period of study of a candidate before it is deemed that the provisions of the Regulations have been met.

(h) ATTENDANCE REQUIREMENTS

(i) Part-time candidature

The attendance requirements shall be prescribed by the Board of Studies.

(i) SUPERVISION

Every candidate shall be assigned to a supervisory team by the Board of Studies. The Board of Studies shall ensure the appointment of another supervisor in those cases where the original lead supervisor has left the employ of the University or is on leave of absence or study leave.

(j) PRESENTATION OF THE THESIS

See Regulation 16.1 (j).

(k) SUBMISSION OF THE THESIS

(i) Subject to the provisions of Ordinance 14.5, the thesis of the Degree of Doctor of Policy Research & Practice must be the result of work done mainly while the student is registered as a candidate for the Degree of Doctor of Policy Research & Practice of this University. A certificate to this effect shall be signed by the candidate when presenting the thesis.

(ii) The thesis shall also indicate:

(a) where the thesis, or any part of the thesis such as a published paper, has been produced jointly with others, that a substantial part is the original work of the candidate, and

(b) where the thesis incorporates material already submitted for another degree, the extent of that material and the degree, if any, obtained.

(c) Subject to Regulation 16.17(d), a thesis may be submitted at any time after completion of the prescribed minimum period of study and research.

(l) BOARD OF EXAMINERS

(i) The Board of Examiners shall make recommendations as detailed below. A report on the thesis must be provided by the examiners. If the Board of Examiners cannot agree, the Board of Examiners shall report this disagreement to the Board of Studies which may recommend to Senate that a new Board of Examiners be appointed, without prejudice to the candidate.

(ii) The Board of Examiners may recommend to the Board of Studies:

either: (1) that the candidate be awarded the Degree of Doctor of Policy Research & Practice;

or: (2) that the candidate be awarded the Degree of Doctor of Policy Research & Practice, subject to minor corrections to the thesis being executed to the satisfaction of the internal examiner(s);

or: (3) that the candidate be awarded the Degree of Doctor of Policy Research & Practice subject to satisfactory performance at a second viva voce examination and subject also to any minor corrections to the thesis required by the examiners. Failure to satisfy the examiners at the second viva shall constitute failure of the submission for the Degree of Doctor of Policy Research & Practice;

or: (4) that the candidate not be awarded the Degree of Doctor of Policy Research & Practice but be given the opportunity of submitting a revised thesis for the degree of Doctor of Policy Research & Practice. The examiners shall normally require the candidate to undergo a second viva voce examination. If, in the opinion of the examiners, the thesis as first submitted is worthy of the award of the Degree of Master of Philosophy, the

examiners may offer the candidate the opportunity to accept the Degree of Master of Philosophy, subject to any minor corrections to the thesis which may be prescribed by the examiners and which must be carried out to their satisfaction. A candidate wishing to accept the Degree of Master of Philosophy under these circumstances shall inform the examiners in writing of this wish by the date prescribed by the examiners;

or: (5) that the candidate not be awarded the Degree of Doctor of Policy Research & Practice but be awarded the Degree of Master of Philosophy (subject to any minor revisions to the thesis which may be prescribed by the examiners and which must be carried out to their satisfaction);

or: (6) that the candidate be awarded neither the Degree of Doctor of Policy Research & Practice nor the Degree of Master of Philosophy, but be ***referred to the Board of Examiners for Programmes (taught stage) for consideration for the award of*** awarded either the ***Master of Science in Policy Research & Practice or the Postgraduate Diploma in Policy Research & Practice*** or the ~~Postgraduate Certificate in Policy Research & Practice~~, subject to the requirements for each award as set out in the Scheme of Studies;

~~or: (7) that the candidate fail and be awarded none of the relevant awards (Doctor of Policy Research & Practice, Master of Philosophy, Postgraduate Diploma in Policy Research & Practice, Postgraduate Certificate in Policy Research & Practice).~~

(iii) Where submission of a revised thesis has been recommended candidates may, with the approval of the Board of Studies, be permitted to submit a revised thesis, within such lapse of time as may be prescribed, and present themselves for re-examination; no further resubmission is permitted if the candidate fails to satisfy the Board of Examiners at this second attempt.

#### (m) AWARD OF THE DEGREE OF DOCTOR OF POLICY RESEARCH & PRACTICE

The Degree of Doctor of Policy Research & Practice shall be awarded to a candidate who has:

- (i) pursued a programme of study as prescribed under Regulation 16.17(b) above; and
- (ii) presented a thesis on the candidate's advanced study and research which satisfies the Board of Examiners as:

(a) making an original and significant contribution to knowledge

(b) giving evidence of originality of mind and critical judgement in a particular subject

(c) containing material worthy of peer-reviewed publication

(d) being satisfactory in its literary and/or technical presentation and structure with a full bibliography and references

(e) demonstrating an understanding of the context of the research: this must include, as appropriate for the subject of the thesis, the scientific, engineering, commercial and social contexts

(iii) passed a viva voce examination conducted by the examiners on the broader aspects of the field of research in addition to the subject of the thesis. A viva voce examination is mandatory once a Doctor of Policy Research & Practice candidate has submitted a thesis. Where a candidate satisfies the examiners regarding the contents of the thesis but fails to satisfy the examiners at the viva voce, the candidate shall be given an opportunity of re-examination at a second viva voce; failure to

satisfy at the second viva voce shall constitute failure of the submission for the Doctor of Policy Research & Practice.

Candidates at the discretion of the examiners may be required to pass a written examination to test their knowledge of the chosen field of research.

(n) REVIEWS

Regulation 17 sets out the procedures to be followed in cases where a review of a candidate's progression or result is required.

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date of Last Update: 11 December 2020*

## 17. CONDUCT OF STUDENT ACADEMIC APPEALS AND REVIEWS INTRODUCTION

### Scope

- 17.1** This Regulation applies to all programmes of study leading to an award of the University. It gives effect to the responsibility of Senate prescribed in Statute 19.43: *To consider, to adjudicate upon, and, if thought fit, uphold academic appeals by students relating to (a) progression from one part of the programme of studies to the next; or (b) the outcome of examinations or formal course assessments; or (c) dissatisfaction of a student with the level of attainment where there exists new and relevant information concerning matters which might have affected that student's performance.* It provides the means whereby individual students may appeal against decisions made by a Board of Studies relating to their academic progress, the marks/grades, degrees, certificates or diplomas, and the classifications/grades awarded to them. Dissatisfaction with a mark or set of marks, or any other aspect of the properly exercised academic judgement of the examiners, will not of itself be acceptable as a valid ground for an Academic Appeal. The procedure for submitting complaints about other matters is set out in Appendix 1 to the Regulations.
- 17.2** Students who have concerns about assessment outcomes that have not yet been approved by a Board of Studies should seek advice in the first instance from their Director of Studies. This may include matters such as suspecting errors in the totalling or transcription of marks/grades, or wishing to seek clarification about the marking process.

### Principles

- 17.3** By means of this regulation, the University ensures that students can, in good faith, submit an Academic Appeal and not be penalised for so doing. Students' requests will be addressed fairly, promptly and, so far as is compatible with proper consideration of the case, confidentially. Any complaint which might arise in this regard may be addressed by means of the procedure set out in Appendix 1 to the Regulations.
- 17.4** It is the responsibility of students making an Academic Appeal to behave responsibly and not to make unwarranted or unsubstantiated allegations concerning the personal or professional reputations or conduct of members of University staff.
- 17.5** From time to time, a group of students might wish to submit a group Academic Appeal.
- a) If a group appeal is deemed by the Chair of the Board of Studies to be an appropriate method to deal fairly with the circumstances of the individual students involved, the Chair of the Board of Studies will invite the group to nominate one student to act as the group representative. The Chair of the Board of Studies will deal with the group representative, and this student will be expected to liaise with the other students. It is expected that appropriate adjustments may need to be made to the processes described here, including, for example,



Executive Action being determined as applicable to all in the group, or an Appeal Hearing being conducted collectively for the group. Individuals' personal data should not be disclosed to the group, and outcomes that reflect individual circumstances should be communicated directly and separately to all group members.

- b) If a group appeal is deemed by the Chair of the Board of Studies to be an inappropriate method to deal fairly with the circumstances of the individual students involved, the Chair of the Board of Studies may elect to invite the students to submit appeals individually, within seven days of the invitation to do so. In such cases, consideration of the individual cases will follow the normal processes described here.

