

## Procedural Guidance

### Policy for the Award of Posthumous and Aegrotat Research Degrees

#### Contents

Introduction .....	2
Scope.....	2
Definitions.....	2
After examination and prior to deposition of finalised thesis to Spiral.....	4
After thesis submission but prior to examination (including instances of re-examination) .....	5
Awards before thesis submission .....	5
Accessing research material .....	6
Approval for examination .....	6
Examination .....	7
Review of examination outcome .....	8
Diploma of Imperial College.....	8
Certification and graduation .....	9
Confidentiality, GDPR and Intellectual Property/Copyright .....	9
General Data Protection Regulation (GDPR) .....	9
Intellectual Property/Copyright .....	9
Publication and further research based the candidate’s work.....	10
Spiral .....	10
Named author in publications .....	11
Using the candidate’s research findings/data .....	11

This document has been produced to guide and advise staff with regards to the consideration of a posthumous or aegrotat awards. If there are any additional questions or areas of clarification needed following reading this guidance, please contact the Quality Assurance and Enhancement Team at [quality@imperial.ac.uk](mailto:quality@imperial.ac.uk) for support in the first instance.

## Introduction

1. The College agreed to implement the Policy for the Award of Posthumous and Aegrotat Postgraduate Research Degrees in March 2023. The policy provides the framework for the consideration for the award of a research degree in the event of the death or diagnosis of a terminal/debilitating illness or other incapacitation of a candidate.
2. This guidance is designed to give detailed information to support staff who may have been supervising a candidate who cannot complete the programme; who are considering a posthumous or aegrotat award; or who are supporting students or family members.

## Scope

3. The policy was formally approved by Senate in March 2023, to be implemented with immediate effect. It was agreed that retrospective applications could be made under the policy with respect circumstances that had occurred over the previous 3 years (March 2020). On a case-by-case basis this may be extended further, however, only candidates registered for an Imperial College Award may be considered. In the case of a candidate registered for a University of London award, the College does not have the authority to make a posthumous or aegrotat award.
4. Candidates registered for the following Imperial College London degree awards may be considered under the policy;
  - a. PhD
  - b. EngD
  - c. MD(Res)
  - d. MPhil

Candidates for Doctor of Science (DSc) cannot be considered.

5. Where a candidate is undertaking a programme in which they complete an MRes followed by a PhD, known as a 1+3 programme, the MRes section of the programme will not be considered under this policy. Should the candidate become incapacitated during the MRes year consideration can be given under similar provisions in the [Regulations for Taught Programmes of Study](#).

## Definitions

6. The College regulations define the following terms in relation this policy.
  - a. **Posthumous:** An award that is made subsequent to the death of a candidate. This is prior to the final submission of thesis to the College's digital repository but may be before or after the *viva voce* examination.
  - b. **Aegrotat:** An award that is made as a candidate is incapacitated during the programme, with no realistic expectation that they would be able to complete the programme within the expected regulatory timeframe. The award is made following an assessment of the candidate's progress to date.

7. Though noting that candidates may become unwell or for other reason decide to interrupt or withdraw from their studies, they will only be considered under this procedure for an aegrotat award where they have received a prognosis that would prevent their further engagement in any study or research for the foreseeable future, such as traumatic injury or a terminal and/or debilitating illness.
8. In making an award of the College, the examiners must agree that the evidence presented for consideration meets the academic standards required for that award, accepting the limitations implicit in the circumstances of the examination. This is considered an academic judgement.
9. On this basis, the decision not to proceed to examination or that an award cannot be made does not constitute grounds for an academic appeal.
10. An aegrotat award, or consideration for one, will be the conclusion of the candidate's registration with the College. As such, the candidate, or candidate's family on their behalf, are required to confirm that they will accept an aegrotat award prior to any consideration to make an application or an examination.

