



Senate

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| Paper Title | Annual report on 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 the number and type of appeals received. • There was a reduction in timescales for handling appeal cases during the 201/13 • The ethnic and gender data, although based on a statistically small sample does not suggest any group is over-represented in the figures or is being disadvantaged. |
| 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 appeals. The Quality Assurance Agency provide the expectations for institutions on handling appeals and the Office of the Independent Adjudicator is the independent review scheme for student complaints for all Higher Education institutions. |
| 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 appeals submitted under the
College Appeal Regulations 2012/13**

Scope

1. This is the annual report to the Senate on appeal cases submitted by students under the Appeal Regulations. This report focuses on non-academic appeals submitted in the 2012-2013 academic year. These appeals are known as CAR appeals include the following:
 - i. Student Disciplinary Procedure, as detailed in the Code of Student Discipline;
 - ii. Professional Capability and Fitness to Practise Procedure, as detailed in the Code of Student Discipline;
 - iii. Regulations for Assessment Offences;
 - iv. disciplinary actions taken under the Residences Regulations;
 - v. decisions to terminate the registration of a student (including research students);
 - vi. regulations and procedures for upgrade from MPhil to PhD and other decisions relating to the progression of research students;
 - vii. decisions on student bursaries, scholarships and grants administered by QMUL.

Data analysis and trends

2. During the 2012/13 academic year 67 non-academic appeals were submitted. This is 29 more appeals than submitted in 2011/12. The total number of requests received compares with previous years as follows:

Number of non-academic Appeals received by year

| Year | Student population | Number of appeals as % of student population |
|-------------|---------------------------|---|
| 2009/10 | 16,726 | 0.11 |
| 2010/11 | 16,919 | 0.39 |
| 2011/12 | 17,226 | 0.22 |
| 2012/13 | 17,840 | 0.38 |

3. The table above shows an increase in the number of appeal requests made in the 2012/13 year compared to the 2011/12 academic year.
4. The apparent decline in non-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.

5. The breakdown of appeals submitted under the various categories as compared with those which were submitted during the previous academic year is as follows:

Appeals received by category

| Category of appeal | 2012/13 | | 2011/12 | |
|--|---------|------------|---------|------------|
| | Number | % of total | Number | % of total |
| Student Disciplinary Procedure | 0 | 0 | 1 | 2.5 |
| Assessment Offences Regulations | 23 | 34 | 3 | 8 |
| Decisions to terminate the registration of a student | 24 | 36 | 16 | 42 |
| Decisions to terminate the registration of a student on a research studies programme | 4 | 6 | 2 | 5 |
| Regulations and procedures for upgrade from MPhil to PhD | 2 | 3 | 6 | 16 |
| Decisions relating to student bursaries, scholarships and grants | 3 | 4 | 6 | 16 |
| Appeals against Professional Capability and Fitness to Practise | 2 | 3 | 1 | 2.5 |
| Residence appeals | 2 | 3 | 3 | 8 |
| Fees | 6 | 9 | 0 | 0 |
| Special Exam Arrangements | 1 | 2 | 0 | 0 |

6. The above table shows that deregistration cases continue to remain the largest category of appeal. This is unsurprising as students are likely to appeal a decision to deregister them even if they do not have strong grounds for appeal.
7. There was also a large increase in the number of appeals against an assessment offence penalty. The increase is probably explained by the large increase in the number of assessment offences in 2012/13

Grounds for a review

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.

Academic Regulations 2012/13, 2.139

- 9. Of the 67 appeals received, 22 were submitted on the grounds of i. Procedural error, 23 were submitted on the grounds of ii Exceptional circumstances and 22 were submitted on both grounds.
- 10. Of the 67 cases received during the 2012/13 academic year 43 were not upheld, 14 cases were upheld, 6 cases were resolved by other means, 2 cases were out of time, 1 case remains outstanding as of February 2014 and 1 case was withdrawn.

Timescales

- 11. 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.
- 13. 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.
- 14. The mean time taken to resolve a case for 2012/13 was 27 working days; the median was 25 working days. 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 case

| | |
|--|----|
| Number of cases under 28 working days | 39 |
| Number of cases over 28 days and under 2 calendar months | 17 |
| Over 2 months | 10 |

1 case withdrawn

Office of the Independent Adjudicator for Higher Education

- 15. Students who are dissatisfied with the outcome of the application are entitled to request a further review from the Office of the Independent Adjudicator (OIA) which operates an independent student complaints scheme. Applications made to the OIA are reported separately to Senate.

