

WADHAM COLLEGE ACADEMIC MONITORING PROCEDURE

1. Introduction

- 1.1 *Delegation of powers by Governing Body.* The Governing Body of Wadham College delegates all necessary powers for the effective operation of this Academic Monitoring Procedure (“AMP”), pursuant to Statute VIII clause 2(i) of the College Statutes. In accordance with Statute VIII Clause 2(iii), the Governing Body shall consider at an interval not exceeding three years whether the powers and functions it has delegated under the AMP should be continued. The next such date for mandatory review is Trinity Term 2023.
- 1.2 *Domain of application.* This AMP applies to any current student (‘the Student’) of Wadham College on an undergraduate course, including any student on a four year combined Bachelors and Masters-level course.
- 1.3 *Purpose.* The College recognises that there will be circumstances in which students are having academic difficulties the solution to which appears to be beyond the resources of the students themselves. This AMP provides for the College to take appropriate measures in cases in which one of its junior members (students) is experiencing such difficulties or is in breach of their academic obligations. Such difficulties and breaches take various forms, and may make any of a variety of measures appropriate. The College’s first priority, and the primary purpose of this AMP, is to help its students achieve and maintain satisfactory academic performance, fulfilling their academic potential and completing their studies in a timely way. In the event of academic difficulties or a breach of academic discipline the College will attempt to employ the procedures set out in this AMP in a timely, sympathetic way that is tailored to the particular circumstances in question so as to restore the affected student to satisfactory academic performance at the earliest opportunity. However, this is not always possible, and this AMP accordingly makes provision for dealing with situations in which academic discipline has broken down to the extent that no reattainment of satisfactory academic performance is realistically possible.

1.4 *Sources of student support.* Students of the College who are experiencing academic difficulties can access support from a wide variety of sources. Apart from their subject tutors, these include the College's Student Union (see <http://su.wadham.ox.ac.uk/>), Oxford University Student Union including their Student Advice Service (see <https://ousu.org/advice/student-advice-service/>), and the College's Welfare Team (see <https://www.wadham.ox.ac.uk/students/welfare>) and Study Advisors (see <https://www.wadham.ox.ac.uk/students/current-students/study-advice>), among others. Students will also routinely receive feedback on their academic performance from their tutors, whether in the form of oral feedback (within tutorials and classes) or in the form of written feedback on submitted work and reports reviewed at the end of each term. They are also invited, on a termly basis, to complete Tutorial Feedback Reports on the teaching they receive; these can be submitted anonymously, and are reviewed by the Senior Tutor, who can raise any issues of particular concern with the Warden.

1.5 For more details on academic progress, the College's expectations, and feedback, please see the Student Handbook:

<http://www.wadham.ox.ac.uk/students/wadham-college-student-handbook/wadham-college-student-handbook/academic-matters--undergraduates>.

1.6 The College's complaint's procedure is available at:

<http://www.wadham.ox.ac.uk/students/wadham-college-student-handbook/wadham-college-student-handbook/appendices>

or from the Academic Office.

1.7 *Student status and residence during the academic monitoring process.* For the duration of the academic monitoring process the Student's student status and permission to remain in residence are unaffected; they retain the full rights and privileges of a student member of the College at least until any formal procedures are complete. This includes any appeal heard by an Appellate Academic Panel or by the Conference of Colleges Appeal Tribunal. Formal communication from the College at the stage of

an Appellate Academic Panel or a Conference of Colleges appeal tribunal will be through the Warden.

2. Definitions of Academic Standing and Academic Performance

2.1 This AMP makes reference to the ‘Satisfactory Academic Performance’ of students of the College. The College also makes use of the same idea in some other contexts. For example, where the College requires that its permission be obtained before students may take on certain extra-curricular roles, the College may not grant such permission to a student who is not maintaining Satisfactory Academic Performance. The College reserves the right to take similar account of Satisfactory Academic Performance in exercising other discretions that it may be asked to exercise, from time to time, in favour of particular students.

2.2 *College expectations.* The College also wishes to give its students a sense of what it expects of them where their academic effort and progress is concerned. The simple answer is that it expects them all to maintain, at the very least, Satisfactory Academic Performance. Although the College is disappointed when students occasionally do not meet this expectation, and although senior members of the College may draw attention to this fact when providing references and reports on students, a lapse in Satisfactory Academic Performance is not treated, in itself, as an disciplinary matter.

2.3 This section explains what qualifies, for all the above purposes, as Satisfactory Academic Performance. It also explains the College’s position on the passing and resitting of First Public Examinations in the University. Passing the First Public Examination in your subject is a necessary condition of your remaining a member of the College, and if you do not pass in two attempts, within the rules set out below, your membership of the College will then cease without the need for any Academic Disciplinary proceedings, and irrespective of whether you were otherwise maintaining Satisfactory Academic Performance. This condition is imposed by the University.

2.4 It is a guiding principle of this policy that as far as possible students who do their best but run into academic difficulties will be supported by the College. The provisions of

section 3 below should be interpreted with that guiding principle in mind. The proviso ‘as far as possible’ is included to reflect the College’s view that some academic difficulties may be too severe to allow for further support, and the rules covering the First Public Examination in 2.6(b) and 2.12–2.16 below are among the College’s mechanisms for giving effect to that view.

2.5 *Priority of academic work.* The College expects all students to prioritize academic work over other interests, across each term taken as a whole, and across each vacation to the extent necessary to sustain academic momentum from term to term. While this is not among the criteria for maintaining Satisfactory Academic Performance, it is relevant to the granting of permissions by tutors under 2.7 and 2.8 below, and so can have indirect impact upon Satisfactory Academic Performance. Even when it does not, students can expect the attitudes of the College and of their tutors, when extra latitude is sought for any purpose (including the making of excuses in any appeal under any College policy or procedure), to be affected by the extent to which they have prioritized and are prioritizing their academic work over other interests in the way that this provision envisages.

2.6 *Satisfactory Academic Performance.* Students are regarded as maintaining ‘Satisfactory Academic Performance’ if and only if they

- (a) comply with the residence requirements laid down for their course of study by the University; and
- (b) pass within the time permitted by this Policy and within the time permitted by University regulations the First Public Examination or other examinations specified by the University as a necessary part of their course of study; and
- (c) attend on time all tutorials, classes and other required academic engagements (may be virtual), and participate actively and to a good standard in all of them, having spent an adequate amount of time in preparation; and
- (d) produce assignments (essays, problem sheets, etc.) with the regularity required by their tutor(s), to a good standard, and on time; and
- (e) sit collections (internal College examinations) at the times required by their tutor(s), producing therein work of a good standard, having spent an adequate amount of time in preparation and other self-study during vacations; and

- (f) maintain regular, open, and honest communications with college tutors, external subject tutors, college officers, and staff throughout term and when required at other reasonable times during vacations, checking e-mails daily during term time and responding promptly to tutors', officers', and staff's communications; and
- (g) Refrain from plagiarism, intentional or otherwise, paying attention to the University's and the College's guidance on plagiarism (see <http://www.ox.ac.uk/students/academic/guidance/skills/plagiarism> and <http://www.wadham.ox.ac.uk/students/wadham-college-student-handbook/wadham-college-student-handbook/academic-matters--undergraduates>); and
- (h) Follow all relevant regulations and guidelines set out by relevant Faculties in course requirement specifications and in course handbooks, and by the University in academic conduct specifications (see <http://www.ox.ac.uk/students/academic/student-handbook>);

except insofar as special circumstances as set out in 2.7–2.8 below apply.

2.7 An academic engagement missed or postponed, or an assignment omitted or delayed, shall not count against the Student's Satisfactory Academic Performance for the purpose of 2.6(c) and 2.6(d) above if it was missed, postponed, delayed or omitted with permission in advance from the tutor or tutors with whom the engagement or to whom the assignment was due. Such permission will be given only where the Student's reason for seeking permission is consistent with 2.5 above. Permission in arrears will only substitute for permission in advance in cases where a student was incapacitated or otherwise incommunicado before the event, or else had good reason for failing to seek permission in advance, having regard to both 2.5 and 2.6(f) above.