### Initial consideration

11. In the event a Department is advised of a candidate's circumstances that may fall under the remit of this policy, consideration should be given to whether the candidate has completed a significant enough body of work to demonstrate that they would have met the appropriate standard for their registered award. For those registered for PhD, EngD or MD(Res), the award of MPhil is also available where appropriate.
12. In order to maintain research integrity and the expectations of academic awards of the College, when compiling any evidence for the consideration of an award under this policy, supervisors (or any other member of the College) must not develop the research on behalf of the candidate. For example, they should not conduct or finalise analysis of the candidate's findings, nor draft or update written work.
13. If an award is to be considered, a point of contact, normally a member of the department, will be agreed to liaise with the candidate, or their family or representative where necessary. It will be the responsibility of the department point of contact to explain the process and the possible outcomes, and to share the outcome once known. In instances in which a candidate is being considered for a posthumous award, staff should be mindful of the expectations and responsibilities listed in [Student Death protocol](#).
14. The point of contact should be clear when communicating with the candidate/candidate's representative that any decision under this procedure is an academic judgement based on the material available for consideration, not a judgment of the candidate's likely outcome had the circumstances not occurred. This is particularly important where a decision not to award a degree is determined.

## Awards after thesis submission and/or final examination

### After examination and prior to deposition of finalised thesis to Spiral

15. As much as possible, the final examination process should be followed as detailed in [Conduct of Viva Voce Examinations for Research Degrees and Related Matters](#).

- a. **Candidate has passed (without amendments) or has been previously examined and minor/major amendments have been submitted and approved:** The decision of the Examiners, that the student has passed and is to be awarded the degree, will stand and this award is not made on a posthumous or aegrotat basis. However, the relevant following sections of this guidance from paragraph 39 (Diploma of Imperial College) onwards still apply.
- b. **Candidate has passed subject to minor amendments or major amendments were required without re-examination (submitted but not reviewed/approved):** To be reviewed by the person(s) agreed at the time of examination. If the amendments are approved, the candidate will be awarded the degree, which will not be made on a posthumous or aegrotat basis. Where appropriate, the thesis should be submitted on the candidate's behalf to the repository, noting any relevant additions necessary to the frontispiece and publication limitations. If these are not considered completed in full see point c below.
- c. **Candidate has passed subject to minor amendments or major amendments were required without re-examination (not submitted):** Examiners are requested to review their reports to agree whether they are content that the award is granted.
  - i. Where the examiners agree to award a posthumous or aegrotat degree then the candidate is recorded to have passed and where appropriate, the thesis should be submitted on the candidate's behalf to the repository, noting any relevant additions necessary to the frontispiece and publication limitations.
  - ii. Where the examiners do not consider that the award can be granted on this basis, then where relevant, they should consider if a posthumous or aegrotat MPhil can be awarded. If the MPhil is awarded, then where appropriate, the thesis should be submitted on the candidate's behalf to the repository, noting any relevant additions necessary to the frontispiece and publication limitations (see section below).
  - iii. If the decision of the examiners is that neither i or ii apply, the outcome will be recorded as incomplete.

16. Where the candidate had been examined and required to resubmit for MPhil rather than their registered award, the relevant steps above will be followed, as appropriate.

### After thesis submission but prior to examination (including instances of re-examination)

17. The examiners will convene to consider the merits of the work as presented, and the candidate's potential to complete should they have been able to continue. The examiners are permitted to request additional information and/or ask questions of the supervisory team in relation to the work presented for award.
18. As stated in the policy, examiners may make one of the following recommendations:
  - a. There is sufficient evidence that the relevant posthumous or aegrotat award should be granted, and the award is made. Where appropriate, the thesis should be submitted on the candidate's behalf to the repository, noting any relevant additions necessary to the frontispiece and publication limitations where relevant.
  - b. There is insufficient evidence to award the relevant posthumous or aegrotat degree, however, there is sufficient evidence to support a posthumous or aegrotat MPhil and this award will be made. Where appropriate, the thesis should be submitted on the candidate's behalf to the repository, noting any relevant additions necessary to the frontispiece and publication limitations where relevant.
  - c. There is insufficient evidence to make an award.
19. Examiners must confirm their recommendation on the Examiners' Report Form provided and submit the completed form alongside a joint examiners' report on the thesis to the Registry Assessment Records Team for processing. In exceptional circumstances, examiners may submit separate reports with the permission of the Assessment Records Team. Examiners who are unable to agree on a recommendation must submit separate reports. These reports must clearly articulate the reasoning for their recommendation. For further action see *Review of examination outcome*.

