



PROCEDURE FOR STAGE 3: REQUESTS FOR REVIEW OF STAGE 2 MISCONDUCT & FITNESS TO PRACTISE

General principles

1. Responding Students have the right to request a review against any sanction that has been imposed under the [Student Misconduct & Fitness to Practise Regulations](#) and associated Procedures.
2. Requests for review in relation to Stage 1 Non-major Student Misconduct/Cause for Concern, Student Complaints, Academic Appeals and Risk Assessment Panel decisions are separate from this Procedure, where the process to follow is outlined under each Procedure.
3. The request for review must be submitted on the appropriate form to Student Casework within 10 working days after notification of the outcome.

Grounds for review

4. Students must demonstrate at least one of the following grounds when requesting a review:
 - a) *New evidence or extenuating circumstances are presented which the Responding Student could not have reasonably made known at the time of the original decision.*
 - b) *There is evidence of irregularities in the conduct of proceedings of such a significant nature as to cause reasonable doubt as to whether the same decision would have been reached, had they not occurred.*
 - c) *It can be demonstrated that the findings and recommendations were disproportionate, given the circumstances of the case.*
5. It is the Responding Student's responsibility to provide evidence to show that one or more of the grounds stated in point 4 above applies.

Consideration of the request for review

6. The Head of Student Casework (or nominee) will consider the request for review and may dismiss it in the following circumstances:
 - a) The request for review was not submitted within the specified timescale.
 - b) The grounds for review as set out under point 4 have not been sufficiently demonstrated to warrant further consideration by a Panel.
 - c) The request for review is not appropriately supported with evidence.

7. If the Head of Student Casework (or nominee) considers that the case is ineligible for further consideration, the Responding Student will be issued with a University Completion of Procedures Letter. This will enable them to take their case to the Office of the Independent Adjudicator for Higher Education, should they remain dissatisfied with the outcome.
8. If the Head of Student Casework (or nominee) considers the case to be eligible for review, the case will be referred to a Review Panel.
9. The decision of the Head of Student Casework (or nominee) will be communicated to the Responding Student within five working days of receipt of the request for review and all supporting evidence.
10. If the Responding Student is an apprentice/Operational Policing student, the Dean of Faculty (or nominee) will inform their employer.

Review Panel

11. The Review Panel hearing will be convened within 20 working days of referral of the case. This timescale may be extended in agreement with the Responding Student or, in exceptional circumstances, by the University.
12. The Review Panel will be constituted as follows:
 - Vice-Chancellor (or nominee);
 - a member of senior management.

In the case of a difference of opinion between the two members of a panel, the Vice-Chancellor (or nominee) will have the casting vote.

The Review Panel will be serviced by a Secretary, who is not a member but will be present throughout the proceedings. The Secretary will be the Head of Student Casework (or nominee).

The members of the Review Panel will have had no previous involvement with the case or association with the Responding Student/Reporting Party.

If the Responding Student is an apprentice/Operational Policing student, an employer representative will also be invited to attend as an observer.

13. The Review Panel may decide that:
 - a) The original outcome should be upheld.
 - b) The original outcome should not be upheld and that:
 - i. A new Committee should be convened to hear the case afresh. In this case the Review Panel will determine whether the whole case, or just elements of the case, should be reconsidered.
 - ii. The outcome of the Committee was disproportionate given the circumstances of the case and a more proportionate outcome should be substituted.
14. The decision of the Panel will be final. The decision will be notified to the Responding Student within five working days of the meeting by e-mail to their University and personal email accounts; and/or, where it has been expressed that sending a hard copy of University correspondence is preferable, to their last known address.

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15. If the review results in a change of outcome, the University will ensure as far as possible that the Responding Student has not been disadvantaged by any previously decided outcome. If the student remains dissatisfied with a changed outcome, they can request a Completion of Procedures letter from the Student Casework Unit.
16. If the review does not result in a change of outcome, the Responding Student will be automatically issued with a Completion of Procedures letter.