2.8 A collection missed or postponed shall not count against the Student's Satisfactory Academic Performance for the purpose of 2.6(e) above if it was missed or postponed with permission in advance from the organising tutor setting the collection. Such permission will be given only where the Student's reason for seeking permission is consistent with 2.5 above. Permission in arrears will only substitute for permission in advance in rare cases where a student was incapacitated or otherwise incommunicado before the event, or else had good reason for failing to seek permission in advance, having regard to both 2.5 and 2.6(f) above.

2.9 *Work of a good standard.* For the purposes of 2.6(c), 2.6(d) and 2.6(e) above, work of ‘a good standard’ means work of an upper-second-class standard, except where

- (a) the student’s realistically expected standard of attainment under conditions of diligent application to their studies, or
- (b) the standards prevailing on the student’s particular course of study at the student’s particular stage in that course of study

favour setting a lower standard.

2.10 Where, under any College policy or procedure, a student is to be required to sit a Special Collection, the pass mark for that collection will be set at the lower borderline of the upper second class, except that the officer, panel, or committee prescribing the pass mark for the Special Collection shall have discretion to set a lower pass mark (such pass mark not in any event to be lower than the lower borderline of the lower second class), having regard to the factors in 2.9(a) and 2.9(b) above and to those alone.

2.11 Any lapse in Satisfactory Academic Performance is assumed to last no longer than the term in which the lapse first occurs. By default, a student is assumed to have returned to Satisfactory Academic Performance on the first day of the following full term, unless the Student is subject to formal monitoring under the College’s AMP on that day.

2.12 *Failure in the First Public Examinations.* If a student fails any part of the First Public Examinations, the Student shall be invited to write to the Tutor for Undergraduates to evaluate and explain the Student’s performance in the First Public Examinations. Taking any such evaluations and explanations into account, the Senior Tutor and/or the Tutor for Undergraduates and the student’s subject tutors shall consider the position, including the question whether to advise the undergraduate to consider the possibility of transferring to another university. (Transferring to another university generally requires a fresh UCAS application and it is a question for the student’s new university what credit, if any, to give for work already done in Oxford. There is no national system for credit transfer.) Failure in the First Public Examination may trigger Stage Two of the College’s AMP (3.11–3.30 below).

- 2.13 In accordance with University regulations, a second attempt to pass the First Public Examination (or the failed parts of it, if severable) will be allowed, even if the undergraduate has decided to transfer to another university. Subject to the exception in 2.14 below, failure in all or part of the First Public Examination at a second attempt will normally bring the Student's membership of the College, and their entitlement to make further attempts at the First Public Examination as a member of the College, to an end.
- 2.14 A third attempt at the First Public Examination may be permitted by the College where permitted by the University. An application for the required University permission is made to the Education Committee, and will be granted only in exceptional circumstances.

Extract from University Regulations

3.16

- (1) A candidate who fails to satisfy the examiners in his or her initial examination for the First Public Examination shall be permitted to re-enter for the examination on one further occasion in accordance with the special regulations governing re-sits on the programme concerned.*
- (2) A further exceptional opportunity to re-sit the examination at the next opportunity shall require application to and approval on behalf of the Education Committee.*
- (3) A candidate who passes the First Public Examination whether at the first attempt or after re-sitting the examination shall be deemed to have reached the University's threshold standard for embarking on the Final Honour School.*

- 2.15 Each student is expected to be independently aware of rubric requirements in their own subject (e.g. the requirement that a candidate resit all papers if they fail some). The obligation to confirm course requirements rests with the student.
- 2.16 In accordance with the University's policy on the First Public Examination, the College observes the following principle in respect of academic discipline:
- (a) Where, under the College's AMP, the conditions attached to a disposal by an Academic Panel or an Appellate Academic Panel include the attaining of a specified mark in the First Public Examination (or in any component of the First

Public Examination) that is higher than the ordinary pass mark, a failure to meet that higher mark does not trigger expulsion from the College unless it was also a failure to meet the ordinary pass mark. Conditions including the attaining of a specified mark in the First Public Examination (or in specified papers in that Examination) that is higher than the pass mark therefore should not be attached to disposals under AMP clause 3.56(d).

- (b) No condition as to the passing of, or attaining of any mark in, the First Public Examination (or any component of the First Public Examination) is to be attached to a disposal or Second Formal Warning under the College's AMP if the disposal is made, or Second Formal Warning is issued, less than 28 days before the first paper of the relevant First Public Examination.

3. The Academic Monitoring Procedure

3.1 *Deadlines.* The College aims to deal with problems covered by this AMP as quickly as possible so that delay does not hinder a fair resolution or interfere with academic progress, where this is still possible. Accordingly this section 3 of this AMP includes various deadlines with which the College and any student subject to disciplinary proceedings must make every reasonable effort to comply. However, it is recognised that there will be in some cases reasonable cause for varying deadlines and that in others failure to meet a deadline may be justifiable or unavoidable. When a deadline is varied for good reason, the variation must be proportionate and fair, and it must be communicated to all parties in good time. When a failure to meet a deadline is justifiable or unavoidable, the delaying party must explain the situation giving rise to the delay before the deadline expires, or failing that at the earliest possible opportunity afterwards, and must also keep the other party informed of progress in making up for lost time. All specifications of deadlines in section 3 of this AMP are subject to these qualifications.

3.2 *Giving notice.* Where this AMP requires a notice or record to be given in writing, the normal way for this to be done is by email to the recipient's personal ox.ac.uk email address, or where the recipient lacks such an address, to the email address which has been supplied by the recipient to the College for such purposes. The email is regarded as having been delivered to the recipient at the time of sending. However a notice or

record written on paper is also valid for the purpose of this AMP and where that method is used, the notice or record is regarded as having been delivered when it is placed in the recipient's pigeonhole in the College lodge, or on the second working day after it is posted to the recipient by first class post (as the case may be). The recipient's pigeonhole in the College lodge should be used only where the sender is reasonably satisfied that the recipient is in residence in Oxford at the time of delivery.

3.3 *Academic Disciplinary Situations.* That the Student is subject to procedures set out in this AMP does not imply that the Student is regarded as having breached standards of academic discipline. In the first place, the procedures are triggered by tutors' concerns that there is a lapse of Satisfactory Academic Performance, and such concerns may be allayed after discussion with the Student under 3.10. In the second place, lapses in Satisfactory Academic Performance are not regarded, in themselves, as a disciplinary matter (see 1.1 and 2.2 above). Indeed, the explanations for lapses in Satisfactory Academic Performance typically have more to do with problems of health or welfare than with academic disciplinary problems. Lapses in Satisfactory Academic Performance are a disciplinary matter if and only if the conditions specified in 3.19 below are satisfied. These conditions make reference to the notions of an academic offence and dereliction of academic duties, which are defined in 3.4 and 3.5 below.

3.4 *Academic Offences.* The following constitute academic offences:

- (a) plagiarism, fabrication or falsification of research data, sources, or results, underhand use of *aides memoires* in assessments, and analogous forms of dishonesty and impropriety in the conduct of academic work;
- (b) attempting to commit an offence under (a) above;
- (c) knowingly or recklessly assisting other students in the commission of an offence under (a) or (b) above.

'Academic work' includes work undertaken by any student as part of or in preparation for a tutorial, a practical, an examination, or any other academic exercise forming part of that student's course of study, whether or not it forms a required part of that course.

3.5 *Dereliction.* The following constitutes dereliction of academic duties:

- (a) failure to attend; or
- (b) failure adequately to prepare for (include failure to submit written work of a substantial enough kind when required to do so); or
- (c) failure to make adequate effort in the conduct of

a tutorial, a practical, an examination, or any other academic exercise forming a required part of a student's course of study, where the failure is without adequate justification or excuse.

