



Senate

Paper Title	Annual report on academic appeals submitted under the QMUL Appeal Regulations 2013/14.
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 2013/14 academic year.• The report also provides an equality impact analysis of the cases by ethnicity, gender and fee status.
Questions for Senate to consider	<ul style="list-style-type: none">• is Senate content that cases are being handled in a satisfactory manner?• are there any areas of concern?• are there any opportunities for enhancement?
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 require improvement.</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 students and the reputation of the institution.</p>
Reporting/consideration route for the paper	
Authors	Luke Vulpiani, Assistant Academic Registrar Student Casework
Sponsor	Professor Susan Dilly, Vice-Principal (Teaching and Learning)

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Annual report on academic appeals - 2013/14

Scope

1. This is the annual report to the Senate on academic appeal cases submitted by students during the 2013/14 academic year. Academic appeals are appeals against progression, assessment or award.

Number of cases received

2. In total 201 academic appeals were submitted in the 2013/14. This is 38 more cases than were received in 2012/13, representing a substantial increase of 18.9% on the previous year. The total number of appeals received compares with previous years as follows:

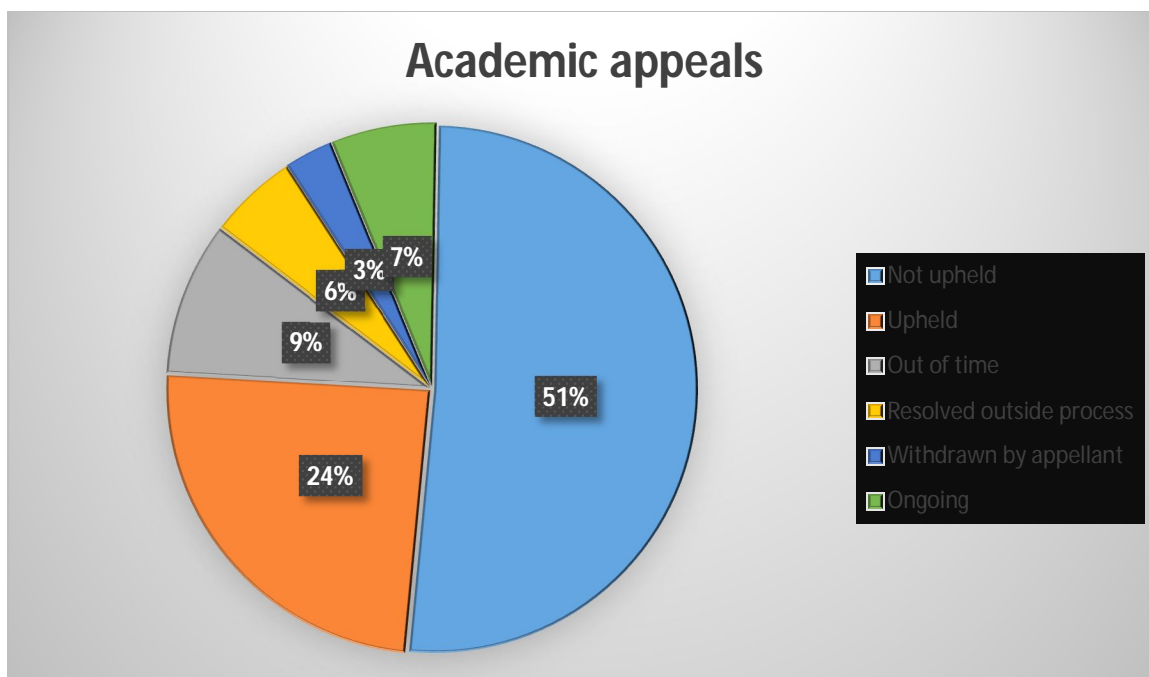
Number of academic appeals received

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
2013/14	201	18.9	18768	1.1

3. While the number of appeals has increased from the previous 2 years it is less than the number received in 2010/11. The number of appeals as a % of the total QMUL student population has remained around 1%.
4. Of the 201 academic appeals received during 2013/14, 103 cases were not upheld and 49 cases were upheld. 6 cases were withdrawn by the applicant and a further 11 cases were resolved following intervention by the Appeals Office without the need for a full appeal. 19 appeals were rejected as these were submitted outside of the 14-day deadline and no good reason for the delay had been demonstrated. 13 cases that were submitted at the end of the 2014 calendar year remain outstanding at the time of writing the report in early February.
5. The table and chart below show the outcome for appeals received in 2013/14.

