

13.1 Introduction

1. If a student remains dissatisfied with the decision of a formal outcome, they can request a Final Review in accordance with the Final Review Procedure. Students can request a Final Review against decisions made under the following Aberystwyth University procedures:
 - (i) **Undergraduate and Postgraduate Taught Academic Appeals Procedure**
 - (ii) **Unacceptable Academic Practice**
 - (iii) **Academic Regulation on Academic Progress (exclusions on academic grounds)**
 - (iv) **Disciplinary Procedure**
 - (v) **Student Complaints Procedure**
 - (vi) **Fitness to attend**
 - (vii) **Fitness to Practice**

2. Students will be directed to this Final Review Procedure upon receipt of the formal outcome in writing and will have 10 working days from the date of this formal outcome in which to submit a Final Review. Late Final Review applications will not normally be considered unless independent, corroborative evidence is submitted clearly explaining why the student was prevented from submitting the Final Review by the deadline.

3. It is normally expected that Final Review applications will be submitted by the student, but the student may wish to appoint a representative to submit the application on their behalf. The student would normally be expected to provide written consent, by letter or via their University e-mail account, to authorise someone to act on their behalf (there would have to be a good, valid reason for this not to be possible).

4. Students will not suffer any disadvantage or recrimination as the result of making a Final Review in good faith. Only if a Final Review is judged to have been made frivolously (i.e. with no serious purpose or value), vexatiously (i.e. they are distressing or annoying) or with malice (i.e. the desire to inflict harm or suffering), could disciplinary issues arise in relation to the student. (See Aberystwyth University [Disciplinary Procedures](#)).

5. Advice about this Procedure may be obtained from the Academic Registry (caostaff@aber.ac.uk) or from a Student Adviser in the Students' Union (union.advice@aber.ac.uk).

13.2 Grounds for Final Review

1. If a student is dissatisfied with a formal outcome of any of the Procedures listed above, they can request a Final Review, to be investigated by a Pro Vice-Chancellor (or nominee), on the following grounds:
 - (i) Defects or irregularities in the Procedure followed when reaching the original outcome, which are of such a nature as to cause reasonable doubt as to whether the same decision would have been reached had they not occurred. Evidence of procedural irregularity must be submitted with the request for review;
 - (ii) New evidence which the student was unable to provide earlier in the process, for valid reasons, and its absence would have materially affected the outcome. New evidence must be submitted with the request for review, and the student must show good reason why the evidence was not introduced earlier in the Procedure, prior to the Final Review stage.

2. A request for a Final Review must be submitted, on the Final Review Application Form, normally within 10 working days from the date of the letter that informed the student of the outcome of the formal decision. A request for review submitted in any other format will not be considered. Students not following procedure will be directed to the right process and support made available to them, where this is felt appropriate. The application must include appropriate supporting evidence to substantiate the issues addressed. The student is responsible for identifying and submitting appropriate evidence with the Final Review form. The University will not do this on the student's behalf, unless someone employed by the University is acting as the student's named representative. Any request made in the final review application stating that further information can be sought on the student's behalf will not be actioned. Any evidence provided must be independently verified and corroborate the facts outlined in the application – a personal statement by the student, submitted on its own, will not be deemed sufficient. Where the student's

academic performance has been affected by circumstances involving a third party, students should submit independent documentary evidence that explains the impact that this has had on them. If a student still wishes to submit evidence relating to a third party they must provide written consent from them e.g. parent, sibling. The University is only prepared to consider Final Reviews that are based on additional evidence not originally submitted as part of one of the University Procedures listed above. Applications submitted without evidence will not be considered. Any applications found not to be eligible for further consideration will normally be rejected by the Pro Vice-Chancellor or their nominee. Students will receive a written acknowledgement of the review application form within 5 working days.

3. If a student determines that they do not have grounds to apply for a Final Review they may request a Completion of Procedures Letter. This would be required if a student intends to apply for a review of the decision to the Office of the Independent Adjudicator for Higher Education (OIA), providing that the complaint the student takes to the OIA is eligible under its Rules. Guidance on submitting a complaint to the OIA and the OIA Complaint Form can be found on the OIA's website: <https://www.oiahe.org.uk/students/how-to-complain-to-us/>

13.3 Investigation of Final Review

1. The Final Review stage will not usually consider the issues afresh or involve a further investigation, however, the Pro Vice-Chancellor (or nominee) may request additional information from relevant persons, if felt necessary.
2. Where the Pro Vice-Chancellor (or nominee) feels that there is a conflict of interest or has had any direct involvement in the case, the case will be referred to another Pro Vice-Chancellor (or nominee) for consideration.
3. The Pro Vice-Chancellor (or nominee) may, should they wish, request that a Final Review be referred to a Final Review Panel for consideration.
4. The Panel will consist of three members to include the Pro Vice-Chancellor (or nominee) investigating the Final Review as Chair, another Pro Vice-Chancellor (or nominee) and a representative from the Students' Union.
5. The Panel members will have not had any prior involvement in the case.
6. The Panel Secretary will be the Deputy or Faculty Registrar (or nominee) responsible for administering the Final Review procedure.
7. The Panel Secretary will:
 - (i) Send copies of all documentation to be placed before the Panel, to the student and other interested parties attending;
 - (ii) arrange the date, place and time for the Panel hearing and inform the student and all relevant parties of the same.
8. The student shall be informed that they shall have the right to attend the Panel hearing. The student shall be required to inform the Panel Secretary whether or not

they wish to attend. If the student indicates that they do not wish to attend, or does not respond to the invite (provided all reasonable steps have been taken to contact the student), the Panel hearing will continue to proceed in their absence.