3.6 *Overlap with other College policies and procedures.* Where an academic offence or dereliction also constitutes a proper basis for steps to be taken under another policy or procedure of the College, and steps under this AMP and under that other policy or procedure have been proposed or initiated, the responsible Officers of the College will together determine, in consultation with the Student, whether all steps on the same basis should be consolidated so that they are taken under a single policy or procedure, provided that such a consolidation shall never have the effect of depriving the Student of an avenue of appeal that they would otherwise have enjoyed. In the event of disagreement as to the appropriateness of a consolidation, the final determination is to be made by the Warden (or in the event that the Warden is unable to act, the Sub-Warden). The responsible Officer of the College for the purpose of this AMP is the Tutor for Undergraduates.

3.7 *Overlap with Proctors' jurisdiction.* Where an academic offence or dereliction also constitutes a proper basis for disciplinary steps to be taken by the University Proctors, and such steps have been proposed or initiated, any disciplinary steps proposed or initiated under this AMP will be stayed until the conclusion of Proctorial proceedings. This AMP will not be used to add to the severity of a Proctorial disposal but may be used to determine what steps it is appropriate for the College to take to give effect to a Proctorial disposal. It should be understood, however, that certain Proctorial disposals have automatic implications for the Student's relationship with the College which do not require steps to be taken under this AMP. For example, a student expelled or suspended from the University is automatically expelled or suspended from the College.

- 3.8 *Five stages.* This AMP comprises five stages that are summarised here. Except as provided for in this AMP, progress to the next stage shall not take place until the previous stage has been completed.

Stage One: Informal monitoring and resolution of problems

Most concerns about Satisfactory Academic Performance are resolved at this stage. See 3.10 below.

Stage Two: Meeting with the Tutor for Undergraduates, Fortnightly Report, and First Formal Warning

The meeting with the Tutor for Undergraduates initiates formal monitoring, and may be followed by Fortnightly Report. Formal monitoring is not as such a disciplinary matter. In some cases, a First Formal Warning may be issued; this is a disciplinary matter. See 3.11–3.30 below.

Stage Three: Second Formal Warning

Issued by the Tutor for Undergraduates. See 3.31–3.43 below.

Stage Four: Academic Panel

Normally chaired by the Sub-Warden. Academic Panels are not necessarily disciplinary. See 3.44–3.59 below.

Stage Five: Appeal to Appellate Academic Panel

Chaired by the Warden. Appellate Academic Panels are not necessarily disciplinary.

- 3.9 *Questions about progress.* Any student who has entered the second or later stages of this AMP is to be kept informed, in the ways provided for below, of the stage to which their case has progressed (See 3.60–3.77). In case of doubt, the Tutor for Undergraduates is empowered, upon application by the Student, to make a determination of the stage to which the Student’s case has so far progressed and to give the Student notice in writing of this determination within 72 hours of the application.

Stage One: Informal monitoring and resolution of problems

- 3.10 One significant part of the role of Tutor involves monitoring students' progress and helping students to maintain Satisfactory Academic Performance. As standard, this will involve termly meetings (may take place virtually) with students to read and discuss reports, as well as providing other opportunities to discuss progress and development strategies, either at tutors or at students' instigation. Where a tutor has concerns that the Student is not maintaining Satisfactory Academic Performance, the tutor will attempt to address the concerns through informal discussion with the Student and by taking reasonable measures as the tutor sees fit. Examples of such measures include: revising the normal expectations for the production, form, or submission of work in light of the Student's particular circumstances; recommending that the Student make an appointment with one of the College Welfare Advisors or a Study Advisor; suggesting alternative study strategies; requiring attendance at special tutorials or classes; requiring the submission of extra pieces of work. Such measures should not be punitive, but designed to address the concerns in a sympathetic manner and help the Student achieve and maintain Satisfactory Academic Performance.

Stage Two: Meeting with the Tutor for Undergraduates, Fortnightly Report, and First Formal Warning

- 3.11 Where attempts to address concerns about Satisfactory Academic Performance through the informal and discretionary measures described above are unsuccessful or unsuitable, a tutor may ask the Tutor for Undergraduates, to whom the tutor provides relevant context and detail, to invite the Student for a meeting (may take place virtually). This invitation initiates the formal component of the College's AMP, as described at 3.13–3.77 below. Such a referral to the Tutor for Undergraduates is to be made within a reasonable time of the latest of the events that give rise to it, and during Full Term not later than ten working days after that event.
- 3.12 If the Tutor for Undergraduates is substantially involved in the Student's case already or otherwise unavailable, the Senior Tutor takes the Tutor for Undergraduate's place for the purposes of 3.9 and 3.11 above and at all points at which the Tutor for Undergraduate is involved as specified by this AMP.

3.13 *Meeting with Tutor for Undergraduates.* The Tutor for Undergraduates meets with the Student, who should provide all relevant information, including details of any mitigating or complicating circumstances. The Tutor for Undergraduates and the Student attempt to identify strategies the pursuit of which by the Student may reasonably be hoped to address concerns about the Student's academic performance.

Very frequently, student difficulties in maintaining Satisfactory Academic Performance arise as a result of more than one factor. For example, the Student may not be in full health, or may be finding life particularly stressful or overwhelming, and this may in turn be because of problems with the degree course, or extra-curricular pursuits, or College or University systems or requirements, or their relationships with friends or family or tutors or peers. Or the Student may have taken on too many commitments, or may find it more difficult than expected to adjust to degree-level workloads or approaches, or may have become disillusioned with study altogether. The Tutor for Undergraduates attempts to help the student to identify any applicable factors and to think through appropriate responses. In most cases, the Tutor for Undergraduates and the Student will agree upon a range of such responses; typically some of these will involve the Student's making use of the sources of support listed in 1.3 above.

At the conclusion of the meeting, the Tutor for Undergraduates will recommend (or, in some cases, require—see 3.15 below) that the Student take such steps as have been agreed in the discussion, and in many cases will place the Student on Fortnightly Report (see 3.17 below) as a means of monitoring the situation. It is important to stress that this is not in itself a disciplinary measure: its purpose is to enable to the Tutor for Undergraduates to assess the effectiveness of any measures agreed in helping the Student to achieve and maintain Satisfactory Academic Performance and to respond in a timely, informed, and appropriate way if such measures seem not to be having the desired effect. In other cases, the Tutor for Undergraduates will see no cause for further formal academic monitoring or for disciplinary procedures, and the formal component of the AMP will be concluded. Either way, an email or letter from the Tutor for Undergraduates to the Student, sent within seven working days of the meeting, confirms the outcome.

- 3.14 *Student accompaniment.* The Student has the right to be accompanied at the meeting with the Tutor for Undergraduates provided for under 3.13 above. The accompanying person must be a current member of the College or a representative of the Oxford University Student Union's Student Advice Service.
- 3.15 The Tutor for Undergraduates is empowered to formally require the Student to take specified measures, including but not limited to attending appointments with appropriate College or University Officers or services and sitting Special Collections. In all such cases, a record is kept on the Student's file and the Student is informed in writing of such outcomes.
- 3.16 If the Tutor for Undergraduates requires the Student to attend appointments with College or University Officers or tutors or other University services, the Tutor for Undergraduates shall specify a deadline by which the Student must have met with one (or more) of these individuals or services. The Student may be required to confirm to the Tutor for Undergraduates, in writing, that they have attended any such meetings.
- 3.17 *Fortnightly Report.* The Tutor for Undergraduates is empowered to place the Student on Fortnightly Report. This is confirmed by Tutorial Board at its next meeting and a letter sent to the Student formally notifying them that they have been placed on Fortnightly Report.

Fortnightly Report is a formal mechanism whereby the tutors for each of the Student's papers in a given term write a report in each even week of term on the Student's performance. These reports are submitted to the Tutor for Undergraduates, who is thereby enabled to monitor the Student's progress and to take further action where necessary (see 3.13 above). A Student will normally remain on Fortnightly Report until the 2nd week of the following term. However, the Tutor for Undergraduates is empowered to keep the Student on Fortnightly Report for a further term (i.e. until the 2nd week of the next term) if, in the judgment of the Tutor for Undergraduates judgment, sufficient concerns remain. In either case, the Tutor for Undergraduates will notify the Student of the outcome.

