University of the Built Environment
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Research Misconduct Appeals Panel

Terms of Reference

Version	2.00
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Author:	Helen Edwards
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Approval History

Version	Date	Comments	Approver
1.00	16/10/2023		Research Committee
2.00	09/09/2025		Research Committee

Document History

Version	Date	Reason	Person
0.01	17/08/2023	New terms of reference required linked to Research Misconduct Procedure	Helen Edwards
0.02	19/08/2025	Review and rebranding	Helen Edwards

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1 Key Purpose

1.1 The purpose of the Research Misconduct Appeals Panel is to investigate an appeal against the outcome of a Stage 2 or Stage 3 Research Misconduct investigation. The appeal must fall under one or more of the following permitted grounds and be submitted in writing within 10 working days of the outcome at Stage 2 or 3:

i. Procedural irregularity in the conduct of the investigation up to and before the Appeal Panel that could have had a material impact on the outcome.

ii. Fresh evidence becoming available which could not have been made available to the Stage 2 Screening Panel and/or the Stage 3 Investigation Panel.

iii. There was evidence of bias or unfairness in the process or decisions taken by the Associate Dean (Research), Screening Panel or Investigation Panel.

iv. The recommendations made as part of an outcome of the Procedure/subsequent action taken are either excessive or inadequate concerning the misconduct found as part of the investigation.

These terms of reference should be read in conjunction with the University Research Misconduct Procedure.

2 Terms of Reference

2.1 To consider the appeal raised by either the Complainant or Respondent including any evidence submitted in support of the appeal;

2.2 To review the conduct of the previous investigation but not to carry out an investigation of the previous allegations;

2.3 Determine where expert advice might need to be sought in the event that members have insufficient expertise to determine the outcome or make recommendations;

2.4 Determine whether to uphold the original decision or reverse or modify the decision, including the recommendations associated with them.

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Decide on one of the following outcomes:

a. A conclusion an allegation is unfounded, because it is mistaken or is frivolous or is otherwise without substance, and will be dismissed; or

b. A conclusion that an allegation is unfounded, because it is vexatious and/or malicious, and will be dismissed; or

c. A conclusion that an allegation has some substance but due to its relatively minor nature or because it relates to poor practice rather than to misconduct, will be addressed through education and training or other non-disciplinary approaches, such as mediation; or

d. A conclusion that an allegation is upheld in full; or

e. A conclusion that an allegation is upheld in part. Record the evidence considered and the discussion held, and conclusion reached for subsequent use;

2.5 Produce a final report setting out the outcome and its justification for this conclusion to be send to the Complainant and Respondent for fact checking before sending it to the Deputy Vice Chancellor (University Secretary).

2.6 Produce a final report setting out the outcome and its justification for this conclusion to be send to the Complainant and Respondent for fact checking before sending it to the Deputy Vice Chancellor (University Secretary).

3 Membership of the Panel

3.1 The membership of the Appeals Panel will be appointed by the Deputy Vice Chancellor (University Secretary) and will normally consist of three senior members of the Education Department not responsible for the line management and/or supervision/mentor of the Respondent. The panel may be larger if required to ensure that there is sufficient expertise to review the appeal.

3.2 One member of the panel must be external to University, and one member must be an academic specialist in the general area for which the misconduct occurred.

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3.3 All must not have been involved in the proceeding stages of the procedure.

3.4 The Deputy Vice Chancellor (University Secretary) will appoint one of the panel members to chair the Panel.

3.5 The Deputy Vice Chancellor (University Secretary) or Associate Dean (Research) will not be a Panel member and will not seek to influence the Panel.

3.6 Members of the Appeals Panel should declare any conflicts of interest.

3.7 The secretary of the Research Ethics Panel will act as secretary for this Panel and will be attendance to record the Panels discussions and the agreed outcome.

4 Quorum

4.1 For the Research Misconduct Appeals Panel to be quorate a minimum of three appointed members must be present. If a member is unable to continue to serve on the Panel and there are less than three remaining members, the Deputy Vice Chancellor (University Secretary) will seek a replacement.

5 Frequency of Meetings

5.1 Panel meetings will be convened as and when necessary, as research misconduct cases arise. In line with the Research Misconduct Procedure an appeal should be reviewed and concluded within 30 working days from the point at which the appeal is permitted by the Deputy Vice Chancellor (University Secretary).

DRAFT

Signed by:

Professor Angela Lee

Chair of the Research Committee

Date: 09/06/2025

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