**17.6** Both students and staff may seek guidance in relation to student Academic Appeals and Reviews as appropriate. For example, a student may seek guidance on drafting the appeal or request for review from an appropriate source such as the Postgraduate Association or the Students' Union. Guidance on the University's Student Academic Appeals and Reviews procedure, and about the Complaints procedure, is available at <http://www.bath.ac.uk/students/support/complaints/index.html>

## **Disclosure**

**17.7** In accordance with the provisions of Statute 28, no papers, minutes or other records which relate to reserved areas of business shall at any time be made available to a student, except insofar as the papers, minutes or other records constitute the student's own personal data. Reserved areas of business include those concerning decisions on the academic assessment of individual students; in any case of doubt, the Chair of the Board of Studies shall decide whether a matter is a reserved area of business or not, and the Chair's decision shall be final.

**17.8** Guidance on the disclosure of papers relating to an Academic Appeal is available on the University's Data Protection Website (<http://www.bath.ac.uk/data-protection/guidance/academic-appeals/index.html>). Further advice is also available from the University's Legal Adviser.

## **OVERVIEW OF PROCESS**

### **Preparatory appointment of Board of Studies Appeal Hearing panel members**

**17.9** At the start of the academic year, each Faculty will appoint two members of academic staff from each Department within the Faculty who are not members of the Board of Studies and have experience of student matters (for example, as a Director of Studies) to serve as Board of Studies Appeal Hearing panel members. The membership of any Board of Studies Appeal Sub-Committee will include members drawn from this panel, and the Chair of the Board of Studies will seek advice from appropriate members of the panel when specified types of Executive Action may be proposed. The School of Management and the Doctoral College will co-opt at least three members from the Faculty panels to serve as its Board of Studies Appeal Hearing panel members.

## **Stage 1 (Academic Appeal)**

- 17.10** An Academic Appeal will initially be considered by the Chair of the appropriate Board of Studies. The Chair will determine either a) that a *prima facie* case has been established such that an Appeal Hearing must be held or Executive Action taken, or b) that no *prima facie* case has been established, with the consequence that no further action should be taken.

## **Stage 2 (A) (Review of Stage 1 Academic Appeal outcome where no *prima facie* case has been established)**

- 17.11** Where the outcome of an Academic Appeal is that no *prima facie* case has been established, the student may ask the Director of Academic Registry for a review of the process and its outcome. The Director of Academic Registry will determine a) that an Appeal Hearing should take place, or b) that the Chair of the Board of Studies should be invited to take Executive Action, or c) that no further action should be taken. A decision by the Director of Academic Registry that no further action should be taken constitutes completion of internal procedures.

## **Stage 2 (B) (Review of Appeal Hearing or Executive Action)**

- 17.12** Where an Appeal Hearing has been held or Executive Action taken and the student disagrees with the outcome and wishes further evidence or procedural irregularities to be considered, the student may ask the ~~University~~ Secretary *to Senate* to convene a Student Academic Appeals Committee to consider the case. The ~~University~~ Secretary *to Senate in consultation with the Head of Strategic Governance, the Director of Policy, Planning and Compliance and, if necessary, relevant legal advice* will determine whether, in accordance with Statute 19.43, a Student Academic Appeals Committee should be convened. Both the outcome of a Student Academic Appeals Committee and a decision not to convene one constitute completion of internal procedures.

## **Timescales for Appeal Hearings and Student Academic Appeals Committees**

- 17.13** Timescales and arrangements for attendance at Appeal Hearings and Student Academic Appeals Committees may be negotiated (for example, in the case of distance-learning programmes). See also Regulations 17.26 and 17.44.

## **Appeal to the Office of the Independent Adjudicator**

- 17.14** Where the University's internal procedures have been completed but the student remains dissatisfied, the student may submit the case to the Office of the Independent Adjudicator.

## **STAGE 1: ACADEMIC APPEALS**

### **Making an academic appeal**

- 17.15** Dissatisfaction with a mark or set of marks, or any other aspect of the properly exercised academic judgement of the examiners, will not of itself be acceptable as a valid ground for an Academic Appeal.

**17.16** An Academic Appeal must meet all of the following four requirements:

- a) It must relate to a decision taken by a Board of Studies in respect of one or more of the following:
  - i. the student's suitability to progress from one stage of the programme of studies to the next;
  - ii. the student's suitability to remain on the programme of study;
  - iii. the marks/grades, degrees, certificates or diplomas, and the classifications/grades awarded to the student.
- b) It must be submitted, in writing, no more than fourteen calendar days after notification of the decision of the Board of Studies.
- c) It must be based on one or more of the following grounds:

*For both taught and research degrees*

- i. that there exist circumstances affecting the performance of the candidate of which the Board of Examiners have not been made aware and which the candidate could not reasonably have been expected to have disclosed to the Director of Studies in accordance with Regulation 15.3 (d);
- ii. that there were procedural irregularities in the conduct of the examinations or formal course assessments (including administrative error) of such a nature as to cause reasonable doubt whether the Board of Examiners would have reached its decision had the irregularities not occurred;
- iii. that there is positive evidence of prejudice, bias or inadequate assessment on the part of one or more of the examiners;

*For research degrees only*

- iv. that there were genuine academic differences in philosophical approach or paradigms which had not been apparent when examiners were appointed on the recommendation of the Board of Studies.
- d) It must include:
- i. a completed University Academic Appeal form, indicating the outcome(s) against which the student is appealing, the ground(s) on which the Appeal is based, and the student's desired action following consideration of the Appeal;
  - ii. all documentary evidence available to the student in support of the case;
  - iii. where relevant, a detailed explanation and documentary evidence if available as to why the student was previously unable to provide any new information now disclosed about the circumstances affecting her/his performance in accordance with the requirements of Regulation 15.3 (d).

- 17.17** Where it is expected that consideration of a Stage 1 Academic Appeal will be completed after the start of the next stage of the programme, the Chair of the Board of Studies, in consultation with the Director of Academic Registry, will determine whether the student should be permitted to attend classes.

### **Consideration of an Academic Appeal**

- 17.18** An Academic Appeal will be acknowledged in writing by the Chair. The Appeal will initially be considered by the Chair of the appropriate Board of Studies in consultation with the Head of the student's Department or, in the case of the School of Management, the relevant Director of Teaching, or, in the case of the Natural Sciences programmes, the Head of Natural Sciences. The Chair has discretion to decide either a) that a *prima facie* case has been established such that an Appeal Hearing must be held or Executive Action taken, or b) that no *prima facie* case has been established with the consequence that no further action should be taken. To establish whether a case might be resolved through Executive Action, the Chair may consult with the Director of Studies and relevant internal examiners to assess the appropriateness of the student's desired action, or other possible actions, in the light of the circumstances, relevant regulations, and the student's academic profile.
- 17.19** Stage 1 will be completed in a timely manner consistent with the Chair of the Board of Studies determining on the basis of the evidence provided by the student whether a *prima facie* case has been established. The Chair of the Board of Studies should reach a decision within thirty-five calendar days of receiving the Appeal. Where the conclusion of the Chair is that an Appeal Hearing should be held, the Chair will normally seek to communicate this decision to the student no more than twenty-eight calendar days after receipt of the request.
- 17.20** Where the decision is that that no *prima facie* case has been established the student will be informed in writing in accordance with the timescales set out in Regulation 17.19 of the decision and of the student's right to submit a request to the Director of Academic Registry for a Review of the Academic Appeal outcome.
- 17.21** Where the decision is that a *prima facie* case has been established and that Executive Action can be taken, the Chair of the Board of Studies will, following consultation where necessary with the Director of Studies and relevant internal examiners, inform the student in writing in accordance with the timescales set out in Regulation 17.19 of the proposed action to be taken. Where the relevant assessment regulations only permit action(s) other than the desired action indicated by the student, or where other permitted actions might be deemed to be in the student's best interests, the student will be invited to meet or correspond with the Chair about the available outcomes. The student may be accompanied by a friend or adviser. The aim of such discussion will be to resolve the Academic Appeal by timely and appropriate Executive Action. Where the decision relates to the conferment of an award, the Chair will consult by correspondence or meeting with appropriate members of the Board of Studies, and at least three members of the panel established in accordance with Regulation 17.9 not more than one of whom shall be from the student's academic Department or School. All Executive Action decisions will be reported to the Board of Studies and Senate (via the minutes of the Board of Studies).

**17.22** Where the decision is that a *prima facie* case has been established and that an Appeal Hearing will be held, the Board of Studies will normally delegate responsibility for the conduct and determination of Appeal Hearings to an Appeal Sub-Committee.

## **APPEAL HEARINGS**

### **Membership of the Board of Studies Appeal Sub-Committee**

**17.23** Membership of a Faculty Board of Studies Appeal Sub-Committee will normally include:

- a) The Chair of the Board of Studies or alternate if necessary (Sub-Committee Chair);
- b) Two nominated members of the Board of Studies from a Department other than that of the student;
- c) Two members of the Appeal Hearing panel described in Regulation 17.9 from a Department other than that of the student.