Students should note that, while they are on fortnightly report, this may, where the Tutor for Undergraduates judges it to be appropriate, be mentioned in any academic references and taken into account in reviewing applications for College scholarships, grants or other awards (e.g. exchange programmes).

3.18 *Special Collections.* If the Tutor for Undergraduates requires that Special Collections be taken by the Student, the Tutor for Undergraduates, in liaison with subject tutors, the Student, and the Academic Office, determines a date and time on which the Special Collections are to be sat. Any conditions attached to Special Collections, such as a required minimum mark, will be communicated to the Student in writing, not less than one week before that date. Special Collections are normally set and marked by College tutors.

3.19 *Academic Disciplinary Situation.* If and only if

- (a) the Student has, in the judgment of the Tutor for Undergraduates at the conclusion of the meeting with the Student, committed an academic offence or is in dereliction of academic duties within the terms of 3.4 or 3.5 above; or
- (b) the Student has, in the judgment of the Tutor for Undergraduates after reviewing the performance of the Students reported to the Tutor for Undergraduates via the mechanism of Fortnightly Report (see 3.18 above), committed an academic offence or is in dereliction of academic duties within the terms of 3.4 or 3.5 above,

the Student is in an Academic Disciplinary Situation ('ADS'). In that case, the Tutor for Undergraduates may issue a First Formal Warning to that effect. The issue of a First Formal Warning does not exclude the measures specified under 3.15–3.18 above, and may be issued on grounds that come to the attention of the Tutor for Undergraduates only subsequent to the initiation of the formal component of this AMP.

3.20 *Leapfrog to Stage Three.* If, in the opinion of the Tutor for Undergraduates, the academic concerns that led the Student's tutors to contact the Tutor for Undergraduates under 3.11 above constitute an academic offence or offences or dereliction of such gravity or

singularity that the primary purpose of this AMP cannot be served by further formal monitoring or the issue of a First Formal Warning under 3.15–3.18 above, the ADS may instead be progressed immediately to Stage Three and the Student issued with a Second Formal Warning (see below) without the issue of a First Formal Warning.

- 3.21 *Leapfrog to Stage Four.* If the Student is not in an ADS as defined under 3.19 above but the academic concerns that led the Student’s tutors to contact the Tutor for Undergraduates under 3.11 above are, in the opinion of the Tutor for Undergraduates, of a nature that cannot adequately be addressed, for the purposes of this AMP, by a meeting with the Tutor for Undergraduates or by any of the other measures that the Tutor for Undergraduates is empowered to take, the Tutor for Undergraduates may instigate the convening of an Academic Panel under Stage Four of this AMP (see 3.44–3.59 below). An Academic Panel convened on this basis is not disciplinary, and shall not have the power to make any of disposals (b), (c), (d), (e), (f), or (g) under 3.56 below, but only to make disposal (a) (referral of the Student to the University’s Fitness to Study Panel) or disposal (i) (referral of the Student to the Tutor for Undergraduates together with recommendation of such measures as the Tutor for Undergraduates is already empowered under this AMP to take) or disposal (h) (absolute discharge).
- 3.22 *Timeline.* A First Formal Warning is to be issued within the shortest reasonable time after the events that give rise to it, and during Full Term not later than ten working days after the latest of those events.
- 3.23 *Inquiries by Tutor for Undergraduates.* In determining whether to issue a First Formal Warning, and if so on what terms, the Tutor for Undergraduates may make such inquiries as the Tutor for Undergraduates sees fit, including consultation with the Student’s tutors.
- 3.24 *Chance to respond.* The Tutor for Undergraduates need not hear representations from the Student before issuing the First Formal Warning, except as form part of the meeting described in 3.13 above. However, a reasonable opportunity to respond to the warning must be allowed, which includes, but is not limited to, an opportunity to present a justification or excuse for dereliction if the warning is for dereliction, and an opportunity to contest the steps which the Student is expected to take under 3.26(d)

below. If the Tutor for Undergraduates is satisfied, upon hearing the response of the Student, that the First Formal Warning should not have been issued, the Tutor for Undergraduates may cancel it. If the Tutor for Undergraduates is satisfied, upon hearing the response of the Student, that the First Formal Warning should have been issued on different terms, the Tutor for Undergraduates may vary it.

3.25 The Student has the right to be accompanied at any meeting with the Tutor for Undergraduates that is arranged for the purposes of making representations as specified under 3.24 above. The accompanying person must be a current member of the College or a representative of the Oxford University Student Union's Student Advice Service.

3.26 *Written record.* A First Formal Warning is issued in writing. A written record of the fact that it has been issued must be kept by the Academic Office. A copy of this AMP (in either paper or electronic form) must be supplied to the Student by the Tutor for Undergraduates with the warning or within 24 hours of sending the warning. The warning must state

- (a) that it records the issue of a First Formal Warning for the purpose of this AMP; and
- (b) that the Student has the right to respond to the issue of the warning and to ask for it to be cancelled or varied by the Tutor for Undergraduates; and
- (c) the grounds on which the warning was issued; and
- (d) what steps the Student is expected to take to avoid the progress of the ADS to the next stage of this AMP without further warning, and what is the expected timetable for the taking of those steps, this timetable not extending beyond the currency of the warning (see 3.28 below on currency).

If no indication is given of any steps or if no indication is given of any timescale then the implication, which need not be stated in the record of the warning, is that the Student is being warned only not to commit a further similar offence or to be in further similar dereliction of academic duty (as the case may be) during the currency of the warning.

- 3.27 *Reporting.* The Tutor for Undergraduates may store a written record of the fact that a First Formal Warning has been issued in the Student's academic file in the Academic Office, on the understanding that the record will be treated as expunged from the file as soon as the First Formal Warning is no longer current. The written record of the First Formal Warning must be produced for the purpose of referring the case to an Academic Panel under the next stage of this AMP.
- 3.28 *Currency of warning.* For the purpose of taking further steps under this AMP, a First Formal Warning is current until (and including) the first anniversary of its issue, or until (and including) such earlier date as the Tutor for Undergraduates may indicate at the time of issuing it, or until (and including) the date on which it is cancelled by the Tutor for Undergraduates, whichever is the earliest. The early cancellation of a First Formal Warning is to be notified promptly to the Student in writing, as is the variation of any First Formal Warning. A variation may not be used to extend the currency of a First Formal Warning beyond one year.
- 3.29 *Effect of non-compliance with procedure.* Subject to the general principle concerning deadlines in 3.1 above, the effect of any failure to follow these rules for the issue and recording of a First Formal Warning will be that the First Formal Warning will be ineffective for the purpose of proceeding with further stages of this AMP.
- 3.30 *Appeal against First Formal Warning.* Except as provided for under 3.24 above, there is no College procedure to appeal against the issue of a First Formal Warning.

Stage Three: Second Formal Warning

- 3.31 *Second Formal Warning.* Any student who, during the currency of a First Formal Warning, commits a further similar offence or dereliction, or fails to take any of the steps set out in the First Formal Warning within the timescale set out in that warning, may be issued with a Second Formal Warning by the Tutor for Undergraduates if, in the judgment of the Tutor for Undergraduates, the circumstances of the case warrant it.
- 3.32 *Leapfrog cases.* If, in the judgment of the Tutor for Undergraduates,

- (a) the academic concerns that led the Student's tutors to contact the Tutor for Undergraduates under 3.11 above, or
- (b) the conduct of the Student reported to the Tutor for Undergraduates via the operation of Fortnightly Report under 3.18 above

constitute an academic offence or academic offences or dereliction of such gravity or singularity that the primary purpose of this AMP cannot be served by further formal monitoring or the issue of a First Formal Warning under 3.13–3.18 above, the Tutor for Undergraduates may issue the Student with a Second Formal Warning unless, in the opinion of the Tutor for Undergraduates, the offence or dereliction is of such exceptional gravity and singularity that the primary purpose of this AMP cannot be served by the issue of any warning, in which case the Student must be referred to an Academic Panel for immediate progress to Stage Four (see 3.44–3.59 below) without the issue of any warning.