9. Should the student or other relevant parties not attend the Panel hearing, having previously indicated to the Panel Secretary that they would attend, and provided that all reasonable steps have been taken to contact the student or other relevant parties, the hearing shall proceed in their absence, unless there is a compelling reason not to do so.

10. The student may be accompanied at the Panel hearing by a person of their choice, for example, a fellow student, a representative of the Students' Union, or a member of the Academic Staff. If that person is acting as a legal representative, then the University must be informed at least three working days before the date of the hearing.

13.4 Procedures for the conduct of the panel review hearing

1. Where a student has indicated that they will be attending the hearing, there shall be no discussion of the case prior to the appearance of the student.
2. The Chair of the Panel shall ask the student and any other persons present to identify themselves and shall determine that any individual who is accompanying the student is able to satisfy the stipulations in the relevant Final Review Procedures.
3. The Chair of the Panel shall then:
 - (i) Introduce the members of the Panel and other persons present;
 - (ii) Explain the eligible grounds for the Final Review;
 - (iii) State the possible decisions available to the Panel;
 - (iv) Explain the sequence of events should the Final Review be upheld;
 - (v) Explain the subsequent right of independent review by the Office of the Independent Adjudicator.
4. The Chair shall invite the student to present the case, summarising the main points so that all present have a common understanding of the basis of the case.
5. Once the student has concluded their presentation, members of the Panel may ask questions and explore areas of interest or concern. When all members of the Panel are satisfied, the student shall be invited to add any further points which they may wish to bring to the attention of the Panel, and the individual accompanying the student shall be invited to speak in support of the case.
6. The Panel shall then interview any other party who is attending the hearing. They shall also be invited to present their views on the case.

7. At the Panel hearing, the Chair has the discretion to declare inadmissible any matter introduced by the student, or by any person accompanying the student, if they deem it not directly related to the contents of the request for review previously lodged in writing by the student.
8. The Chair also has the discretion to declare inadmissible any evidence or information that has not been submitted and reviewed by all relevant parties prior to a hearing. In the interest of fairness, it is important that all parties ensure evidence is submitted ahead of the hearing, so that everyone has the opportunity to review the evidence and respond appropriately. Only in exceptional cases where the Chair is willing, and all other parties give consent, will new evidence brought to the hearing be considered.
9. The student shall then be invited to respond to the evidence submitted by any other party attending and to add any further points.
10. Once the hearing has ended, the student shall be informed of the timing and method of notification of the Panel's decision. All parties, other than members of the Panel and the Secretary, shall then leave the room. The Panel shall consider the evidence before it and reach its decision. The Secretary to the Panel shall advise the Panel on the options available to it, if appropriate.
11. The options available to the Pro Vice-Chancellor (or nominee), or the Panel, shall be:
 - (i) To dismiss the request for review and uphold the original decision;
 - (ii) To uphold the request for review, in whole or in part, and recommend appropriate action to be taken based on the circumstances of the case.
12. The decision of the Pro Vice-Chancellor (or nominee), or the Panel, is final and the matter shall therefore be regarded as closed. Upon completion of the University's Final Review Procedure the student will be issued with a final review outcome letter if the final review is fully upheld or partially upheld (and a Completion of Procedures letter if requested by the student within 6 working weeks from the date the

outcome letter is issued). If the final review is rejected a Completion of Procedures letter will automatically be issued to the student. These letters will outline the University's Final Review decision, and will be issued within 5 working days of the decision being made. Upon receipt of this letter from the Pro Vice-Chancellor (or nominee), they will no longer engage in any further discussion of the decision made with the student or any other person.

13. Upon receipt of the fully completed form and associated evidence, each Review should be resolved within 6 working weeks from that date. If it appears that a response will be delayed, students will be informed why this is, and will be kept informed of progress.

14. Once all internal procedures have been exhausted, students who remain dissatisfied with the outcome of their complaint may be able to complain to the OIA (Office of the Independent Adjudicator for Higher Education). Any such complaint must be submitted to the OIA within twelve months of the date on the Completion of Procedures Letter from the University. Please note that students must be in possession of a Completion of Procedures letter if they wish to complain to the OIA. Further information can be found on the OIA website www.oiahe.org.uk or by telephoning or writing to the OIA at the following address:

The Office for the Independent Adjudicator of Higher Education
Second Floor
Abbey Wharf
57-75 Kings Road
Reading RG1 3AB
Tel: 0118 959 9813
Email: enquiries@oiahe.org.uk

13.5 Monitoring of Final Reviews

1. It is important that the number, level and range of Final Reviews are monitored in order to improve the student experience. The Academic Registry shall monitor all Final Reviews and will report annually to the Academic Board. Any personal details will remain confidential. It shall be the responsibility of the Academic Board to monitor the data and make appropriate recommendations to relevant bodies or personnel.
2. It shall also be the responsibility of the Academic Board to review the Final Review Procedure and its effectiveness, and make recommendations for changes, where appropriate.

Chapter reviewed: April 2021