**17.24** Membership of the School of Management Board of Studies Appeal Sub-Committee and the Board of Studies (Doctoral) Appeal Sub-Committee will normally include:

- a) The Chair of the Board of Studies or alternate if necessary (Sub-Committee Chair, who should not have been the Chair of the Board of Examiners for Programmes that made the relevant recommendation to the Board of Studies);
- b) One nominated member of the Board of Studies;
- c) Three members of the Appeal Hearing panel described in Regulation 17.9.

**17.25** No member, other than the Chair, should have had a previous involvement with the case. If the Chair of the Board of Studies has had substantial previous involvement with the case which could be perceived as a conflict of interest, he or she will appoint an alternate as Chair of the Board of Studies Appeal Sub-Committee. If the Appeal Hearing takes place at the request of the Director of Academic Registry in accordance with Regulation 17.40, the Director of Academic Registry will have sole discretion to determine whether the Chair of the Sub-Committee will be the Chair of the student's Board of Studies, or the Chair of another Board of Studies.

### **Convening an Appeal Hearing**

**17.26** The student (and any friend or advisor specified in the original appeal application) should normally receive at least seven calendar days' written notice of the Appeal Hearing but, where it would be of benefit to the student, and the student is in agreement, the notification of an Appeal Hearing may be given at less than seven calendar days' notice subject to any reasonable constraining factors including the availability of members of the Board of Studies Appeal Sub-Committee.

- 1727** The notification will inform the student of the time and place of the Hearing and of the student's right:
- a) to be present throughout the Appeal Hearing, other than for the Sub-Committee's discussion of the case;
  - b) to be accompanied at the Hearing by one friend or adviser;
  - c) to be represented at the Hearing in the student's absence by one friend or adviser;
  - d) to make additional written statements, provided that these are submitted to the Chair of the Sub-Committee no later than three calendar days before the Hearing. Any written evidence submitted after this time will not be considered by the Sub-Committee.
- 1728** The notification will include any written evidence already received by the Chair from witnesses. It is the student's responsibility to provide copies of the notification and any such evidence to any friend or adviser not specified in the original appeal application.

### **Conduct of an Appeal Hearing**

- 1729** The Chair of the Board of Studies Appeal Sub-Committee will make an introductory statement in the presence of the student and any friend or adviser, or the student's representative, concerning procedural matters.
- 1730** The Board of Studies Appeal Sub-Committee will consider the written and oral evidence presented by the student and any friend or adviser, or by the student's representative, and may invite witnesses to give evidence. These witnesses will not have voting rights, and the Chair, in consultation with members of the Sub-Committee, will have discretion to decide at what point during the Hearing any witnesses will be invited to speak to the Hearing and at what point they will be asked to withdraw.
- 1731** The student and any friend or adviser, or the student's representative, and/or any witnesses will be given an opportunity to ask questions of, and to respond to questions from, the Board of Studies Appeal Sub-Committee. The student and any friend or adviser, or the student's representative, may then make a closing statement. The student and any friend or adviser, or the student's representative, and the witnesses will withdraw while the Sub-Committee discusses the case.
- 1732** All members of the Board of Studies Appeal Sub-Committee will have equal voting rights.
- 1733** If the student or representative fails to attend the Hearing, having had notice of the time and place, the Board of Studies Appeal Sub-Committee may base its review on the student's written submission and the other records of the University concerning the student during attendance at the University.
- 1734** Referral will be made to appropriate External Examiners where necessary.

## **Outcome of an Appeal Hearing**

- 1735** The outcome of the Board of Studies Appeal Sub-Committee's deliberations will normally be communicated to the student immediately after the Appeal Hearing and will be confirmed in writing within five working days.
- 1736** Where the outcome is that action should be taken, this will be implemented at the earliest opportunity in favour of the student. The decision of the Board of Studies Appeal Sub-Committee will be reported to the Board of Studies and noted in the minutes of the Board of Studies for report to Senate.

## **Record of an Appeal Hearing**

- 1737** The formal record of an Appeal Hearing should include a summary of the arguments put forward by all parties, a summary of the Board of Studies Appeal Sub-Committee's discussion including any counter arguments, and a record of the Sub-Committee's findings and decisions.

## **STAGE 2 (A): REVIEW OF A STAGE 1 OUTCOME WHERE NO PRIMA FACIE CASE WAS ESTABLISHED**

### **Requesting a Review**

- 1738** A request for a Review of an Academic Appeal outcome must meet the following five requirements:
- a) It must be submitted, in writing, to the Director of Academic Registry no more than fourteen calendar days after notification of the decision of the Chair of the Board of Studies. A request lodged after the fourteen day period shall be invalid unless the Director of Academic Registry, in her/his sole discretion, has agreed an extension of time.
  - b) It must relate to a decision by the Chair of the Board of Studies, in response to an Academic Appeal, that no *prima facie* case had been established.
  - c) It must not seek to challenge any decisions taken by the Board of Studies other than those cited in the Academic Appeal.
  - d) It must not make reference to grounds other than those cited in the Academic Appeal, except for those arising from the student's dissatisfaction with the process or outcome of the consideration of the Appeal by the Chair of the Board of Studies.
  - e) It must include:
    - i. a copy of all the material submitted to the Chair of the Board of Studies in the Academic Appeal, together with any further material or documentary evidence

which the student could not reasonably have been expected to present as part of the original submission;

- ii. a clear statement, supported by evidence, of the grounds of the student's dissatisfaction with the process or outcome of the consideration of the Appeal by the Chair of the Board of Studies.

### **Review by the Director of Academic Registry**

**1739** The review should be completed within twenty-eight calendar days of receipt by the Director of Academic Registry of the request. The Director of Academic Registry will decide whether or not an Appeal Hearing should be held or whether the Chair of the Board of Studies should be asked to take Executive Action, and this decision will be final.

**1740** The Director of Academic Registry will determine:

- a) that a *prima facie* case has been established such that an Appeal Hearing must be held or Executive Action taken in accordance with the procedures set out in Regulations 17.23–17.37 or 17.21 respectively; or
- b) that no *prima facie* case has been established with the consequence that no further action should be taken.

**1741** Where it is the Director of Academic Registry's decision that there are no grounds for holding an Appeal Hearing or taking Executive Action, a letter of completion of internal procedures will be issued. A student who is of the opinion that the case is unresolved may apply to the Office of the Independent Adjudicator.

### **STAGE 2 (B): REVIEW OF A STAGE 1 OUTCOME WHERE A PRIMA FACIE CASE WAS ESTABLISHED**

#### **Requesting consideration by a Student Academic Appeals Committee**

**1742** A student who disagrees with the outcome of an Appeal Hearing or Executive Action and wishes further evidence or procedural irregularities to be considered may ask the University Secretary *to Senate* to convene a Student Academic Appeals Committee to consider the case.

**1743** Such a request must meet the following four requirements:

- a) It must be submitted, in writing, to the University Secretary *to Senate* no more than fourteen calendar days after notification of the decision of the Appeal Subcommittee, or Chair of the Board of Studies in the case of Executive Action. A request lodged after the fourteen day period shall be invalid unless the University Secretary *to Senate*, in her/his sole discretion, has agreed an extension of time.
- b) It must relate to the decision reached in the Appeal Hearing/Executive Action.
- c) It must not make reference to grounds other than those cited in the Academic Appeal, except for those arising from the student's dissatisfaction with the procedures or outcome of the Appeal Hearing/Executive Action.



- d) It must include a clear statement of the grounds and a brief description of any new evidence.

### **Consideration by the University Secretary to Senate**

**17.44** The University Secretary *to Senate* will determine whether (in accordance with Statute 19.43) a Student Academic Appeals Committee should be convened. This decision will normally be notified to the student within twenty-eight calendar days of receipt by the University Secretary *to Senate* of the request. The University Secretary *to Senate*'s decision concerning the need to convene a Student Academic Appeals Committee will be final.

**17.45** Where it is the University Secretary *to Senate*'s decision that there are not grounds for a Student Academic Appeals Committee to be convened, a letter of completion of internal procedures will be issued. A student who is of the opinion that the case is unresolved may apply to the Office of the Independent Adjudicator.

### **Hearing by a Student Academic Appeals Committee**

**17.46** The procedures and timescales governing the Hearing by a Student Academic Appeals Committee are set out in the Standing Orders of Senate (see: <http://www.bath.ac.uk/orders/senate/>). Where a Student Academic Appeals Committee has been convened, its decision will be deemed to be final, except where it adjudicates that a student's degree classification should be altered, in which case this would form a recommendation to Senate for approval. In all cases, the decision of the Student Academic Appeals Committee will be reported to Senate. A letter of completion of internal procedures will be issued when the decision has been taken by the Student Academic Appeals Committee/Senate. A student who is of the opinion that the case is unresolved may apply to the Office of the Independent Adjudicator.