- 3.33 *Timeline.* A Second Formal Warning is to be issued within the shortest reasonable time of the events that occasion it, and during Full Term not later than ten working days after the latest of those events.
- 3.34 *Inquiries by Tutor for Undergraduates.* In determining whether to issue a Second Formal Warning, and if so on what terms, the Tutor for Undergraduates may make such inquiries as the Tutor for Undergraduates sees fit, including consultation with the Student's tutors.
- 3.35 *Representations to Tutor for Undergraduates.* Before issuing a Second Formal Warning, the Tutor for Undergraduates must offer the Student an opportunity to make representations as to the issue of the warning. Representations include, but are not limited to, representations regarding any justification or excuse for dereliction if the proposed warning is for dereliction, and representations concerning the appropriate conditions to be attached to the warning under 3.37(c) below. Normally such representations should be heard at a meeting in person (or virtually) between the Student and the Tutor for Undergraduates. However, where the Student is out of residence at the time, or it is not reasonably practicable for representations to be made in person, the opportunity to make representations in writing may be

substituted for the opportunity to make oral representations, at the discretion of the Tutor for Undergraduates.

3.36 *Meeting.* Any meeting between the Student and the Tutor for Undergraduates for the purpose of hearing representations under 3.35 above should be held in private, except as follows:

- (a) if in the opinion of the Tutor for Undergraduates it is necessary to have another member of the College or of its staff present for the purpose of taking notes, then one such person may be present at the invitation of the Tutor for Undergraduates; and
- (b) if the Student wishes to be accompanied by another person, for the purpose of giving support but not for the purpose of providing representation, then one such person may be present at the invitation of the Student. The accompanying person must be a current member of the College or a representative of the Oxford University Student Union's Student Advice Service.

It is not necessary for advance notice to be given of the fact that another person will be present or invited to be present under (a) or (b) above, but, if a note-taker will be present, the Student should be advised of that fact at the latest upon arrival at the meeting with the Tutor for Undergraduates, before substantive discussion begins.

3.37 *Form of Second Formal Warning.* A Second Formal Warning must be issued in writing and signed by the Tutor for Undergraduates (or emailed from the account of the Tutor for Undergraduates) in a form of words that conveys

- (a) that it is a Second Formal Warning for the purpose of this AMP; and
- (b) the grounds on which it is being issued; and
- (c) what conditions are included in the Second Formal Warning; and
- (d) what consequence will attach to a breach of each condition included in the Second Formal Warning.

A Second Formal Warning must be accompanied (or followed within 24 hours) by a copy of this AMP in either paper or electronic form.

3.38 *Conditions included in warning.* Any one or any combination of the following conditions may be included in a Second Formal Warning at the discretion of the Tutor for Undergraduates:

- (a) that the Student is to commit no academic offence of any type or of any specified type during the currency of the warning;
- (b) that the Student is not to be in dereliction of any academic duties, or of any specified academic duties during the currency of the warning;
- (c) that the Student is to pass or to achieve any specified mark in any specified examination, which may include an examination to be set specifically for the purpose of this condition (a Special Collection as defined in 3.17 above);
- (d) that the Student is to take some other reasonable step or steps specified in the warning, the step or steps to be taken before a date specified in the warning or during the currency of the warning, whichever is the earlier.

3.39 *Consequences of breach of conditions.* At the discretion of the Tutor for Undergraduates, to be exercised at the time of issue of the warning, each condition included in a Second Formal Warning under 3.38 above is to be such that one and only one of the following consequences is attached to its breach:

- (a) referral back to the Tutor for Undergraduates for consideration of whether the case should be referred to an Academic Panel for progress to the next stage of this AMP; or
- (b) referral to an Academic Panel for progress to the next stage of this AMP without further consideration by the Tutor for Undergraduates.

3.40 *Written record.* The Tutor for Undergraduates may store a written record of the fact that a Second Formal Warning has been issued to the Student in the Student's academic file in the Academic Office, on the understanding that the record will be treated as expunged from the file as soon as the Second Formal Warning is no longer current. The written record of the Second Formal Warning must be produced for the purpose of referring the case to an Academic Panel under the next stage of this AMP. After

issue, a Second Formal Warning cannot be varied or cancelled (except as provided for under 3.42 below).

- 3.41 *Currency of warning.* For the purpose of taking further steps under this AMP, a Second Formal Warning is current until (and including) the first anniversary of its issue, or until (and including) such earlier date as the Tutor for Undergraduates may indicate at the time of issuing it, whichever is the earlier.
- 3.42 *Effect of non-compliance with procedure.* Subject to the general principle concerning deadlines in 3.1 above, the effect of any failure to follow these rules for the issue of a Second Formal Warning will be that
- (a) the Second Formal Warning will be ineffective for the purpose of proceeding with further stages of this AMP; and
 - (b) the Second Formal Warning will be expunged from the Student's file upon application by the Student to the Senior Tutor or, if the Senior Tutor has taken the place of the Tutor for Undergraduates (under 3.12 above) for the purposes of this AMP as it applies to the Student's case, to a Tutorial Fellow in Law.

For the avoidance of doubt, the Senior Tutor or the Tutorial Fellow in Law may not expunge a warning on the ground of disagreement with the judgment of the Tutor for Undergraduates about whether a Second Formal Warning was called for under 3.31 or 3.32 above.

- 3.43 *Appeal.* Except as provided for in 3.35 and 3.42(b) above, there is no College procedure for appealing against the issue of a Second Formal Warning.

Stage Four: Academic Panel

- 3.44 *Academic Panel.* The case of any student who is referred under 3.32 above (exceptionally grave and singular offence or dereliction) or 3.38 above (breach of a condition included in a Second Formal Warning) must be considered by an Academic Panel. An Academic Panel may also consider the case of a student who is not in an ADS but has been referred under 3.21 above. Finally, an Academic Panel may consider the

case of a student who is voluntarily suspending or has voluntarily suspended their studies (i.e. whose suspension was not imposed by the College) and wishes to appeal the conditions of suspension.¹ In this latter case, the Academic Panel is convened for the sole purpose of considering the appropriateness of the proposed terms of suspension, and the only disposals available to it are to confirm or vary those terms.

An Academic Panel is a meeting of selected Fellows and Officers of the College during which the Student's academic performance and evidence relating to it are considered. After deliberation, the Academic Panel may make a determination designed to address any problems it identifies.

Academic Panels are intended to be rehabilitative and do not always result in the application of sanctions—talking over difficulties of essay-writing or time management with a diverse group of tutors may help suggest solutions that do not involve sanctions—but they have the power to impose academic disciplinary sanctions including expulsion, suspension, and deprivation of a scholarship or exhibition (see 3.56 below), except when they have been convened under 3.21 above or for the purposes of considering the appropriateness of proposed terms of suspension. The purpose of Academic Panels convened under 3.21 above, which have no power (see 3.56 below) to impose disciplinary measures unavailable to the Tutor for Undergraduates under Stage Two of this AMP (see 3.11–3.30 above), is to engage in more focused consideration of the Student's case and offer new and wider perspectives in the hope of identifying factors explaining and solutions to academic difficulties that the Student, the Student's tutors, and the Tutor for Undergraduates have for whatever reason been unable to identify at earlier stages in this AMP.

An Academic Panel may be convened to consider a single case or a group of cases. Where there is a group of cases involving the same student it may elect to consolidate these into one case for the purpose of considering that student.

3.45 *Membership of Panel.* Academic Panels are composed of three Fellows, one of whom is the Sub-Warden, who chairs, unless

¹ See the College's Terms of Undergraduate Suspension of Status.

