



Senate

Paper Title	Annual report on academic appeals submitted under the College Appeal Regulations 2012/13.
Outcome requested	Senate is asked to consider the findings in this report.
Points for Senate members to note and further information	<ul style="list-style-type: none">• The paper provides statistics and data on academic appeals received during the 2012/13 academic year.• Timescales for handling appeal cases during 2012/13 have improved significantly from 2011/12.
Questions for Senate to consider	Senate is asked to consider whether the handling of academic appeal cases and improvements to timescales are satisfactory
Regulatory/statutory reference points	This report has been produced to enable Queen Mary to monitor and evaluate the appeals process and to provide commentary for enhancement purposes.
Strategy and risk	<p>The appeal process helps manage institutional risk by identifying areas of Queen Mary provision that may need enhancement.</p> <p>Effective handling of appeals is crucial to the student experience and can correct issues that have not been resolved at an earlier stage thereby protecting the reputation of the institution.</p>
Reporting/consideration route for the paper	
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Annual report on academic appeals - 2012/13

Scope

1. This is the annual report to the Senate on academic appeal cases submitted by students during the 2012/13 academic year. Academic appeals are appeals against progression, assessment or award, and are more formally referred to as a request for a review of an examination board decision.

Number of cases received

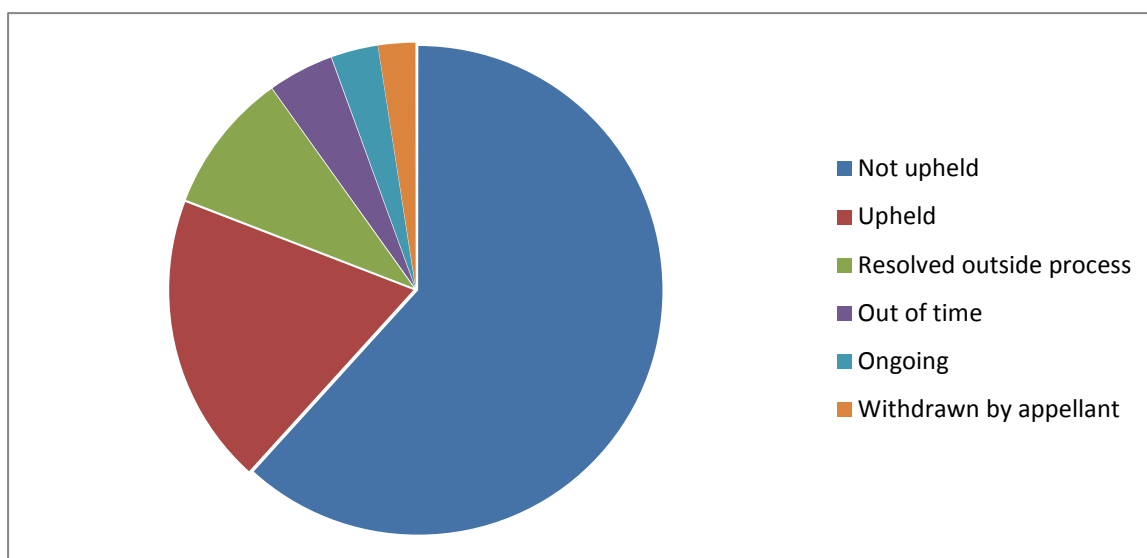
2. In total 162 academic appeals were submitted in 2012/13. This is 16 fewer cases than were received in 2011/12, a 9% decrease. The total number of requests received compares with previous years as follows:

Number of academic appeals received

Year	Number of appeals	% change	Student population	Number of appeals as % of student population
2008/09	173	54.5	14,900	1.16
2009/10	137	-20.8	15,769	0.89
2010/11	214	56.2	16,919	1.27
2011/12	178	-16.8	17,226	1.03
2012/13	163	-9.0	17,840	0.91

3. The apparent decline in academic appeal cases may be explained by the categorisation of appeals. In 2011/12 there were 38 non-academic appeals (previously known as CAR appeals) and 178 academic appeals meaning 216 appeals in total. In 2012/13 there were 67 non-academic appeals and 163 academic appeals meaning 230 appeals in total. Therefore the overall number of appeals, both academic and non-academic, risen slightly in 2012/13.
4. Of the 162 academic appeals received during 2012/13, 100 cases were not upheld and 31 cases were upheld. 4 cases were withdrawn by the applicant and a further 15 cases were resolved following intervention by the Appeal Office without the need for a full appeal. 7 appeals were rejected as they were submitted outside of the 14-day deadline and no good reason for the delay had been demonstrated. 5 cases remain outstanding at the time of writing the report.
5. The table and chart below show the outcome for appeals received in 2012/13.