### **MONITORING ACADEMIC APPEALS AND REVIEWS**

An annual report of the number of Academic Appeals for each Faculty/School will be made to the relevant Board of Studies. An annual report of the number of Academic Appeals and Reviews will be made to the Council/Senate Students' Union Committee and to Senate.

(Further guidance regarding the University's Student Academic Appeals and Reviews Procedure is available at: <http://www.bath.ac.uk/registry/appeals/>)

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date of Last Update: 25 September 2020*

## 18. FREEDOM OF EXPRESSION

*This Code of Practice describes the framework within which staff and students of the University and visitors enjoy the right to freedom of expression.*

### **Policy statement**

- 18.1** As an institution of higher education, which values academic freedom, the University is committed to promoting and positively encouraging free debate and enquiry. This means that it accommodates a wide range of views, political as well as academic, even when they are unpopular, controversial or provocative.
- 18.2** In any event, the University has an explicit duty in law<sup>1</sup> to take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students, employees and visiting speakers. This duty includes a responsibility to ensure that the use of University premises is not denied to any individual or group on the grounds of the belief or views of that individual or any member of that group or on the grounds of the policy or objectives of the group. The University is, however, under no legal obligation to allow meetings to be open to members of the public.
- 18.3** This does not mean that the right to freedom of expression is unfettered. It is limited, for example, by laws to protect national security and public safety, for the prevention of disorder or crime, for the protection of the reputation or rights of others, and to prevent the disclosure of information received in confidence. A speaker from an organisation proscribed by law would therefore not be allowed. A significant strand in the regulatory framework is the duty (under the Race Relations (Amendment) Act 2000) to promote good relations between persons of different racial groups.
- 18.4** The Counter-Terrorism and Security Act 2015 also imposes a duty on the University to have due regard to the need to prevent people from being drawn into terrorism. This Code of Practice fulfils the requirement in the Prevent Duty for Universities to have policies and procedures in place for the management of events on Campus and use of the University's premises.
- 18.5** Freedom of expression also has to be set in the context of the University's values, and the values of a civilised, democratic, inclusive society. The University expects speakers and those taking part in protest activities to respect those values, to be sensitive to the diversity of its inclusive community, and to show respect to all sections of that community. These precepts include the way in which views are expressed and the form of any protest activities.
- 18.6** In considering whether or not to permit its premises to be used for a particular event, the University has to consider:-
- whether the views or ideas to be put forward (or the manner of their expression)
    - ~ infringe the rights of others, or
    - ~ discriminate against them, or
    - ~ constitute views that risk drawing people into terrorism or are shared by terrorist groups. For the avoidance of doubt, the definition of terrorism above is that as set out in the Terrorism Act 2000 (or as subsequently amended).

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<sup>1</sup> Under the Education (N° 2) Act 1986

- whether the activity in question
  - ~ constitutes a criminal offence
  - ~ constitutes a threat to public order or to the health and safety of individuals
  - ~ incites others to commit criminal acts, or
  - ~ is contrary to the civil and human rights of individuals.
- Whether adequate arrangements can be made to safeguard the safety of participants in the event, and other people within the vicinity, and to ensure that public order is maintained.

### **Authority**

- 18.7 The Council authorises ~~the Deputy Vice-Chancellor and Provost~~ **Professor David Galbreath** to act on its behalf to ensure as far as is reasonably practicable that all staff and students of the University, and all visiting speakers, comply with the provisions of this Code.

### **Procedure**

#### *Meetings*

- 18.8 Those booking rooms in the University are taken to have read and agreed to abide by the provisions of this Code of Practice. In addition, they are required to designate a ‘Principal Organiser’, who must be a member of staff or student of the University and who will be responsible for ensuring that the organisers comply with the obligations placed upon them by or under this Code of Practice. The Principal Organiser shall ensure that appropriate information is provided on the booking form about the nature and topic of the meeting.
- 18.9 The Principal Organiser is required to notify ~~the Deputy Vice-Chancellor and Provost~~ **Professor David Galbreath** – as far as possible in advance of the meeting, and in any case at least two weeks before it – for any meeting to be held on the University campus if the subject matter of the meeting is or might reasonably be construed as ‘controversial’ (a ‘controversial’ meeting in this context being taken as a speaker who might reasonably be construed as having the potential to occasion protest from, or give offence to, any section of the University or wider community, or constitute extremist views, or any speaker from a political party).
- 18.10 The Principal Organiser shall on request provide ~~the Deputy Vice-Chancellor and Provost~~ **Professor David Galbreath** with such information as the latter may require – including in particular the name of the principal speaker or speakers at the meeting, the theme(s) of the speech(es), the grounds for notification under section 9 and the extent to which the speaker’s past history suggests that they might infringe one of the criteria set out in paragraph 6 above, the name and experience of the person who will chair the meeting, the subject of the address or addresses, the names and experience of any stewards and other logistical information.
- 18.11 ~~The Deputy Vice-Chancellor and Provost~~ **Professor David Galbreath** shall grant or withhold permission for the use of University premises (including, as appropriate, space used by the Students’ Union or Chaplaincy) for the meeting proposed. Permission will only normally be withheld on the grounds indicated in 6 above, or if the Principal Organiser cannot or will not ensure compliance with any conditions set by ~~the Deputy Vice-Chancellor and Provost~~ **Professor David Galbreath**. Such conditions may include requirements

- (a) that tickets be issued and/or restricting the number of persons attending;
- (b) that an adequate number of stewards be available, in addition to any University security staff that ~~the Deputy Vice-Chancellor and Provost~~ **Professor David Galbreath** may feel should be present, to maintain safety and order;
- (c) as to the venue for the meeting and/or restricting banners or placards;
- (d) as to the admission or exclusion of press, television or broadcasting personnel, and, subject to licensing law, the sale or consumption of alcohol within the premises;
- (e) as to the arrangements for chairing the meeting, and as to the circumstances in which the meeting may or must be terminated prematurely;
- (f) that a speaker be balanced by one or more speakers with opposing views;
- (g) that the designated meeting or activity be restricted to staff and students of the University;
- (h) that University staff be responsible for all security arrangements connected with the meeting.

**18.12** It shall in all cases be open to ~~the Deputy Vice-Chancellor and Provost~~ **Professor David Galbreath** to invite the Police to be present at any meeting on University premises. It shall also be open to ~~the Deputy Vice-Chancellor and Provost~~ **Professor David Galbreath** to withdraw permission for a meeting if, having originally granted permission, he or she judges that the meeting will not in fact conform to University policy (as outlined in 6 above) or that safety or public order cannot be guaranteed or if the Principal Organiser cannot or will not ensure compliance with any conditions set by ~~the Deputy Vice-Chancellor and Provost~~ **Professor David Galbreath**.

**18.13** Premises used for meetings must be left in clean and tidy condition, in default of which the organisers may be charged for any additional cleaning and repairs that are subsequently required. Payment in advance or evidence of ability to pay towards these costs may be required. The University reserves the right to re-charge the organisers of any meeting for any extraordinary expenditure it incurs as a result of that meeting.

#### *Protests and demonstrations*

**18.14** Those arranging protests or demonstrations on University premises (whether in relation to a meeting covered by this Code or on any other matter) are taken to have read and agreed to abide by the provisions of this Code. They are also required to designate a 'Principal Organiser', who will be a student or member of staff, who will be responsible for ensuring that the organisers comply with the obligations placed upon them by or under this Code of Practice.

**18.15** As long as is reasonably practicable in advance of the event in question, the Principal Organiser shall ensure that appropriate information is provided to ~~the Deputy Vice-Chancellor and Provost~~ **Professor David Galbreath**, normally through Security Services, about the nature and theme of the event. Wherever possible, this information shall be provided at least a week before the event. The Principal Organiser shall on request provide ~~the University Secretary~~ **Deputy Vice-Chancellor and Provost Professor David Galbreath** with such information as the latter may require.

**18.16** ~~The Deputy Vice-Chancellor and Provost~~ **Professor David Galbreath** shall grant or withhold permission for the use of University premises for the meeting proposed. Permission will normally be withheld only on the grounds indicated above, or if the Principal Organiser cannot or will not ensure compliance with any conditions set by ~~the~~

~~Deputy Vice-Chancellor and Provost~~ **Professor David Galbreath**.

#### **Appeals**

- 18.17** Appeals against the rulings of ~~the Deputy Vice-Chancellor and Provost~~ **Professor David Galbreath** may be made to the Vice-Chancellor, whose decision shall be final.