### Awards before thesis submission

20. Where a thesis has not yet been submitted for examination the supervisor/s must consider whether there is sufficient quantity and quality of material to represent the thesis. This may include:
  - a. a full thesis.
  - b. partially complete thesis.
  - c. draft thesis chapters.
  - d. published work such as conference posters/presentations or journal articles.
  - e. datasets from research conducted.
  - f. draft publications.
  - g. any related documentation which was to have been incorporated into the thesis; any other supporting information e.g., progress reports).

21. The supervisor/s must be satisfied that there is enough material to permit an academic judgement to be made.

#### Accessing research material

22. It is expected that a candidate during their studies saves their data and relevant write-ups within the shared space for their research group, and that any publications are deposited in line with the College's open access [policy](#). However, it is recognised that in the short term, a student may have temporarily saved relevant information on personal drives/cloud space.
23. If a candidate is unable to provide access to their research material and it is believed that this is held on their College account, either held on College servers in some form or on their OneDrive account or on College owned hardware (laptops, tablets or desk top computers for example), under [Information Security Codes of Practice | Administration and support services | Imperial College London](#), the relevant Head of Department and College Secretary may jointly authorise access. Further support can be sought from the Central Secretariat. If access is authorised, access will be managed to ensure that only relevant material will be provided to relevant member of the department that is compiling the material for consideration of an award under the procedure.
24. Where information is stored on personal devices, and the candidate is unable to provide access, the point of contact should liaise with the next of kin/candidate's representative to seek any relevant material.

#### Approval for examination

25. If the supervisor considers that there may be sufficient material for an award to be considered, a panel will be convened to review the material and make a judgment as to whether the examination process will be completed. They will provide the panel with a written statement of support for the award, providing any relevant details as to why, in their opinion, the material that will be provided fulfils the expectations of award as outlined in the College [Regulations](#).
26. The panel will consist of:
  - a. Head of Department,
  - b. Director of Postgraduate Studies
  - c. Postgraduate Senior Tutor
27. Where there is or may be a perceived conflict of interests in the Panel, for example a member of the panel is the candidate's supervisor or has had significant involvement with the candidate for other reasons, the Head of Department will liaise with the Graduate School to agree a suitable replacement. This may be another experienced member of the department, the student's Early Stage Assessment (ESA) or Late Stage Review (LSR) assessor, or other person deemed suitable. If necessary, a suitable member of staff from another department may be requested to join the Panel.

28. Where possible, the candidate will provide the material for the panel, with support from their supervisor/supervisory team. Where this is not possible, the main supervisor will collate the material on their behalf.
29. It should be noted that the supervisor is not required and should not add to, enhance or in other way improve on the material that is available from the candidate's own research, writing or publications. In their written statement to the panel, the supervisor will be required to confirm that the material is the candidate's own.
30. The panel will decide on the basis of the material provided and in the light of the supervisor's statement whether to proceed to examination, and for which award (the candidate's registered award, or if appropriate for MPhil). If the panel do not agree to proceed, this completes consideration under this procedure. The candidate, or their representative as appropriate, will be advised that this is an academic judgement based on the material available for consideration, not a judgment of the candidate's likely outcome had the circumstances not occurred.
31. If agreed to proceed, then an internal and external examiner will be appointed in line with the [Procedure for Appointment of Examiners for Research Degrees](#). They will be advised of the circumstances of the examination by the Registry Assessment Records Team and provided a copy of the policy and this guidance for posthumous and aegrotat awards, in addition to the normal notifications and documents.