- (a) the Academic Panel has been convened under 3.21 of this AMP or for the purposes of considering proposed terms of voluntary suspension, in which case the Tutor for Undergraduates chairs; or
- (b) the Sub-Warden has been directly involved, under this AMP or otherwise, with any of the events that have brought the case before the Academic Panel in question (where membership of Tutorial Board or Governing Body does not qualify as direct involvement merely because it involves routine scrutiny of reports on student progress and exam results), in which case another Fellow takes the Sub-Warden's place on the Academic Panel.

The College maintains an Academic Panel list of nine Fellows besides the Sub-Warden who are eligible to sit on Academic Panels, from which the remaining Panel members will be drawn; this membership of this list will, where possible, reflect the diversity of the Fellowship in terms of protected characteristics. The Tutor for Undergraduates and Senior Tutor also have the power to co-opt Fellows from outside this list if Fellows on the list are unavailable. The Student's tutors are not included on the Panel. An Academic Panel may reconvene to review a case on which it has already deliberated at an earlier time. As far as possible, the membership will remain the same when this happens; but temporary unavailability, changes of Officers, and departures of tutors from the College, may make this impossible on some occasions.

3.46 The instigation of an Academic Panel and the assignment of cases to them shall be a responsibility of the Tutor for Undergraduates, always to be carried out as expeditiously as possible, bearing in mind the primary purpose of this AMP.

3.47 *Timeline.* Without prejudice to the general rule in 3.46 requiring expedition, the Academic Panel will be convened within ten working days, or 15 working days if any of the ten working days would be outside full term, of a referral by the Tutor for Undergraduates.

3.48 *Disqualifications.* The following are not eligible to serve on an Academic Panel:

- (a) The Warden, the Tutor for Undergraduates (except as specified under 3.45(a) above), the Dean;

- (b) Any Fellow who has served as tutor or organising tutor to any student whose case is to be considered by the Academic Panel in question;
- (c) Any person who has taught (in tutorials or in any other capacity where reporting on individual progress was required or expected) any student whose case is to be considered by the Academic Panel in question;
- (d) Any person who has been directly involved, whether under this AMP or otherwise, with any of the events that have brought the case before the Academic Panel in question, where membership of Tutorial Board or Governing Body does not qualify as direct involvement merely because it involves routine scrutiny of reports on student progress and exam results, and notwithstanding 3.45(a) above;
- (e) Any person who has served on an Academic Panel or an Appellate Academic Panel under this AMP, or on any similar panel under another Procedure of the College, in another case involving the same student or students, notwithstanding 3.45(a) above.

3.49 *Objections to membership.* Within 24 hours of an Academic Panel's being convened, each Student in whose case the Academic Panel is intended to make a determination will be given notice by the Tutor for Undergraduates of the identities of its members. The Student will then have 48 hours to draw attention to the ineligibility of any member to serve on the Academic Panel under (a) to (e) above (but not to object on any other ground). If satisfied that a member is indeed ineligible to serve, the Tutor for Undergraduates shall replace that member within 48 hours. That replacement shall count, for the purpose of any deadlines that follow, as the convening of a new Academic Panel.

3.50 *Investigator and objections to Investigator.* For each case before it each Academic Panel shall, within 72 hours of its being convened, appoint one of its number as Investigator in that case. Within 48 hours of the Investigator's appointment, the Student will be given notice by the chair of the Academic Panel of the identity of the Investigator, and will have 24 hours from the time of being given that notice to object to the appointment, stating the grounds for doing so (which are not restricted to ineligibility under 3.48 above). The Academic Panel dealing with the case will appoint an alternative Investigator from its own number within 72 hours of the objection being made if, in

the view of the Academic Panel, the Student's grounds for objecting are reasonable ones.

3.51 *Conduct of investigation.* With all possible speed consistent with a careful investigation, the Investigator is to obtain a note from the Tutor for Undergraduates of how the case progressed through Stages One to Three of this AMP, together with any comments from any of the Student's tutors and from the Tutor for Undergraduates that might, in the opinion of the Investigator, bear on the decision of the Academic Panel. The Student's tutors are to be informed, through the Tutor for Undergraduates, that the Student's case is being considered by an Academic Panel, and of the identity of the Investigator. The Student's tutors may communicate to the Investigator their views on the suitability of such disposals in the case as are available to the Academic Panel, or their views on any other relevant matter, whether or not the investigator solicits those views. In framing the report under 3.54 below, the Investigator is to draw attention to and take due account of any such views received.

3.52 *Representations to Investigator.* The Investigator must offer to the Student an opportunity to make representations. Representations include, but are not limited to, representations regarding any justification or excuse for dereliction if any proposed measures will be intended as a response to dereliction. The Student must also be given the opportunity to comment more generally on the nature of their case under this AMP, in response to the Investigator's setting before the student the Investigator's understanding of that case, relying on the notes and comments obtained under 3.51 above. Normally such representations should be heard at a meeting in person and in private between the Student and the Investigator, at which the Investigator should take notes of the Student's representations (may take place virtually). However, where the Student is out of residence at the time, or it is not reasonably practicable for representations to be made in person within a reasonable time, the opportunity to make representations in writing may be substituted at the discretion of the Investigator, in which case the Investigator may set before the Student the Investigator's understanding of the case in writing.

After meeting with the student, the Investigator should seek comments from any other parties whose views on the case appear relevant in the judgment of the Investigator in

light of the Student's representations. If these parties include individuals whose knowledge of the case was gained in confidence, such as members of the College's welfare team, the Investigator may seek their comments only with the permission of the Student and any relevant others.

3.53 *Meeting.* Any meeting between the Student and the Investigator for the purpose of hearing representations under 3.52 above should be held in private, except as follows:

- (a) If in the Investigator's opinion it is necessary to have another member of the College or of its staff present for the purpose of taking notes, then one such person may be present at the invitation of the Investigator; and
- (b) if the Student wishes to be accompanied by another person, who may assist with the making of representations as well as giving support to the Student, then one such person may be present at the invitation of the Student. The accompanying person must be a current member of the College or a representative of the Oxford University Student Union's Student Advice Service.

Notice of at least 24 hours is to be given of the fact that another person will be present or has been invited to be present under (a) or (b) above.

3.54 *Report and determination.* On completion of the investigation, the Investigator will make a written report to the Academic Panel containing recommendations as to the disposal of the case. The report will be considered by the Academic Panel at a meeting (may take place virtually) to which the Academic Panel may also invite the Student for further interview by the Academic Panel or to send a written submission. Appropriate disposal of the case will also be determined at this meeting, or at further meetings after such further information-gathering as the Academic Panel may deem necessary, by simple majority voting (all members, including the chair, have a vote). It is normally expected that, where the Student cooperates fully in the process, this process will be completed within 15 working days of instigation by the Tutor for Undergraduates.

3.55 The Student has the right to be accompanied to any meeting of the Academic Panel that the Student has been invited to attend by the Academic Panel. The accompanying

person must be a current member of the College or a representative of the Oxford University Student Union's Student Advice Service.

3.56 *Possible disposals.* An Academic Panel has the power to make the following disposals, except where it has been convened on the basis of a referral under 3.21, in which case it shall not have the power to make any of disposals (b), (c), (d), (e), (f), or (g); and except where it has been convened for the purposes of considering proposed terms of voluntary suspension, in which case it shall have the power only to confirm or vary the proposed terms of suspension.