#### **Infringements**

- 18.18** ~~The Deputy Vice-Chancellor and Provost~~ **Professor David Galbreath** shall report to the Council on the circumstances of any significant infringements of, and departures from, the provisions of this Code. Any such infringements or departures, in whatever respect, may render those responsible liable to disciplinary action under the University's disciplinary procedures.

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date of Last Update: 9 June 2021*

## UNIVERSITY OF BATH

## STUDENT COMPLAINTS POLICY AND PROCEDURE

**1. Introduction**

1.1 The University welcomes feedback in respect of the services it provides, and believes that students are entitled to have access to effective systems for handling complaints to ensure the University provides the highest possible academic and service standards. Students should feel able to make a complaint, knowing that it will be fairly investigated.

1.2 Detailed below is the three stage process the University has adopted for dealing with students' complaints, which is intended to provide a clear means of resolution to the satisfaction of all parties.

**2. Definitions and scope**

2.1 The University defines a student complaint as an expression of dissatisfaction levelled by a student against a service or facility of the University. For the purpose of this procedure a student is defined as an applicant who has been accepted to study at the University, a student registered for an award of the University, or an alumni who has been registered with the University within the last four months.

2.1.1 Examples of what can be complained about under this policy include the following:

- An academic or other University service
- Information about academic or other University service
- Teaching or supervision
- Facilities

2.1.2 Issues covered by other specific procedures will not be dealt with under this policy. For example:

- Academic Appeals and Reviews, the procedures for which can be found in Section 17 of the Student Regulations.
- Complaints relating to services provided by the Students' Union, which should be pursued with the Student's Union in the first instance.
- Complaints relating to franchise, validated or partner institution provision, should the Institutional Agreement allow, will be dealt with according to the franchise, validated or partner institution's procedures, unless they relate to a University service. Where the complaint is not resolved at this level the student may request a review by the ~~University Secretary~~ **Director of Policy, Planning and Compliance**, under Stage 3 of these procedures.
- Complaints relating to University accommodation, which should be submitted under the Accommodation Services' own complaints procedure. Where the complaint is not resolved at this level the student may request a review by the ~~University Secretary~~ **Director of Policy, Planning and Compliance** (or nominee) under Stage 3 of these procedures.
- Complaints relating to the service provided by Westwood Nursery, which has its own complaints procedure.

2.2 Complaints about any form of discrimination, bullying, harassment or victimisation will be dealt with as follows:

- Informal complaints made about the behaviour of a student will be managed under the informal stage of the University's Dignity and Respect Policy and Procedure.
- Formal complaints made about the behaviour of a student will be managed under Regulation 8, the Student Discipline Procedures, following the principles of the Dignity and Respect Policy and Procedure.
- Informal complaints made about the behaviour of a member of staff will be managed under the informal stage of the University's Dignity and Respect Policy and Procedure.
- Formal complaints made about the behaviour of a member of staff will be managed under the Staff Disciplinary Policy (or Statute 25 Part III for academic or other specified staff), following the principles set out in the University's Dignity and Respect Policy and Procedure.
- The Dignity and Respect Policy and Procedure can be found at:  
<http://www.bath.ac.uk/equalities/policiesandpractices/dignityandrespectpolicy.pdf>

### **3. General Principles of Student Complaints**

3.1 The University seeks to minimise student complaints by ensuring that students have opportunities to participate in all the appropriate formal decision-making processes of the institution through representation on committees at programme, departmental, faculty and institutional levels. The University is committed to the continuing review and improvement of its provision and seeks regular feedback from students through Staff/Student Liaison Committees, evaluation questionnaires and user groups. The University is also committed to providing an environment within which students are encouraged to raise any matters of concern in an informal manner (see paragraph 4.2) as soon as they arise. This often removes the need for formal complaints.

3.2 Students are encouraged to raise a concern or complaint as soon as possible after the event has taken place, and normally no later than four months from the date the initial issue or event occurred, to enable the matter to be addressed in a timely manner.

3.3 A group of students may use this procedure to make a collective complaint, provided that one student identifies themselves as the main contact for purposes of communication.

3.4 The University recognises that making a complaint can be stressful. Students are therefore advised to seek advice and support before making a complaint from Student Services or from the Students' Union Advice and Support Centre. If you are raising a concern about a service you have received from the University, Student Services can also arrange mediation to help you to resolve the issues, where mediation is appropriate.

3.5 Research Postgraduates who have a complaint in respect of an academic matter may approach the University Independent Advisor for Postgraduate Research Students for support and guidance. Further details can be found in the Postgraduate Guide: <http://www.bath.ac.uk/guides/doctoral-representation/>. For non-academic matters, Research Postgraduates are encouraged to contact the SU Advice and Support Centre, or Student Services for advice and support.

3.6 As far as possible, matters raised as a complaint will remain confidential to those directly involved in investigating the complaint, providing a response to it and communicating with the student, unless there is a serious risk of harm to the student or to others. However, in the interests of natural justice, parties to a complaint have the right to know the full details of the complaint or, in exceptional circumstances, only those details which need to be shared to enable a proper response to be made.

3.7 In order to ensure that a thorough investigation of a complaint is made, the University expects to be able to collect appropriate information from all the parties involved. Anonymous complaints will therefore not be accepted. There are other routes (such as the Students' Union or Staff/Student Liaison Committees) where a concern can be raised anonymously if required.

3.8 Those investigating or adjudicating upon a complaint at any stage of the procedure will do so impartially. Anyone with a material personal interest in the complaint will neither investigate nor adjudicate.

3.9 Where a deficiency in provision or process is acknowledged, a complaint may be addressed by offering an apology or an acceptable explanation for the deficiency, by undertaking to implement future improvement, or by a mutually acceptable course of action to address the individual circumstances of the case.

3.10 If the complaint affects a service that the Head of Department / Service has directly provided, advice should be sought from the ~~University Secretary~~ **Director of Policy, Planning and Compliance** (or nominee) regarding to whom the complaint should be submitted. If the complaint directly affects the ~~University Secretary~~ **Director of Policy, Planning and Compliance** (or nominee), the role of the ~~University Secretary~~ **Director of Policy, Planning and Compliance** at Stage 3 would be taken by a Pro-Vice-Chancellor.

3.11 Students will not be disadvantaged as a result of raising a matter of concern or of making a complaint, provided it is made in good faith. Where a complaint is shown to be vexatious, the complaint shall be rejected and disciplinary action may be taken.

3.12 If the student raising the complaint is currently registered as a student at the University of Bath, The University will use a student's University email account to communicate with them throughout this process. If the student raising the complaint has not yet registered, or is within four month of their last date of registration, the Student Casework and Compliance Manager will agree with that student the best contact details to use for the purposes of communication.

#### **4. Complaints Procedure**

4.1 The three stage complaints procedure is as follows:

##### **Stage 1 - Informal Complaint**

4.2 It is expected that most complaints can be resolved at an early stage by discussing the matter informally at a local level. A student should therefore bring the matter to the attention of an appropriate member of staff, who will aim to resolve the matter by informal discussion.



For example, if the complaint concerns academic matters, a student might wish to take this up with their Personal Tutor / Research Supervisor / Director of Studies, or with another member of academic staff. If the complaint is about a University service, then the student should talk to an appropriate member of staff from that service. If there is any doubt regarding who to contact, or if the student feels it is more appropriate, the Head of Department or Service should be contacted.

4.3 Recipients of informal student complaints are responsible for addressing them promptly and fairly. The recipient will normally let the student know (or arrange for a colleague to do so) within five working days of receiving the initial complaint what steps (if any) will be taken to address the complaint and the expected timescale, and advise to whom they should submit a formal complaint if they are dissatisfied with this outcome.

4.4 It should be noted that this stage will normally be an informal oral process (or via email if face to face contact is not possible), but where proportionate to do so any agreed action should be confirmed (normally by email).

4.5 Any staff involved will be encouraged to share the experience where the effectiveness of their Department or Service could benefit. It is expected that the majority of complaints will be resolved in this way.

## **Stage 2 – Formal Complaint**

4.6 If a student has attempted to resolve matters informally but is not satisfied with the outcome, they may elect to proceed to the next stage by submitting a formal complaint within fourteen calendar days of receiving the outcome of their informal complaint. A student may also submit a formal complaint if the issue involved is too complex or serious for informal resolution. At this point, students may wish to seek advice from Student Services, the Students' Union or the University Independent Advisor for Postgraduate Research Students on how best to progress their complaint. The student should submit their complaint by means of a Student Complaint Form to [student-complaints@bath.ac.uk](mailto:student-complaints@bath.ac.uk). Please copy in the Head of the Department or Service concerned if known. The [student-complaints@bath.ac.uk](mailto:student-complaints@bath.ac.uk) email address is monitored by the Student Casework and Compliance Manager.