Outcome	Number of cases
Not upheld	100
Upheld	31
Resolved outside process	15
Out of time	7
Ongoing	5
Withdrawn by appellant	4
TOTAL	162



6. The percentage of cases upheld in 2012/13 was 19% of the total received. This compares with 5% of cases upheld in 2011/12.
7. The increase in the number of cases upheld is mainly owing to cases which have been referred back to examboards for reconsideration. The Office of the Independent Adjudicator (OIA) has been encouraging such action in appropriate cases as the examboard is the appropriate academic body to review decisions, even if ultimately the decision does not change. The OIA has indicated that it is more comfortable with an approach whereby the appeals, complaints and conduct unit 'upholds' the appeal in the sense that, where appropriate, it recommends the case for referral back to the original decision making body. There is no expectation that the decision making body should vary its decision, but this way of working may eliminate further challenges should the case progress to the OIA for review.

Grounds for appeal

8. In accordance with the 2012/13 Appeal Regulations there are two grounds for appeal:
 - i. Procedural error where the process leading to the decision being appealed against was not conducted in accordance with QMUL's procedure, such that there is reasonable doubt as to whether the outcome might have been

different had the error not occurred. Procedural error includes alleged administrative/clerical error and bias in the operation of the procedure.

- ii. That exceptional circumstances, illness or other relevant factors had, for good reason, not been made known at the time or had not been taken into account properly.

College Appeal Regulations 2012/13, 2.139

9. Of the 162 requests received, 66 were submitted on the grounds of i. procedural error, 73 were submitted on the grounds of ii. exceptional circumstances and 23 were submitted on both grounds.

Appeals submitted under i) procedural error

10. Where students submitted requests on the grounds of i. procedural error, the key themes of the appeals were:

- Challenging marks awarded for particular modules/examinations based on the applicant's belief that these had been miscalculated;
- Challenging degree classifications based on the applicant's belief that they should have been awarded a higher classification.

11. Of the 66 appeals submitted under procedural error, 7 were upheld, 41 were not upheld, 11 were resolved outside the process, 2 were withdrawn by the student, and 3 were rejected because they were submitted outside of the 14-day deadline and no good reason for the delay had been demonstrated. Two cases are yet to be resolved.

12. The procedural errors that led to the appeals being upheld included:

- Inaccurate application of mark penalties for late submission of work;
- Confusion over special exam arrangements, or insufficient adjustments made;
- Incorrect exam paper issued;
- Module deregistration procedure not followed;
- Reported Specific Learning Difficulty not being followed up.

Appeals submitted under ii) Exceptional circumstances

13. Of the 73 appeals submitted on the grounds of exceptional circumstances, 44 cases were not upheld, 19 cases were upheld, 4 cases were resolved outside the process, 3 cases were rejected because they were submitted outside of the 14-day deadline, and 2 cases were withdrawn by the student. One case is yet to be resolved.

14. Where students submitted appeals on the grounds of ii) Exceptional circumstances, the common themes of the appeals were as follows:

- Assessments affected by a health condition that the student had not made known at the time – in a number of cases mental health conditions such as anxiety and/or depression;
- Diagnosis of a specific learning difficulty during or shortly after the exam period or after deregistration.

15. The majority of cases submitted on the grounds of exceptional circumstances relate to claims that examinations had been affected by ill health. By sitting exams students declare themselves fit to sit, in accordance with the 'fit to sit' policy, which

states: “in attending an examination, students declare themselves ‘fit to sit’. Any subsequent claim for extenuating circumstances shall not normally be considered”. In most cases applicants did not provide clear evidence of a good reason why they had not disclosed these circumstances to the examination board at the appropriate time.