- (a) Referral of the Student to the University's Fitness to Study Panel (see <https://www.ox.ac.uk/students/welfare/fitness-to-study?wssl=1>), whose recommendations the Academic Panel reconvenes to consider;
- (b) expulsion from the College;
- (c) suspension from the College for a period of up to one academic year, with or without conditions that need be satisfied before return to College;
- (d) expulsion from the College unless certain conditions are satisfied;
- (e) suspension from the College for a period of up to one academic year unless certain conditions are satisfied, with or without further conditions that need to be satisfied before return to College;
- (f) deprivation or suspension, of a scholarship or exhibition;
- (g) deprivation or suspension of a scholarship or exhibition unless certain conditions are satisfied;
- (h) an absolute discharge;
- (i) referral of the Student back to the Tutor for Undergraduates with the recommendation that the Tutor for Undergraduates take any of such measures as the Tutor for Undergraduates is already empowered to take under this AMP (see 3.15–3.19 above), including the issue of a First Formal Warning or, if in the Academic Panel's judgment the Student has committed an academic offence or is in dereliction of academic duties within the terms of 3.4 or 3.5 above and that offence or dereliction is of such gravity or singularity that the primary purpose of this AMP cannot be served by other measures or the issue of a First Formal Warning, the issue of a Second Formal Warning. By convention, the Tutor for

Undergraduates judges and exercises the powers of the Tutor for Undergraduates in accordance with the Academic Panel's recommendation.

In determining the appropriate disposal from this list the Academic Panel must always have regard to the primary purpose of this AMP. Disposals (b) to (g) qualify as disciplinary measures. Disposals (a) and (h) qualify as non-disciplinary measures. Disposal (i) qualifies as a non-disciplinary measure if the recommendation does not include that the Tutor for Undergraduates issue any Formal Warning. For the avoidance of doubt:

- I. the coming into effect of an expulsion or suspension by virtue of the Student's failure to meet any condition imposed under (c), (d), or (e), and the coming into effect of a deprivation or, suspension of a scholarship or an exhibition by virtue of the Student's failure to meet a condition imposed under (g), are automatic processes and do not in themselves qualify as further disposals for the purposes of this AMP. The effect is that, where a condition as to return to College set under (c) or (e) is not satisfied, the suspension automatically becomes an expulsion without further intervention by an Academic Panel, by Tutorial Board, or by the College's Governing Body;
- II. except as provided for in 3.24, 3.35, and 3.42(b) above, there is no College procedure for appealing against the issue of a Formal Warning that is issued by the Tutor for Undergraduates on the recommendation of an Academic Panel under (i);

3.57 *Conditions attached to disposals.* The conditions that may be attached by an Academic Panel to a disposal under 3.56(c), (d), (e) or (g), above, include, at the Academic Panel's discretion,

- (a) that the Student is to commit no academic offence of any type or of any specified type for a specified period or indefinitely;
- (b) that the Student is not to be in dereliction of any academic duties, or of any specified academic duties for a specified period or indefinitely;
- (c) that the Student is to pass or to achieve any specified mark in any specified examination, which may include an examination to be set specifically for the

- purpose of this condition (a Special Collection, as defined under 3.17 above), in which case the examination shall be double-marked by assessors who are not members of the College and who shall not be informed of the required mark, and a copy of the script or scripts taken and kept in the Academic Office;
- (d) that the Student is to take some other reasonable step or steps specified in the disposal, the step or steps to be taken before a specified date.

- 3.58 *Communication of determination.* Notice of the Academic Panel's determination is to be sent in writing to the Student by the Chair within 72 hours of its having been made, supported by a copy of the Investigator's report and, if the Academic Panel's determination departs from the Investigator's recommendation, a further report explaining the departure. If no notice of appeal as specified under 3.60 below is received within five working days of the Student's being given notice of the Academic Panel's determination, the Student will be deemed to have accepted the determination.
- 3.59 *Failure to meet conditions.* If conditions attach to the disposal under 3.56(c), (d), (e), or (g) above and, in the opinion of the Tutor for Undergraduates, the Student fails to meet those conditions, then notice of that failure, and of the consequences as determined by the terms of the disposal, will be given in writing to the Student by the Tutor for Undergraduates within 72 hours of the failure's having come to the attention of the Tutor for Undergraduates. In case of dispute about whether the conditions attached to the disposal under 3.56(c), (d), (e), or (g) have been met by the Student, the appeal procedure under 3.60 below applies.

Stage Five: Appellate Academic Panel

- 3.60 *Appeal against determination.* The Student has a right of appeal to an Appellate Academic Panel against any determination of an Academic Panel apart from those specified under (a), (h), and (i) in 3.56 above. The Student exercises the right of appeal under this provision by giving notice of appeal in writing to the Tutor for Undergraduates or Senior Tutor within 5 working days of the Student's being given notice under 3.58 above of the Academic Panel's determination.

3.61 *Appeal against coming into effect of consequences.* The Student also has a right of appeal against the coming into effect of the consequences of the Student's failure to meet any condition specified in any disciplinary measure, but only on one or both of the following grounds:

- (a) that the Tutor for Undergraduates was mistaken in the opinion under 3.58 above that the Student failed to meet the condition;
- (b) that the Student's failure to meet the condition was excusable.

For the avoidance of doubt, it is not a ground of appeal under this provision that the condition should not have been imposed. The Student exercises the right of appeal under this provision by giving notice of appeal in writing to the Tutor for Undergraduates or Senior Tutor within 5 working days of the Student's being given notice under 3.58 above of the Student's failure to meet the condition.

3.62 *Constitution of Appellate Academic Panel.* An appeal under 3.60 or 3.61 above is to be heard by an Appellate Academic Panel convened specifically to hear that appeal and instigated by whichever of the Tutor for Undergraduates or Senior Tutor has received the Student's notice of appeal under 3.60 or 3.61 above. Any measures appealed against are stayed pending determination of the appeal, save that it is still possible for a student to meet any conditions specified in the measure, and hence to terminate the measure, while the appeal is pending.

3.63 *Membership.* An Appellate Academic Panel shall comprise:

- (a) the Warden, who acts as chair; and
- (b) two further Fellows of the College.

3.64 *Disqualification.* The following shall not be eligible to serve on an Appellate Academic Panel:

- (a) The Sub-Warden, the Tutor for Undergraduates, the Dean;

- (b) Any Fellow who has served as tutor or organising tutor to any student whose case is to be considered by the Appellate Academic Panel in question;
- (c) Any person who has taught (in tutorials or in any other capacity where reporting on individual progress was required or expected) any student whose case is to be considered by the Appellate Academic Panel in question;
- (d) Any person who has been directly involved, whether under this AMP or otherwise, with any of the events that have brought the case before the Appellate Academic Panel in question, where membership of Tutorial Board or Governing Body does not qualify as direct involvement merely because it involves routine scrutiny of reports on student progress and exam results;
- (e) Any person who has served on an Academic Panel or an Appellate Academic Panel under this AMP, or on any similar panel under another Procedure of the College, in another case involving the same student or students.

If sufficient Appellate Academic Panel members not disqualified under these headings cannot be found from within the College then the Warden shall have the option of substituting one or more members from another College or other Colleges of the University of Oxford who do meet these conditions.

- 3.65 *Objections to membership.* Within 48 hours of the constitution of the Appellate Academic Panel, the Student will be given notice by the Warden of the identities of its members, and will have 48 hours from the time of being given that notice to object to the appointment of one or more of them, stating the grounds for doing so. The Warden will appoint an alternative member or members of the Appellate Academic Panel within 72 hours of the objection being made if, in the Warden's view, the Student's grounds for objecting are reasonable ones.
- 3.66 *Date of hearing.* Within 5 working days of the constitution of the Appellate Academic Panel (or of its reconstitution if required under 3.65 above), the Warden shall fix a date for an Appellate Academic Panel hearing. The hearing is to take place no later than one calendar month after the constitution (or reconstitution) of the Appellate Academic Panel. Subject to that one month limit, the date should be fixed in consultation with the Student and the members of the Appellate Academic Panel.

3.67 *Hearing details.* At least five working days before the hearing the Warden shall:

- (a) write to the Appellate Academic Panel members and the Student, and any other person whom the Panel wishes to call upon for testimony, to confirm the date, time and location of the hearing (may take place virtually);
- (b) provide the Appellate Academic Panel members and the Student with a bundle containing copies of:
 - i. the Second Formal Warning, if any, issued at Stage Three;
 - ii. the Investigator's report from Stage Four, together with any further report as provided for under 3.58 above explaining any departure from the Investigator's recommendations;
 - iii. the letter from the Sub-Warden giving the Student notice of the disposal;
 - iv. the letter from the Tutor for Undergraduates giving the Student notice of the Student's failure to meet the conditions in the disposal (if applicable);
 - v. the letter from the Student giving notice of appeal; and
 - vi. any other relevant documents.