Outcome	Number of cases
Not upheld	103
Upheld	49

Resolved outside process	11
Out of time	19
Ongoing	13
Withdrawn by appellant	6
TOTAL	201



6. The percentage of cases upheld in 2013/14 was 24% of the total received. This compares with 19% of cases upheld in 2012/13.
7. The increase in the number of cases upheld is explained by an increase in cases which have been referred back to exam boards for reconsideration. The Office of the Independent Adjudicator (OIA) has indicated to QMUL that it would prefer those cases in which grounds are made out to be referred back to the relevant decision making body where appropriate. While this was always the case for 'upheld' appeals in the past, there were more detailed investigations in getting to this stage of the process, an approach which was sometimes criticised by the OIA. Since it is difficult to avoid investigating each case in detail before it is possible to ascertain if grounds are made out, the appeals team has been quicker to refer those cases where there are sufficient grounds to be reviewed by the original decision making body, rather than delay consideration with a lengthy investigation if this is not critical to the facts of the case. There is no expectation that the decision making body should vary its decision, but this way of working provides additional reassurance for students who have demonstrated their grounds for review and may eliminate further challenges should the case progress to the OIA for review.

Grounds for appeal

8. In accordance with the 2013/14 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.

QMUL Appeal Regulations 2013/14, 2.146

9. Of the 201 appeals received in the 2013/14 academic year, 48 were submitted on the grounds of i. procedural error, 128 were submitted on the grounds of ii. exceptional circumstances and 25 were submitted on both grounds.

Appeals submitted under i) procedural error

10. Of the 48 appeals submitted under procedural error, 5 were upheld, 25 were not upheld, 6 were resolved outside the process, 1 was withdrawn by the student, and 5 were rejected because they were submitted outside of the 14-day deadline and no good reason for the delay had been demonstrated. Six cases are yet to be resolved.
11. 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.
 - There were a number of appeals following problems with the rescheduling of an exam which led to many students feeling they had been disadvantaged.
12. The procedural errors that led to the appeals being upheld included:
 - Confusion over the notification of a rearranged examination;
 - Problem with the communication of a new submission date
 - Lack of clarity in regards to the examboard's consideration of a student's degree classification

Appeals submitted under ii) Exceptional circumstances

13. Of the 128 appeals submitted on the grounds of exceptional circumstances, 63 cases were not upheld, 39 cases were upheld, 4 cases were resolved outside the process, 13 cases were rejected because they were submitted outside of the 14-day deadline, and 4 cases were withdrawn by the student. 5 cases are 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 was also an increase in the number of cases that involved a student being diagnosed with depression, which may be classified as a disability, while a student at QMUL. These cases are often complex and the OIA has recommended that QMUL deal with such cases with care and ensure that QMUL is in compliance with the Equality Act (2010).

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

17. Of the 25 cases submitted under both grounds, 17 were not upheld, 5 were upheld, 1 was withdrawn by the student and 1 case was rejected because it was submitted outside of the 14-day deadline. 1 case is 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	169	84
Postgraduate taught	31	15.5
Postgraduate research	1	0.5

Number of academic appeals, by developmental year

	Number of appeals received	% of all appeals (to one decimal place)
Foundation (Year 0)	0	0
UG year 1	36	18
UG year 2	52	26
UG final year	70	35
UG year 3 (of 4 or 5)	6	3
UG year 4 (of 5)	5	2
PGT	31	15.5
PGR	1	0.5
Total	201	

20. As expected undergraduate students represent the largest number of appeals. Final year students are more likely to appeal as degree classification is one of the things students are often dissatisfied with.
21. Research student appeals appear low; postgraduate research students make up about 7% of the student population. Complaints from research students have also decreased in recent years, indicating this may be the result of closer monitor of supervision.
22. Appeals from postgraduate taught students have also decreased in recent years: over a quarter of all academic appeals in the 2012/13 and 2011/12 academic year were from taught research students. 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

23. 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.
24. In terms of total number of appeals the most were received from the School of Medicine and Dentistry, Mathematics, Electronic Engineering and Computer Science and Economics and Finance.
25. 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 Mathematical Sciences, Electronic Engineering and Law.
26. The increase in the number of appeals for Mathematical Sciences in 2013/14 is explained by a large number of students who appealed following the cancellation and rescheduling of one of the main summer exams.