Conclusions and developments for 2013/14 and beyond

16. Queen Mary continues to review processes for handling student appeals particularly in light of forthcoming National Guidance on Appeals and Complaints due to be published by a collaboration of the OIA, the Academic Registrars Council, and the NUS. Consultation on the guidance is due to begin in March and April 2014. It is expected the National Guidance may be published in 2015; Queen Mary will review its processes against the consultation and will make recommendations for review in light of the final guidance.
17. The Regulations have been amended for 2013/14 so that the maximum timeframe for handling appeal cases is 2 months rather than 28 calendar days. The two-month turnaround time is more stringent than guidance from the NUS which recommends that appeals should be concluded in 3 months.
18. 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 managing student expectations. This enhancement work is designed to improve the student experience, both in terms of the appeals process and by referring on any matters of concern that may be brought to light by issues raised in appeals.

Equality Impact Data

19. Appendix 1 shows the breakdown of CAR appeals received by developmental year. Appendix 2 shows the breakdown by fee status. Appendix 3 shows cases by ethnic group and gender.
20. Applications from taught and research postgraduate students formed a significantly high proportion of all appeals received in 2011/12. The main reason for this is that undergraduate appeals tend to fall under the academic appeals category and are recorded there.
21. The data is probably too small to be statistically significant however the highest number and proportion of appeals were from students who stated their ethnicity as Asian-Pakistani. There does not appear to be any obvious reason for this over-representation and no common themes in their appeals.
22. The gender split in applications was 68% male and 32% female, which is largely similar to the division in the previous academic year.

Appendix 1 - Appeals by developmental year

| Year of study | Number of appeals 2012/13 | As % of all appeals 2012/13 | Number of appeals 2011/12 | As % of all appeals 2011/12 | Number of appeals 2010/11 | As % of all appeals 2010/11 |
|---------------------|---------------------------|-----------------------------|---------------------------|-----------------------------|---------------------------|-----------------------------|
| Year 0 (foundation) | 11 | 16 | 2 | 5 | 9 | 14 |
| UG Year 1 | 9 | 14 | 5 | 13 | 11 | 17 |
| UG Year 2 | 9 | 14 | 8 | 21 | 12 | 18 |
| UG Final Year | 10 | 15 | 7 | 18 | 19 | 29 |
| Year 4 (MBBS) | 2 | 3 | 1 | 3 | 1 | 2 |
| PGT | 20 | 30 | 6 | 16 | 8 | 11 |
| PGR | 6 | 9 | 9 | 24 | 6 | 9 |
| Total | 67 | | 38 | | 66 | |

Appendix 2 - Appeals received by fee status

| Status | Number of appeals 2012/13 | % of appeals 2012/13 | Number of appeals 2011/12 | % of appeals 2011/12 |
|--------------|---------------------------|----------------------|---------------------------|----------------------|
| Home/EU | 49 | 73% | 26 | 68% |
| Overseas | 18 | 27% | 12 | 32% |
| Total | 67 | | 38 | |

Appendix 3 – Appeals received by ethnic group and gender

| Ethnicity | 2011/12 | | | | 2011/12 | | | |
|------------------------------|-------------------|------------------|----------|------------|-------------------|------------------|-----------|------------|
| | Number of appeals | % of all appeals | Male (%) | Female (%) | Number of appeals | % of all appeals | Male (%) | Female (%) |
| Asian – Bangladeshi | 3 | 4.5 | 67 | 33 | 1 | 3 | 0 | 100 |
| Asian – Chinese | 7 | 10.5 | 58 | 42 | - | - | - | - |
| Asian – Indian | 5 | 7.5 | 80 | 20 | 2 | 5 | 0 | 100 |
| Asian – Pakistani | 7 | 10.5 | 71 | 29 | 10 | 26 | 50 | 50 |
| Asian – Other | 8 | 12 | 100 | 0 | 6 | 16 | 0 | 10 |
| Black – African | 9 | 13.5 | 67 | 33 | 4 | 11 | 75 | 25 |
| Black – Caribbean | 1 | 1.5 | 100 | 0 | 1 | 3 | 100 | 0 |
| Mixed – White and Asian | - | - | - | - | 1 | 3 | 0 | 1 |
| Other mixed | 2 | 3 | 50 | 50 | 1 | 3 | 0 | 1 |
| Other background | 1 | 1.5 | 0 | 100 | 4 | 11 | 50 | 50 |
| White | 20 | 30 | 75 | 25 | 7 | 18 | 57 | 43 |
| Not stated | 4 | 6 | 75 | 25 | - | - | - | - |
| Information withheld/refused | - | - | - | - | 1 | 03 | 100 | 0 |
| Totals | 67 | 100.5* | | | 38 | 102* | 45 | 55 |

*figures rounded