3.68 *Assistance and representation.* The Student shall also be informed by the Warden that the Student is entitled to be represented or accompanied at the Appellate Academic Panel hearing by one other person (the 'Friend'), who must be a current member of the College or a representative of the Oxford University Student Union's Student Advice Service. At least 72 hours before the hearing the Student shall inform the Secretary of the identity of any Friend that the Student proposes to be represented or accompanied by, indicating whether the Friend will be a representing or merely an accompanying Friend. It is the responsibility of the Student to inform the Friend, if any, of the arrangements for the hearing. Unless the Chair of the Appellate Academic Panel agrees that exceptional circumstances prevent it, the Student must attend the hearing for the appeal to be heard, and must be ready to appear as a witness at the Appellate Academic Panel's request. This is so even if the Student has asked a Friend to speak on their behalf.

3.69 *Additional documentation.* If the Student wishes the Appellate Academic Panel to take account of any additional documentation or written submissions, copies must be provided to the Warden at least five working days before the hearing. The Warden

shall then ensure that it is circulated to the Appellate Academic Panel as soon as possible. Any documentation submitted after this deadline will not be considered by the Appellate Academic Panel unless the Warden decides that exceptional circumstances warrant its inclusion.

- 3.70 *Identity of witnesses.* Not less than five working days before the hearing, the Student shall inform the Warden of any witnesses the Student wishes to call at the hearing. The Warden shall in advance of the hearing provide to the Student and the Appellate Academic Panel members a list of such witnesses together with any witnesses the Appellate Academic Panel itself proposes to call. Witnesses will normally be required to give evidence in person at the hearing, and will be expected to answer questions from Appellate Academic Panel members and from the Student as allowed under 3.72 below. It is the responsibility of the person calling the witness to ensure that they attend.
- 3.71 *Written testimony.* Where the Student and Appellate Academic Panel agree that a witness need not attend, or where it is impracticable for a witness to attend, or where in the opinion of the Chair of the Appellate Academic Panel it would not be appropriate for a witness to attend, the Appellate Academic Panel may accept evidence given in a written statement. Any written statements should be submitted to the Warden at least three working days before the hearing. The Warden will then circulate them to the Student and the members of the Appellate Academic Panel as soon as possible.
- 3.72 *Order of speaking and adducing evidence.* The Student (either in person or through the Friend) and will have the opportunity to address the Appellate Academic Panel at the hearing. The Appellate Academic Panel may hear witnesses in any order and in any manner that to it seems appropriate, having regard to the requirements of natural justice. Questions will be asked of witnesses in the first instance by the members of the Appellate Academic Panel. At the discretion of the Chair, the Student (either in person or through the Friend) may also ask questions of any witnesses.
- 3.73 *Regulation of procedure.* Subject to the above, the Appellate Academic Panel has the power (having regard to the requirements of natural justice) to regulate the procedures governing preparations for the hearing and the hearing itself, so as to ensure that the

process is fair and reasonable and, so far as possible in view of the seriousness of the case, informal and flexible.

- 3.74 *Making of decision by Appellate Academic Panel.* When the Appellate Academic Panel members consider their findings and recommendations, each shall be given the opportunity to present and discuss their impressions and conclusions regarding the issues and the hearing. The Appellate Academic Panel will attempt to reach a unanimous conclusion regarding its findings and recommendations. If a unanimous conclusion cannot be reached, a motion for a decision may be made by any Appellate Academic Panel member, including the Chair. The success or failure of any motion shall be determined by simple majority vote (all members, including the Chair, having one vote). The Appellate Academic Panel will not take account of any information or documents which were not available to the Student before the hearing.
- 3.75 *Notification of decision by Appellate Academic Panel.* The Appellate Academic Panel may take up to five working days after the hearing to reach and to announce a decision. Within ten working days of the hearing, the Appellate Academic Panel shall produce a written report setting out its findings and recommendations, and the reasons for them. In case of a majority decision, the decision and the reasons shall be those of the majority. No dissenting opinion shall be presented. The decision of the Appellate Academic Panel is announced by notice in writing to the Student. The decision will not be announced until at least the next working day after the hearing.
- 3.76 *Possible disposals by Appellate Academic Panel.* The Appellate Academic Panel may, at its discretion, uphold the implementation of the measure or vary the conditions of its implementation or require those conditions to be satisfied afresh or override the whole measure and substitute any alternative disposal which it was open to the Academic Panel to have imposed in place of the disposal, having regard to the same principles and purposes to which the Academic Panel was required, under this AMP, to have regard.
- 3.77 *Finality and further appeals.* The decision of the Appellate Academic Panel is final and not open to further appeal within the College. The finality of the Appellate Academic Panel determination is without prejudice to the right of the Student to make appeals or other applications to bodies outside the College, in particular to the Conference of Colleges

Appeal Tribunal (CCAT), or to the Office of the Independent Adjudicator (OIA) or, in so far as the deprivation of a Scholarship is concerned, to the College Visitor under Statute XIII, Clause 5. The Senior Tutor will, on request, issue to the Student a Certificate of Completion of Procedures once all in-College remedies have been exhausted.

4. Further appeals

- 4.1 The Student has the right to make a further appeal of the decision of the Appellate Academic Panel to the Conference of Colleges Appeal Tribunal (“the Tribunal”). The conditions for the exercise of this right of appeal are stated in the Tribunal’s Regulations. The current Regulations can be found on the University and College websites, or can be requested from the Academic Office. The Tribunal has jurisdiction only to hear appeals in relation to decisions which impose a “substantial penalty” which includes “expulsion, rustication or suspension, substantial fines, and other penalties of similar severity” but excludes “the imposition of probation or specially assessed collections” (Regulation 1.1). The Student must normally file a written application of appeal with the Secretariat of the Conference of Colleges within five working days of the date of the decision appealed against (see Regulation 4) in the format prescribed in Regulation 5. The Tribunal Panel which hears the appeal will be composed of three senior members of other Colleges who are not members of Wadham College or directly connected with it (Regulation 8). The appeal hearing, to which the Student will be summoned, will normally take place within 14 days of the receipt of the application by the Secretariat (Regulation 13). The Student may be represented by a third party, including, at the Panel’s discretion, Counsel and/or a solicitor (Regulation 15). The Tribunal will then normally communicate its decision on the appeal within seven days of the hearing (Regulation 20). A detailed schedule of the appeal process before the Tribunal can be found on the University and College websites, or can be requested from the Academic Office.
- 4.2 In relation to disposals (f) and (g) and any other disposal which has the effect of depriving a Scholar of their scholarship, Scholars have the right of appeal to the College

Visitor (the Bishop of Bath and Wells *ex officio*) under Statute XIII, Clause 5 of the College Statutes.

- 4.3 Under the Higher Education Act 2004, certain complaints which the Student considers not to have been properly dealt with by the College can be pursued with the Office of the Independent Adjudicator (OIA). The OIA provides an independent scheme for the review of student complaints. Where the OIA rules in favour of a student, it may recommend that the University or College should take action (e.g. look again at a complaint, or pay compensation) or refrain from taking action. In order to activate the OIA procedures, the appellant must be a current or former student of the University or one of the Colleges and must have first exhausted all the available internal procedures. There is a maximum of *one year* from the date of the Completion of Procedures Letter within which to apply to OIA. The Independent Adjudicator can deal with complaints about programmes of study or research, services provided to individuals as students by the University and/or by the individuals' college, a final decision by the University or college about a disciplinary matter or a complaint. The OIA cannot, however, deal with complaints about matters of academic judgement, matters that are the subject of legal proceedings, or matters relating to student employment.

Approved by Governing Body 02/12/20