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	36	17.9	1.6
2	Mathematical Sciences	33	16.4	4.4
3	Electronic Engineering & Computer Science (excluding BUPT students)	29	14.4	2.9
4	Law	21	10.4	2.7
5	Economics and Finance	12	6	1
=6	English and Drama	11	5.5	1.3
=6	Business and Management	11	5.5	1
8	Biological & Chemical Sciences	10	5	0.7
9	Engineering & Materials Science	9	4.4	0.8
10	Languages, Linguistics and Film	8	4	1
11	Physics and Astronomy	5	2.5	1
=12	CCLS	4	2	0.5
=12	History	4	2	0.8
14	Politics & International Relations	3	1.5	0.5

* calculated using population (by headcount) for all levels and modes of study as at 1 December 2014

15	International Office (UG Associate)	1	0.5	0.3
		201		

Timescales

27. The QMUL Appeal Regulations 2013/14 state that students will be notified of the outcome of their appeal application within 2 calendar months from the receipt of the submission of supporting evidence.
28. All students are notified if the 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.
29. The mean time taken to resolve a case for 2013/14 was 41.8 calendar days; the median was 41 calendar days. The table below provides a breakdown of the number of cases under/over the two months specified by the regulations.

Time taken to resolve cases

Number of cases under two calendar months	154 (77%)
Number of cases over two calendar months	36 (18%)
Cases open/resolved without appeal	11 (5%)

Office of the Independent Adjudicator for Higher Education

30. 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 2014/15 and beyond

- 31 The Good Practice Framework for Handling Complaints and Academic Appeals, a sector-wide collaboration led by the Office of the Independent Adjudicator was published in December 2014.
- 32 The Framework is designed to provide institutions with a model for handling appeals and complaints, it sets out principles and operational good practice but does not include prescriptive detail.
- 33 The Framework can be read online at: <http://www.oiahe.org.uk/media/96361/oia-good-practice-framework.pdf>.
- 34 QMUL will undertake a review of its processes and procedures for handling appeals and complaints in time for consideration by Senate in June. It is not expected that radical change will be needed as alterations made to the regulations and procedure over the last few years have sought to reflect best practice in the sector and anticipate the Framework.

35 The OIA have indicated that they are willing to provide some training for institutions to support the implementation of the Framework and QMUL will explore this opportunity if it arises.

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-Indian and Asian-Pakistani. No ethnic group is particularly over-represented in the data.

38 The gender split in appeals was 62% male and 38% female. Amongst the largest ethnic group at Queen Mary (White) the split was 47% male, 53% female. For the joint second largest ethnic groups (Asian-Indian and Asian-Pakistani), the gender split was reversed, with 88% of male students and 12% of female students identifying themselves as Asian Indian appealing whilst 60% of male and 40% of female Asian Pakistani students submitted an appeal.

39 The number of students classified as home/EU fee-status was 152, which represented 76% of all academic appeals. A far smaller proportion of the appeals came from international students; only 24% of all applications were from students in this category. These figures are roughly in line with last year's figures, when 72.8% of appeals from Home/EU students and 27.2% overseas students appealed in 2012/13. Home/EU students make up about two thirds of Queen Mary Students (64%), 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 (%)
Arab	5	2.5	100	0
Asian – Bangladeshi	11	5.5	73	27
Asian – Chinese	14	7	57	43
Asian – Indian	25	12.4	88	22
Asian – Pakistani	25	12.4	60	40
Asian – Other	24	11.9	67	33
Black – African	13	6.5	77	33
Black – Caribbean	3	1.5	100	0
Mixed – White/Asian	3	1.5	100	0
Mixed – White/Black African	1	0.5	0	1
Mixed – White/Black Caribbean	1	0.5	0	1
Other mixed	4	2	50	50
Other ethnic background	4	2	50	50
White	60	29.8	47	53
Not stated	8	4	38	62
Totals	201		62	38

Appendix 2 – Academic appeals received, by fee status

Fee Status	Number of appeals	% of total appeals
Home/EU	152	76
Overseas	49	24
Total	201	