#### Examination

32. The examiners will convene to consider the merits of the work as presented, the supervisor's statement, and the candidate's potential to complete should they have been able to continue. The examiners are permitted to request additional information and/or ask questions of the supervisor team in relation to the work presented for award.
33. As stated in the policy, examiners may make one of the following recommendations:
  - a. There is sufficient evidence that the relevant posthumous or aegrotat award should be granted, and the award is made. Where appropriate, the thesis should be submitted on the candidate's behalf to the repository, noting any relevant additions necessary to the frontispiece and publication limitations where relevant.
  - b. There is insufficient evidence to award the relevant posthumous or aegrotat degree, however, there is sufficient evidence to support an MPhil and this award will be made. Where appropriate, the thesis should be submitted on the candidate's behalf to the repository, noting any relevant additions necessary to the frontispiece and publication limitations where relevant.
  - c. There is insufficient evidence to make an award.
34. Examiners must confirm their recommendation on the Examiners' Report Form provided and submit the completed form alongside a joint examiners' report on the thesis to the Registry Assessment Records Team for processing. In exceptional circumstances, examiners may submit separate reports with the permission of the Assessment Records Team. Examiners who are unable to agree on a

recommendation must submit separate reports. These reports must clearly articulate the reasoning for their recommendation. For further action see *Review of examination outcome*.

#### Review of examination outcome

35. If the examiners cannot agree an outcome following examination and receipt of any further material or responses from the supervisory team/candidate as appropriate, they should be directed to each complete a report form and provide an independent statement explaining their findings, recommendation, and rationale.
36. Their reports will be reviewed on behalf of the College alongside the material that was provided to the examiners by the Director of the Graduate School with support as they deem necessary by a further appointed internal or external examiner. The additional examiner must not have been involved in the candidate's study or any earlier consideration of the case. In the unlikely circumstances that the Director of the Graduate School considers that they have a conflict of interest a Deputy Director of the Graduate School with an additional examiner will consider the outcome.
37. An overarching report, explaining the rationale for their decision, will be held with the candidate's record.
38. The outcome of the review will be the final decision under this procedure. The possible outcomes will be:
  - a. There is sufficient evidence that the relevant posthumous or aegrotat award should be granted, and the award is made. Where appropriate, the thesis should be submitted on the candidate's behalf to the repository, noting any relevant additions necessary to the frontispiece and publication limitations where relevant.
  - b. There is insufficient evidence to award the relevant posthumous or aegrotat degree, however, there is sufficient evidence to support an MPhil and this award will be made. Where appropriate, the thesis should be submitted on the candidate's behalf to the repository, noting any relevant additions necessary to the frontispiece and publication limitations where relevant.
  - c. There is insufficient evidence to make an award.
39. The decision will be provided to the original examiners for reference, with a copy of the report including any comments as appropriate from the additional examiner, if appointed.

#### Diploma of Imperial College

40. In line with the College's [Regulations for the Awards of MPhil and PhD](#) academic regulations, where a candidate is awarded a degree under this policy, they will also be awarded a Diploma of Imperial College London and be permitted to use the post-nominal DIC.



## Certification and graduation

41. Certificates will be issued, in line with normal College practice, to recipients of an award under this policy.
42. It is not required that the certificate will reference whether the award was made posthumously or as an aegrotat.
43. As a recipient of a College degree, where possible the candidate will be invited to attend the relevant graduation ceremony to formally receive their award. In the case of a posthumous award, or where an aegrotat awardee is unable to attend, a family member or nominee may be permitted to attend a graduation ceremony to receive the award on their behalf.
44. The College will respect the wishes of the awardee/awardee's representative with regards to attendance at, and involvement with, the ceremony. The Graduation Team will liaise with the point of contact and the awardee/awardee's representative in respect to the graduation ceremony as outlined in the [Student Death Protocol](#).

## Confidentiality, GDPR and Intellectual Property/Copyright

### General Data Protection Regulation (GDPR)

45. Consideration of candidates under this policy will mean that some members of staff will become aware of sensitive (health or other) data regarding candidates. Sharing this information should be limited as much as possible. For example, examiners only need to be aware that the candidate is being considered under this policy and do not need to have further information.
46. Further guidance regarding GDPR can be sought from your local data protection coordinator or the Data Protection Officer.