4.7 The student should keep a copy of their complaint and any other documentation submitted for their own records.

4.8 The student should receive an acknowledgement of receipt of their complaint, from the Student Casework and Compliance Manager (or nominee), within five working days of receipt. The Student Casework and Compliance Manager (or nominee) will also notify the Director of Academic Registry and Director of Student Services of the complaint. The Director of Academic Registry and / or the Director of Student Services may at this point contact the relevant Head of Department or Service should they feel it would be appropriate for them to become involved in the investigation of the complaint. In any event, the Head of Department or Service is free to consult either post holder if they consider it appropriate.

4.9 The complaint will be investigated by the Head of Department or Service concerned (or their nominee) or by a nominee of the ~~University Secretary~~ **Director of Policy, Planning and Compliance** if the Head of Department has had involvement in the matters complained about. They will normally arrange to meet with the student to discuss their complaint in detail.

4.10 At this meeting the student will have the right to be accompanied by a friend or advisor as will any other parties to the complaint. Where a member of staff is party to the complaint, they can be accompanied by a work colleague or Trade Union representative. Other parties to the complaint may also be invited to attend the meeting, or may meet separately, at the discretion of the person investigating the complaint as is appropriate to the nature of the complaint.

4.11 If a student fails to attend the meeting (which could be by video or telephone call if both parties are not present at the University), the Department will contact them to reschedule. If a student fails to attend a rescheduled meeting within fourteen days of the original meeting date, the investigation may continue and be concluded in their absence.

4.12 The meeting will follow this format:

- The student will be asked to explain their complaint and present any supporting evidence, with the assistance of their representative as necessary, following which they may be asked questions by the Head of Department / Service (or their nominee), and by any other parties to the complaint present;
- If present, other parties to the complaint will then respond to the complaint, with the assistance of their companion(s) as necessary, following which they may also be asked questions by the Head of Department / Service (or their nominee) and the complainant. If not present, the Head of Department / Service (or their nominee) will make any necessary enquiries.

4.13 The staff member who carried out the investigation will produce a report which outlines the process followed, the information gathered, the conclusions drawn and any recommendations. The student or their representative should receive copies of the information considered and a copy of the investigation report.

4.14 The student should receive this written response within sixty calendar days following both a submission of a student complaint form and confirmation by the complainant that they wish a formal investigation to begin. If this is not possible, the student will be informed in writing of the progress being made towards the consideration of their complaint and given a timescale for completion. In either event, the Director of Student Services, the Director of Academic Registry and [student-complaints@bath.ac.uk](mailto:student-complaints@bath.ac.uk) should receive a copy of the correspondence.

4.15 If the complaint is considered justified, the student will be informed of the action taken to resolve or redress the complaint. If the complaint is not upheld, then the student will receive an explanation of the reason for this decision.

**Stage 3 - Review by the ~~University Secretary~~ *Director of Policy, Planning and Compliance* (or nominee)**

4.16 If the student is not satisfied with the decision taken in respect of their complaint under Stage 2 above, they may request that a review of the case be carried out by the ~~University Secretary~~ *Director of Policy, Planning and Compliance* or nominee, usually the Deputy Director (Academic Governance & Compliance). Such a request should be by submitting a Request for Review form to [student-complaints@bath.ac.uk](mailto:student-complaints@bath.ac.uk) within fourteen calendar days of the student being notified of the outcome of Stage 2. The request should state the grounds for review, which should meet one of the following criteria:

- That there was procedural error in the conduct of the investigation of such a nature as to cause doubt as to the determination reached;
- That new evidence has been made available which the student could not reasonably have provided during the investigatory process;
- That there was bias during the procedure of such a nature as to cause doubt as to the determination reached;

4.17 If the ~~University Secretary~~ **Director of Policy, Planning and Compliance** or nominee is satisfied that a review is justified, he / she will have discretion to either:

- Make a judgement on the complaint based on the written evidence; or
- Establish a Review Panel to examine the evidence and come to a judgement on the complaint. The Review Panel will normally comprise one lay member of Council and two members of staff chosen by the ~~University Secretary~~ **Director of Policy, Planning and Compliance** or nominee, of which he / she may be one. All members of the Review Panel will have had no previous association with the case.

4.18 When undertaking a review, the ~~University Secretary~~ **Director of Policy, Planning and Compliance** (or nominee) or the Review Panel has the power to overturn any decision made under Stage 2 of this procedure.

4.19 If a Review Panel is established, the student will have the right to attend a meeting to explain their complaint and be accompanied at this meeting by one person (for instance, a representative of the Students' Union) as will any other parties to the complaint. Those accompanying shall not normally be professional legal representatives, and in the case of members of staff, will either be a work colleague or Trade Union representative. Other parties to the complaint, and / or their companion, may also be invited to attend the meeting on the same basis at the discretion of the ~~University Secretary~~ **Director of Policy, Planning and Compliance** (or nominee).

4.20 Students will be notified of this meeting in writing, and this notification will include:

- the date of the meeting and an explanation of what the student needs to do if they cannot attend on that date, or does not wish to attend
- the names of the panel members and their job titles
- the names of anyone else attending the meeting and what their role will be
- an outline of how the meeting will proceed
- copies of relevant documents

4.21 Meetings of the Review Panel will follow this format:

- The Student will be asked to explain their complaint and present any supporting evidence, with the assistance of their companion as necessary, following which they may be asked questions by the Panel, and by any other parties to the complaint;
- The other parties to the complaint will then respond to the complaint, with the assistance of their companion as necessary, following which they may also be asked questions by the Panel and the complainant.
- Both parties will be asked to sum up, following which the Review Panel will come to a

judgement on the complaint.

4.22 If the ~~University Secretary~~ **Director of Policy, Planning and Compliance** (or nominee) makes a judgement on the complaint based on the evidence already in his/her possession, or if a Review Panel is convened, the student will be notified of the outcome in writing normally within thirty calendar days of submitting a request for review. If the complaint is upheld the student will be informed of any action to be taken to resolve the matter. If the complaint is not upheld, the student will be informed of the reason for this decision, and the University will also issue a Completion of Procedures letter to the student stating that the University's internal complaints procedures have been exhausted.

4.23 If the student does not submit a request for review within the 14-day timeframe, they will be issued with a Completion of Procedures letter within 28 days.

## **5. Office of the Independent Adjudicator for Higher Education (OIA)**

5.1 If the University's internal procedure has not resulted in the resolution of a complaint to the student's satisfaction, they have the option to pursue it with the Office of the Independent Adjudicator for Higher Education (OIA). Where a case is considered eligible, the OIA will provide independent adjudication on the resolution of complaints, once the institution's internal procedures have been exhausted. The Students' Union's Advice and Support Centre can advise on this external review process. The OIA website can be found at: <http://www.oiahe.org.uk>.

## **6. Monitoring**

6.1 Heads of Department / Service will keep a record of all formal student complaints received, decisions made and resulting outcomes.

6.2 Boards of Studies will receive an annual summary of the formal complaints submitted within their Faculty / School so that experiences can be shared, and where appropriate changes to procedure / practice made to ensure the University meets the highest possible standards. This information will then be forwarded to the Department of Policy, Planning and Compliance.

6.3 Professional Service Heads of Department / Service should consider an annual meeting to review all complaints received in order to identify common themes and improve the service offer. Professional Service Heads of Department / Service will supply an annual return direct to the Department of Policy, Planning and Compliance.

6.4 An annual report summarising all formal student complaints received by the University shall be submitted to the Council / Senate / Students' Union Committee for consideration and reported to Senate and Council.

6.5 The details of those students raising complaints will be checked against information held centrally by the University to enable equality monitoring to take place.

6.6 Any issues highlighted through the complaints process will be noted and referred to the relevant manager in order to improve the student experience.

6.7 The effectiveness of these procedures will be reviewed and if necessary updated on a regular basis.

## **7. Further Enquiries**

7.1 If you have any queries in respect of the Student Complaints Procedure, please contact

Department of Policy, Planning and Compliance (Email: [student-complaints@bath.ac.uk](mailto:student-complaints@bath.ac.uk), telephone: 01225 385464).

## 8. Alternative Formats

8.1 If you require this policy in an alternative format please contact the Department of Policy, Planning and Compliance. (Email: [student-complaints@bath.ac.uk](mailto:student-complaints@bath.ac.uk), telephone: 01225 385464). Students who wish to submit a complaint and require documents in alternative formats should indicate this when making the complaint.

Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.

