



NUI Awards Appeals Process

Policy and Procedures

1. Introduction

- 1.1.** This policy outlines the process, procedures and responsibilities for appealing a decision to decline the funding of an application for the following NUI awards offered for competition:
 - i. Post-Doctoral Fellowships
 - ii. Travelling Studentships
 - iii. Denis Phelan Scholarship (awarded in connection with the Travelling Studentship competition)
 - iv. E J Phelan Fellowship in International Law
 - v. Dr Mary L Thornton Scholarship in Education
- 1.2.** The main purpose of the NUI Appeals Process is to guarantee that the University has acted fairly and reasonably, and followed the appropriate steps in its review procedures.
- 1.3.** The appeals process is not a peer review process but it may address factual inaccuracies or procedural errors if they occurred during the application and assessment process. These may include but are not limited to the following: incomplete documentation being made available to the subject specialists; inappropriate attention placed on superfluous information or rumour; or conflicts of interest that were not accounted for.
- 1.4.** The procedures for applications - including eligibility criteria, terms and conditions of tenure and the selection process adopted – are clearly explained in the Regulations for each award listed in section 1.1. Candidates are responsible for ensuring that they are familiar with the regulations for the competition in which they are applying and correctly follow the procedures set out.
- 1.5.** NUI will not consider appeals based on:
 - i. Applications considered ineligible due to errors in the application process, e.g. missed deadlines or omitted supporting documents, unless it can be comprehensibly shown that the error resulted from an oversight by the University.
 - ii. Applications not shortlisted for interview following a peer review assessment process. Independent subject specialists are appointed by the University to evaluate applications for funding and invited to make recommendations to the Registrar based on their expertise in the relevant field of study. Consequently, the recommendations of subject specialists are not an acceptable basis for appeal.
 - iii. Senate decisions to adopt the recommendations of Selection Panels appointed by the University to select nominees for the awards listed in section 1.1.
- 1.6.** The Appeals Process will not address petitions relating to the level of funding granted or the conditions of the award.
- 1.7.** NUI will consider appeals that are focused on clear issues of procedure. It will not process an appeal if the matter in question is also the subject of legal proceedings.
- 1.8.** A formal hearing is not provided to candidates. When considering an appeal, NUI will take into account the available funding and the nature of the award being offered.

2. Appeals Process

2.1. The appeals process has **three stages**:

- **STAGE 1: Explanation by the NUI Awards Executive / Awards Coordinator**
- **STAGE 2: Review by the NUI Registrar**
- **STAGE 3: Further Review by the NUI Senate**

2.2. Explanation by the NUI Awards Executive / Awards Coordinator (Stage 1)

A candidate whose application has been unsuccessful is encouraged to request in writing further information within 30 days from the NUI Awards Executive, in addition to the details provided in the correspondence from the Registrar. An appropriate member of staff from the NUI Awards Executive will give the candidate the opportunity to express their point of view, and will provide additional information to the candidate if any exists. Further clarification may be sought from the Awards Coordinator and further action may be taken if deemed appropriate.

Following this consultation, the candidate may be satisfied with the actions taken, or may accept that no further action is necessary. However, if the candidate is dissatisfied with the outcome of this process, the Awards Coordinator will provide them with a written explanation.

2.3. Review by the NUI Registrar (Stage 2)

If the candidate is dissatisfied with the action taken or the explanation provided in **Stage 1** of the process, they can submit a written request to the NUI Registrar (hereafter referred to as Registrar) asking that the decision of Senate be reviewed.

NUI will consider a request of this nature only in circumstances where each of the following three criteria are met:

- a) The request is received by NUI within 30 days following the issue of the letter confirming the candidate's application has been unsuccessful.
- b) The candidate has requested and received an explanation through the **Stage 1** process.
- c) The request has come through the research office of the candidate's host university and is endorsed by the host university through the Vice-President / Dean for Research (or equivalent).

In their written request to the NUI Registrar, the candidate should state if their appeal is founded on (i) factual inaccuracy or (ii) procedural error. They should also include a brief statement of no more than 300 words outlining the grounds for the appeal.

The Registrar will assess the record to establish if the review of the candidate's unsuccessful application by NUI was fair and reasonable. Alternatively, the Registrar may opt to appoint an independent assessor with expertise in the field of study to review the record. The result of the appeal will be outlined by the Registrar in writing to the host university, with a copy to the candidate, within 30 days of receipt of the request for reconsideration. In circumstances where the result is not available within the 30-day timeframe, the Registrar will inform both the host university and the candidate, and will provide an alternative date indicating when the result will be issued.

2.4. Further Review by the NUI Senate (Stage 3)

Once the host university and the candidate have been issued with the result of the appeal in writing, the university has 30 days to request a further review by the NUI Senate.

The request must be made in writing, and signed by the Head of the host university (e.g. the President or Chief Executive Officer) and the candidate. The written request should explain:

- a) Why the host university still believes that an error may have occurred during the initial evaluation.

- b) Why it is dissatisfied with the appeal result issued by the Registrar under **Stage 2** of the appeal process.

The Senate will review the request for a further review, and the record of actions taken by NUI through **Stages 1** and **2** of the appeals process.

At this stage, an independent panel may be convened to examine the case and to present a recommendation to Senate. The panel, to be appointed by Senate, will be the final arbiter in assessing the appeals case and will consider the appeal transparently and independently, and communicate its decision in a timely and clear manner.

The panel will comprise a minimum of three members and will be chaired by an independent expert outside of the NUI federal system. Other members of the panel may include, but are not confined to, representatives of NUI constituent universities and other NUI member institutions comprising academic staff and / or students; members of the NUI Senate; or representatives of professional bodies as appropriate.

The Senate will provide the result of the further review (**Stage 3**) in writing to the host university, with a copy to the candidate, within 30 days of receipt of the request for further review. The Senate will inform the host university and the candidate if the result will not be available within the 30-day timeframe, and will provide an alternative date for when the result can be expected.

The decision made by the Senate will be final and binding.

- 2.5. NUI will review this policy on an on-going basis and may update it from time to time. Policy updates are effective from the date they are posted on the NUI website. You may wish to check the website regularly for updates.

(approved by Senate, 19 January 2017)