### Intellectual Property/Copyright

47. The College's [Intellectual Property \(IP\) Policy](#) defines how IP generated at the College is managed and owned. IP is considered an 'intangible asset', and as such would form the part of the estate of a person that has died. Where IP is owned entirely by the student, this will be managed as part of the estate.
48. If an award is being considered, the Enterprise Records office must be contacted to confirm if a student is registered, and if so to ensure that commercialisation of any IP owned in full or in part by the student is shared with the student, or in the case of their death the beneficiaries of their estate.
49. Where subsequent work builds on IP owned in full or part by the student, the Enterprise Records Office should be contacted for advice and support.
50. If there are any queries about IP, this should be raised with the Director of the Research Office in the first instance.
51. Copyright is a form of intellectual property, and is automatically generated under [UK law](#) in respect of any:
  - a. original literary, dramatic, musical and artistic work, including illustration and photography.

- b. original non-literary written work, such as software, web content and databases
- c. sound and music recordings.
- d. film and television recordings.
- e. Broadcasts.
- f. the layout of published editions of written, dramatic and musical works.

<https://www.gov.uk/copyright>, (accessed: 15.05.2023)

52. Copyright timeframes differ depending on the category of the work between 25 years from publication until 70 years after the death of the originator. As with other forms of intellectual property it is an intangible asset and may be sold, leased/licensed or inherited. Further information on copyright can be sought from [Library Services](#) in the first instance.

## Publication and further research based the candidate's work

### Spiral

53. In the normal course of events, following the successful completion of examination a candidate is required to deposit the final copy of their thesis to Spiral, and this forms part of the conditions and regulations of study. It may not be appropriate in all cases considered under this policy as the material that had been considered for award does not constitute to fully formed thesis.
54. However, it is acknowledged that a failure to publish where possible may prevent the candidate from receiving the proper acknowledgement for their research both within the College and the wider academic community. Decisions will be made on a case-by-case basis by the candidate's Primary supervisor and Director of Postgraduate Studies (or Head of Department). It may be necessary to liaise with funding bodies/sponsors depending on the nature of the research and terms of the support that was granted to the candidate.
55. As part of the decision-making process, confirmation will be needed with regards to the licence agreement for publication and any embargos that would be required. Where the candidate is unable to complete the [Creative Commons License](#) declaration themselves, their representative or legal inheritor will need to be supported through this process.
56. If for any reason a license cannot be agreed, then the material will only be available internally to Imperial College.
57. If it is agreed that the work is sufficiently complete so that publication to Spiral is appropriate, and following confirmation of the creative commons license they should advise the Registry Assessment Records team, who will liaise as with the publication team.
58. In any work published to Spiral, either internally or publicly, the appropriate following statement must be used as a frontispiece to indicate that the work has been awarded on an aegrotat or posthumous basis.

- a. This work was awarded a PhD/MPhil\* on an aegrotat/posthumous\* basis and therefore may contain minor typographical or grammatical errors or may under normal circumstances have had additional editing prior to publication.
- b. This work was awarded a PhD/MPhil\* on an aegrotat/posthumous\* basis and is likely to contain typographical or grammatical errors or may under normal circumstances have had additional editing prior to publication. Where any major corrections would have been requested prior to award under normal circumstances these are listed in the attached report.

*(\*delete as appropriate)*

59. Guidance regarding publication to Spiral are provided at [Preparing your thesis | Research and Innovation | Imperial College London](#)

#### Named author in publications

60. In line with practice relating to members of staff, work may be published with the student as a named author without their direct consent where the relevant journal permits. However, full and proper acknowledgement should be given, and the publisher advised.
61. As the student is unlikely under the circumstances to liaise with the publisher, it would not normally be appropriate to list them as the lead author, even where this would have been the case had the circumstances have not occurred. It should also be noted that, except in exceptional circumstances, amendments or retractions are not normally possible after publication as the permission of all authors would be required.

#### Using the candidate's research findings/data

62. Standard research practices will apply in the use of any data or findings made by the student, as it would for any other data set or findings.
63. Guidance on this section can be sought from the Graduate school in the first instance, or information can be found on the College webpages regarding [Scholarly communication](#).