Owner	Professor Peter Lambert, Pro-Vice-Chancellor (Learning & Teaching)
Version number	
Approval Date	25 September 2019
Approved By	Vice-Chancellor on behalf of Senate
Date of last review	25 September 2019
Linked Policies	Dignity and Respect Policy and Procedure

*Date of Last Update: 25 September 2020*

## UNIVERSITY OF BATH FITNESS TO STUDY POLICY

### 1. Purpose and Scope

- 1.1 Whilst at University all students should be able to study and perform to the best of their ability, in a safe and comfortable environment. The reality of University life means that students not only work, but also often live, in close proximity to each other, and whilst many students find studying and living in such an environment easy and enjoyable, others can find it more challenging.
- 1.2 In order to maintain and enhance the University community, students need to conform to certain standards of behaviour, and the University has disciplinary mechanisms in place to deal with students whose behaviour falls outside these standards (see Student Regulations 7 & 8). However, it is recognized that the cause of misconduct may include issues relating to a student's health and general well-being, where disciplinary action may not be appropriate.
- 1.3 The University has in place a Fitness to Practise Policy for students on specified programmes.
- 1.4 Similarly, a student's fitness to study may be questioned if health problems are disrupting their own studies or the studies of others, or result in unreasonable demands being placed on staff or other students. The University has a duty of care to its community and is bound by health and safety legislation, which means it is obliged to take action if a student presents a risk to themselves or to others.
- 1.5 The term 'fitness to study' as used in this policy relates to the entire student experience, and not just a student's ability to engage with their studies. For example, unless it is informed otherwise, the University expects its students to be able to live independently and in harmony with others, and not conduct themselves in a way which has an adverse impact on those around them. This policy is not designed to be used to address academic performance issues (which should be dealt with under the normal assessment procedures) or with issues relating to attendance (Student Regulation 3) or individual mitigating circumstances.
- 1.6 The level of risk posed by a student will be measured by the use of a risk assessment process, which will be used throughout the procedure to provide a consistent means of assessing the risk to the student, other individuals and the institution. This process will be led by the Director of Student Services (or designate) in close collaboration with department staff, who would play a key role in identifying the specific evidence to underpin any concerns. If it is determined that the level of risk is sufficiently high, the Director of Student Services may recommend via the ~~University Secretary~~ ***Vice-President (Student Experience)*** to the Vice-Chancellor that the student be suspended.
- 1.7 As a general rule this policy is only intended for use in cases in which the behaviour, disruption or risk presented by the student is perceived to be of a serious or potentially serious nature. Where possible the support services available to students should be used as the first port of call prior to taking any formal action.

- 1.8 The University reserves the right to use the disciplinary procedure to deal with behaviour which is the result of physical or mental health issues, depending on the individual circumstances of the case. However, once this policy had been used (at any of the three stages) the behaviour observed will normally be considered under this policy rather than under the disciplinary procedure.
- 1.9 The Fitness to Study policy detailed below has three levels. Depending upon the perceived severity of the situation and seriousness of any perceived risks, action may be initiated at any of the three levels.
- 1.10 If concerns are raised whilst a student is on placement, where the University's ability to engage with the student may be limited, if possible the University will discuss with the placement provider alternative arrangements that might address any concerns.

## **2. Crisis Situations**

- 2.1 It is possible that a student may pose such an extreme risk to themselves and / or others that they require emergency assistance outside of these procedures. In such cases staff should refer to the following:

Crisis Intervention Guidelines – Supporting Students in Distress  
(<http://www.bath.ac.uk/guides/supporting-students-in-distress/>)

## **3. Initial Support and Guidance to Students**

- 3.1 Student with a mental or physical health difficulty, firstly:-
  - Are encouraged to consult all relevant support services available at the University, and in particular their medical practitioner, Student Services, and (where appropriate) the Student Immigration Service (further information on these services can be found by visiting the Student Support web-pages).
  - Are expected to speak to their Personal Tutor, Director of Studies or another appropriate member of staff in their academic department about the difficulty and any related problems that they may be experiencing.

## **4. Circumstances Under which a Student's Fitness to Study May Be Brought Into Question**

- 4.1 A student's fitness to study may be brought into question as a result of a wide range of circumstances. These include (but are not restricted to) the following:-
  - Serious concerns about the student emerge from a third party (i.e. house-mate, friend, colleague, placement provider, member of the public, medical professional etc.) which indicate that there is a need to address their fitness to study.
  - The student has told a member of the university that they have a problem and/or provided information which indicates that there is a need to address their fitness to study.

- The student's disposition is such that it indicates that there may be a need to address an underlying mental health problem, for example if they have demonstrated mood swings; shown signs of depression; become withdrawn.
- Behaviour, which would otherwise be dealt with as a disciplinary matter, which it is considered may be the result of an underlying physical or mental health problem.
- The student's academic performance or physical behaviour is not acceptable and this is thought to be the result of an underlying physical or mental health problem.

4.2 In all cases, the student's personal tutor or Director of Studies should be notified so that the Department is aware of the situation and can provide any necessary support.

## **5. Stage 1 – Informal Action by the Department**

- 5.1 Should preliminary action be unsuccessful, a member of staff should approach the student and explain to them, in a supportive and understanding manner, that concerns about their fitness to study have emerged. This would ordinarily be a member of staff within the academic department with primary responsibility and /or knowledge of the student concerned (e.g. their Personal Tutor, Supervisor or Director of Studies). However, if concerns arise within the student residences, then the Student Accommodation Office should take the lead, in consultation with the student's department. Should a member of staff require advice or guidance on this they should contact Student Services.
- 5.2 The student should be made aware of the precise nature of the behaviour that has caused these concerns to be raised, including if appropriate reference to the level of perceived risk presented by the student as measured by the risk assessment process. The member of staff will attempt to resolve the matter by informal discussions with the student. The student should be given the opportunity to explain their own views on the matter, and be encouraged to think about using one or more of the support services offered by the University. It may also be appropriate to look into the possibility of applying special academic arrangements to enable the student to study effectively.
- 5.3 It is hoped that in most cases issues can be resolved at this level, and that students will respond positively, co-operating fully with the process and taking advantage of the support available.
- 5.4 A review period should be determined (if possible by agreement between the member of staff and the student) to allow the student to consider their own behaviour and seek advice from the support services available. At the end of this period a meeting should be held to discuss any steps taken by the student to address the concerns. If the concerns have been addressed satisfactorily, this will be noted. Further meetings may be scheduled to continue to monitor the situation/progress and help ensure that continued support is provided to the student to enable them to study effectively. If, however, the concerns have not been addressed, a further review period may be agreed, or the case will move to the next stage of the policy.
- 5.5 The informal discussions, advice and any undertakings made by the department and / or the student should be documented for the benefit of both the department and the student.



5.6 If a student is unable to co-operate with the above process or modify their behaviour, they should be informed that more formal action under Stage 2 of this policy may be considered appropriate.

## **6. Stage 2 – Case Review Group**

6.1 If the action taken under Stage 1 has not been successful, or it is felt that the case is too serious to be dealt with informally, Stage 2 of the policy can be invoked. A meeting of a Case Review Group shall be convened by the Head of Department or Director of Student Services, made up of appropriate representatives of the student's academic department (normally the Director of Studies) and the Director of Student Services (or nominee). Representatives from the Student Accommodation Office, Student Services and Security Services may also attend for information and advice if felt appropriate.

6.2 Before the meeting a medical assessment may be sought. The student will be encouraged to consent to this, as it will ultimately enable the University to address the student's difficulties in the most effective manner possible, and make an accurate assessment of risk. The medical assessment will be used to determine the following matters:-

- the nature and extent of any medical condition from which the student may be suffering;
- their prognosis;
- the extent to which it may affect his/her fitness to study and manage the demands of student life;
- any impact it may have or risk it may pose to others;
- whether any additional steps should be taken by the University in light of the medical condition to enable the student to study effectively;
- whether the student will be receiving any ongoing medical treatment or support.

6.3 The student will be asked to authorise full disclosure to the University of the results of any examination. The University recognises that any such information disclosed will constitute "sensitive data" for the purposes of the Data Protection Act 1998 and will be handled, processed and stored accordingly. Should the student refuse to undertake a medical examination, the University may continue this policy based on the information already in its possession, or use another appropriate means to address the issue.

6.4 The student will be given at least 7 days notice of the Case Review Group and informed of the purpose of the meeting. They will also be provided with any documents which will be considered by the Group, and asked to provide any documentation they may wish the Group to consider in good time for the meeting.

6.5 The student may be accompanied at the meeting by a Students' Union representative, a fellow student, or other advisor. Disabled students may also be accompanied by a support worker if required.

6.6 The purpose of the meeting will be to ensure that:-

- The student is made fully aware of the nature of the concerns which have been raised,
- The student's views are heard and taken account of,
- The best way to proceed is agreed upon,
- The student is fully aware of the possible outcomes if difficulties remain.