16. There were also a number of cases that involved a student being diagnosed with a Specific Learning Difficulty, which is classified as a disability, while a student at QML. These cases are often complex and the OIA have recommended that QML deal with such cases with care and ensure that QML is in compliance with the Equality Act (2010).

Appeals submitted under both i) Procedural error *and* ii) Exceptional circumstances

17. Of the 23 cases submitted under both grounds, 15 were not upheld, 5 were upheld, and one case was rejected because it was submitted outside of the 14-day deadline. Two cases are yet to be resolved.
18. Appeals submitted on both grounds are combinations of the factors listed above under the individual grounds and do not have any specific features that distinguish them. Students often appeal on both grounds when they do not fully understand the appeal process and the grounds on which appeals must be made.

Appeals by Developmental Year

19. The tables below provide data on the number of appeals received, by level of study and by developmental year.

Number of academic appeals, by level of study

Level of study	Number of appeals received	% of all appeals (to one decimal place)
Undergraduate	119	73.5
Postgraduate taught	41	25.3
Postgraduate research	2	1.2

Number of academic appeals, by developmental year

	Number of appeals received	% of all appeals (to one decimal place)
Foundation (Year 0)	2	1.2
UG year 1	26	16.0
UG year 2	27	16.7
UG final year	53	32.7
UG year 3 (of 4 or 5)	4	2.5
UG year 4 (of 5)	7	4.3
PGT	41	25.3
PGR	2	1.2
Total	162	

20. Undergraduate students continue to submit the highest number of appeals. Research student appeals appear low; postgraduate research students make up 7% of the student population. One reason for this is that research students are more likely to submit a complaint if they fail to progress rather than an appeal.
21. Postgraduate taught students accounted for over a quarter of all academic appeals in 2012/13 which is in line with the 2011/12 academic year, which saw 47 postgraduate academic appeals, 26.4% of the total number of appeals. Postgraduate students make up 34.7% of the student population at Queen Mary, so they are slightly underrepresented in the academic appeal figures here.

Appeals by School

22. The tables below show the number of appeals by School by total number of appeals received and the number of appeals as a % of the School's total population.
23. In terms of total number of appeals the most were received from the School of Medicine and Dentistry, Electronic Engineering and Computer Science, Economics and Finance and Law.
24. While the total number of appeals was highest from SMD when the number of appeals are taken as a % of a School's student population the Schools that saw the highest number of appeals were Economics and Finance 2.0%, Electronic Engineering and Computer Science 1.8%, Mathematical Sciences 1.3%. SMD by contrast only represented 0.8% of the student population submitting an appeal.

Academic appeals by School – as % of all appeals received

Ranking	School	Total number of appeals	% of all appeals	% of students in the School appealing*
1	Medicine	29	17.9	0.9
2	Electronic Engineering & Computer Science (excluding BUPT students)	25	15.4	2.3
=3	Economics and Finance	18	11.1	1.8
=3	Biological & Chemical Sciences	18	11.1	1.2
5	Law	16	9.9	1.0
6	Engineering & Materials Science	11	6.8	0.9
7	Mathematical Sciences	9	5.6	1.3
8	English and Drama	8	4.9	1.0
=9	CCLS	7	4.3	0.4
=9	Languages, Linguistics and Film	7	4.3	0.9
11	Business and Management	6	3.7	0.5
12	Physics and Astronomy	3	1.9	0.7
=13	Politics & International Relations	2	1.2	0.3
=13	Learning Institute	2	1.2	2.7
14	History	1	0.6	0.2
		162		

* calculated using population (by headcount) for all levels and modes of study as at 1 December 2012

Timescales

25. The College Appeal Regulations 2012/13 state that students will be notified of the outcome of their appeal application within 28 working days from the receipt of the submission of supporting evidence.
26. All students are notified when the 28 working day deadline is reached informing them that their case is still under consideration. Exact timescales for completion are not provided as this can be affected by a number of factors.
27. The mean time taken to resolve a case for 2012/13 was 33 working days; the median was 29 working days. This is a marked improvement on the figures for 2011/12, which were 52 and 41 working days respectively. The table below provides a breakdown of the number of cases under/over the 28 working days specified by the regulations.