6.7 The Case Review Group will order its proceedings at its own discretion and may call witnesses, including Student Services staff working with the student, and institute enquiries to assist its deliberations. It will also consider an updated risk assessment where appropriate.

6.8 The Case Review Group may decide:-

- That no further action is required;
- To formally monitor the student's progress for a specified period of time. In this case an action plan will be agreed with the student, outlining any steps which the student will need to take and/or any support to be provided to the student to address the concerns identified. Regular review meetings with the student will need to be arranged with a nominated member of staff (to ensure that the action plan is being appropriately followed and/or that reasonable support to enable the student to study effectively is being provided). The student will also need to be informed of the consequences of any breaches of the action plan, which will normally involve their fitness to study being considered at Stage 3;
- To recommend part-time study (where appropriate and available) or that special academic arrangements be put in place. Such recommendations would need to be agreed by the student's department and by the student through the change of circumstance process. The student should also be advised to seek guidance from the Student Money advice Team and the Student Immigration Service (where appropriate) before agreeing to a change in circumstance. The student will be informed that unless these arrangements remedy the concerns to the University's satisfaction, their fitness to study may be considered at Stage 3;
- Where the student is on placement, to propose to the student suspending the placement or (if available) switching programmes to a 'without placement' equivalent.
- With the consent of the student, to agree that their studies be suspended for a mutually agreed period of time;
- To refer the case to the ~~University Secretary~~ **Vice-President (Student Experience)** to be considered under Stage 3 of this policy. This will only be appropriate in the most serious of cases, where for example evidence of a serious risk to either the health and safety of the student or others has been identified, and it is thought that suspension, exclusion or expulsion of the student may be the appropriate course of action, or where a particular course of action has been recommended (such as part-time study or suspending a placement) but the student does not agree.

6.9 The decision of the Case Review Group, together with a concise record of the meeting,

should be sent to the student within 7 working days from the date of the meeting, and a copy kept on the student's personal file.

## 7. Stage 3 – Vice-Chancellor's Review Panel

- 7.1 This stage of the procedure will only be implemented following a referral from a Stage 2 Case Review Group, or if in the opinion of the ~~University Secretary~~ ***Vice-President (Student Experience)*** (having consulted as appropriate) initial concerns are raised which are sufficiently serious as to warrant the consideration of the student's suspension; exclusion or expulsion (e.g. if they pose a potentially threat to the health and safety of themselves or others, or disruption to the working of the institution).
- 7.2 As a first step the Vice-Chancellor (advised by the ~~University Secretary~~ ***Vice-President (Student Experience)***) shall consider whether interim suspension of the student pending further action is appropriate, including from University accommodation.
- 7.3 The ~~University Secretary~~ ***Vice-President (Student Experience)***, in consultation with the Vice-Chancellor, shall then convene a Review Panel which shall be chaired by the Vice-Chancellor. This will normally comprise the Vice-Chancellor, the Head of Department, the Director of Student Services and a member of Senate who is not a member of the Senate Appeals Committee. (If judged appropriate, the ~~University Secretary~~ ***Vice-President (Student Experience)*** or the University's Legal Adviser may also be in attendance.)
- 7.4 The ~~University Secretary's Office~~ ***Vice-President (Student Experience)*** will fix a date for a formal meeting of the Vice-Chancellor's Review Panel to hear the case and invite the student to attend to discuss the concerns and all relevant issues. A member of the ~~University Secretary~~ ***Vice-President (Student Experience)***'s Office will act as Secretary to the Panel.
- 7.5 Wherever possible the student will be given at least 7 days notice of the meeting of the Vice-Chancellor's Review Panel. The student will be informed of the purpose of the hearing. The student will also be provided with any documents to be considered at the meeting and asked to provide any documentation he /she may wish the Group to consider in good time for the meeting.
- 7.6 The student may be accompanied at the meeting by a Students' Union representative, a fellow student or other adviser. Disabled students may also be accompanied by a support worker where required.
- 7.7 The purpose of the meeting will be to consider the evidence available, including the student's perception of these concerns and to reach an appropriate decision, action plan or other outcome.
- 7.8 The Vice-Chancellor's Review Panel will order its proceedings at its discretion and may call witnesses and institute enquiries to assist its deliberations, including Student Services staff working with the student, which may include requesting further medical assessments of the Student's fitness to study. It will also consider an updated risk assessment where appropriate.

7.9 The decision it arrives at shall be made by the Vice-Chancellor, having received the advice of other members of the committee.

7.10 The student shall be notified of the decision within 7 days of the meeting of the Vice-Chancellor's Review Panel. This may include one or more of the following:-

- To formally monitor the student's progress for a specified period of time. In this case the Panel will provide the student with an agreed action plan, outlining any steps which the student will need to take and/or any support to be provided to the student to address the concerns identified. Regular review meetings with the student will need to be arranged with a nominated member of staff (to ensure that the action plan is being appropriately followed and/or that reasonable support to enable the student to study effectively is being provided). The student will also need to be informed of the consequences of any breaches of the action plan.
- That, following consultation with the academic department, the student should convert from full-time to part-time study with support; special academic arrangements are put in place; or an interruption of studies occurs. The student should be advised to seek guidance from the Student Information and Funding Service and the International Office (where appropriate) on the implications of such a measure. The student will be informed of the consequences should these arrangements fail to remedy the concerns identified to the University's satisfaction.
- To recommend that the Vice-Chancellor exercises her statutory power to suspend or exclude the student.
- To refer the case to the Senate with a recommendation that Senate should exercise its statutory power to expel the student from the University.
- Any other action considered to be appropriate and proportionate.

7.11 The outcome of the hearing shall also be reported to Senate at its next meeting.

## **8. Return to Study**

8.1 After a period of suspension on health grounds reached by mutual consent, the decision as to whether to permit the student to return to study will be made by the Department, having taken advice from Student Services. (The Head of Department and Director of Student Services should not be involved at this stage).

8.2 To this end, Student Services, in consultation with the Department, will identify the issues of concern the University has in respect of the student's fitness to study. Student Services will contact the relevant medical professional for an assessment of the student's ability to manage the demands of studying at University, drawing attention to the nature and extent of the student's previous problems and the University's concerns about them.

8.3 Students will only be permitted to return if, after receiving medical advice, the University is satisfied that the individual is fit to study and able to comply with any conditions imposed on their return. Should it not be immediately obvious that return to study is appropriate the decision should be referred to a Stage 2 meeting.

- 8.4 For suspensions made by the Vice-Chancellor, the same medical evidence will normally be required to inform the Vice-Chancellor in deciding if the suspension may be lifted. A Stage 2 meeting may be appropriate to advise the Vice-Chancellor on whether the suspension should be lifted.
- 8.5 In any case where a student returns to study following the implementation of the fitness to study procedure, the University may decide that there should be regular review meetings with the student that can be used to monitor and support a return to study plan. If so, the student must provide their continued co-operation in this respect and such review meetings may continue for part or all of their remaining time at University.
- 8.6 Further advice on returning to studies can be found in the following guidance note: [www.bath.ac.uk/studentservices/policy/suspendstudy.html](http://www.bath.ac.uk/studentservices/policy/suspendstudy.html)

## **9. Right of Appeal**

- 9.1 A student who wishes to appeal against a decision to suspend or exclude them may do so to the Senate Appeals Committee under the provisions of University Statute 27.1. In addition to this right, a student may also appeal to the Senate Appeals Committee against any other decision reached at Stage 3 of the Fitness to Study Procedure, except where this is a recommendation by the Vice-Chancellor to Senate that a student be expelled. Statute 27.2 also provides for an appeal to the Council Appeals Committee against a decision of the Senate (on the recommendation of the Vice-Chancellor's Review Panel) to expel a Student.

## **10. General Matters**

- 10.1 Any of the functions of the Vice-Chancellor under this Policy may be delegated to the Deputy Vice-Chancellor or a Pro-Vice-Chancellor either generally or in respect of a particular case.
- 10.2 The University will take account of relevant legislation such as the Data Protection Act, the Mental Health Act, the Human Rights Act, the Equality Act and the general rights and expectations of a student of confidentiality. In cases where Stages 2 or 3 of the Fitness to Study Procedure have been invoked, the Chair will make a decision about whether the student's emergency contact should be informed, and discuss with the student whether any statutory services should be contacted.
- 10.3 The University acknowledges that as a result of implementing this policy it will receive personal sensitive data and data of a confidential nature pertaining to the student and other third parties, and shall ensure that all such data is handled, processed and stored accordingly.
- 10.4 The University reserves the right at any reasonable stage to require a medical assessment or further medical assessment to be carried out by a medical practitioner of its choosing, normally at the University's expense.

*Amendments to these Regulations are approved by Senate. Any such amendments are identified above and will take effect from the date shown.*

*Date of Last Update: 25 September 2020*