Working days taken to resolve cases

Number of cases under working 28 days	74
Number of cases over 28 days	81
Cases open/resolved without appeal	7

Cases over 28 working days

29 - 50 working days	57
51-100 working days	23
Over 100 working days	1 (19 last year)

28. The figure of one appeal taking over 100 working days compares favourably to 2011/12, when there were 19 cases over 100 working days. This may be attributed to the full team in place for the majority of 2012/13, without a backlog of cases.

Appeals to the Principal's nominee

29. Students who are not satisfied with the outcome of their academic appeal may appeal to the Principal's nominee (currently the Vice Principal for Teaching & Learning) on the grounds of procedural error in the consideration of the academic appeal.
30. Out of 146 eligible cases, 27 students (18.5%) submitted a request to the Vice Principal for a final review in relation to their academic appeal, of which two were upheld.

Office of the Independent Adjudicator for Higher Education

31. Students who are dissatisfied with the outcome of the application are entitled to request a further review from the OIA which operates an independent student complaints scheme. The Completion of Procedures letter gives information on the scheme along with a website address. Applications made to the OIA are reported separately to Senate.

Developments for 2013/14 and beyond

32. Queen Mary continues to review the processes to handle student appeals particularly in light of the guidance in the new UK Quality Code for Higher Education.
33. Following OIA advice and consultation, the Queen Mary Appeal Regulations 2013/14 have a new deadline of 2 months to resolve appeal cases. 125 of the academic appeal cases submitted in 2012/13 (77%) were resolved within this timeframe.
34. The 2013/14 Regulations have dispensed with the final review stage. Students will continue to be able to take their case to the OIA should they be dissatisfied with the outcome of their appeal.
35. The Academic Secretariat has met with the Students' Union and has agreed to focus on providing better communication with students and better information on the website regarding the appeal process and what students can expect. This enhancement work is designed to improve the student experience of the appeal process.

Equality Impact Data

36. Appendix 1 shows the breakdown of academic appeals received by ethnicity and gender. Appendix 2 shows the breakdown of academic appeals received by fee status.
37. The highest number and proportion of appeals were from students who stated their ethnicity as white. This is also the largest ethnic group at QMUL. The second highest number of appeals was from students who stated their ethnicity as 'Asian-Other'. No ethnic group is particularly over-represented in the data.
38. The gender split in appeals was 56% male and 44% female. Amongst the largest ethnic group at Queen Mary (White) the split was very close to these figures. For the second and third largest ethnic groups (Asian-Other and Asian-Indian), the gender split was reversed, however not drastically.
39. The number of students classified as home/EU fee-status was 118, which represented 72.8% of all academic appeals. A far smaller proportion of the appeals came from international students; only 27.2% of all applications were from students in this category. These figures are roughly in line with last year's figures, with 77.5% of appeals from Home/EU students and 22.5% from overseas students in 2011/12. Home/EU students make up two thirds of Queen Mary Students (66.7%), so are overrepresented in the academic appeal figures.

Appendix 1 – ethnicity and gender

Ethnicity	Number of appeals	Proportion of all appeals (% to one decimal place)	Appeals within ethnic group:	
			Male (%)	Female (%)
White	47	29.0	55	45
Arab	8	4.9	63	37
Asian – Bangladeshi	7	4.3	86	14
Asian – Chinese	9	5.6	56	44
Asian – Indian	21	13.0	48	52
Asian – Pakistani	15	9.3	73	27
Asian – Other	24	14.8	42	58
Black – African	10	6.2	60	40
Black – Caribbean	1	0.6	100	0
Black – Other	1	0.6	0	100
Mixed – White/Black African	3	1.9	67	33
Other mixed	3	1.9	33	67
Other ethnic background	7	4.3	57	43
Not stated	6	3.7	50	50
Totals	162		56	44

Appendix 2 – Academic appeals received, by fee status

Fee Status	Number of appeals	% of total appeals
Home/EU	118	72.8
Overseas	44	27.2
Total	162	100