



**Senate**

<b>Paper Title</b>	Annual report on appeals submitted under the QMUL Appeal Regulations 2013/14.
<b>Outcome requested</b>	Senate is asked to <b>consider</b> the findings in this report.
<b>Points for Senate members to note and further information</b>	<ul style="list-style-type: none"> <li>• The paper provides statistics and data on the number and type of appeals received.</li> <li>• The report also provides equality impact analysis of the cases by ethnicity, gender and fee status.</li> </ul>
<b>Questions for Senate to consider</b>	<ul style="list-style-type: none"> <li>• is Senate content that cases are being handled in a satisfactory manner?</li> <li>• are there any areas of concern?</li> <li>• are there any opportunities for enhancement?</li> </ul>
<b>Regulatory/statutory reference points</b>	This report has been produced to enable Queen Mary to monitor and evaluate the appeals process and to provide commentary for enhancement purposes.
<b>Strategy and risk</b>	<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>
<b>Reporting/consideration route for the paper</b>	
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## Annual report on appeals submitted under the QMUL Appeal Regulations 2013/14

### 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 2013-14 academic year. These 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. decisions on student bursaries, scholarships and grants administered by QMUL.

### Data analysis and trends

2. During the 2013/14 academic year 73 non-academic appeals were received. This is 12 more appeals than received in the 2012/13 academic year. The total number of appeals received compares with previous years as follows:

#### Number of non-academic Appeals received by year

Year	Number of appeals	Student population	Number of appeals as % of student population
2010/11	66	16,919	0.39
2011/12	38	17,226	0.22
2012/13	61	17,840	0.38
<b>2013/14</b>	<b>73</b>	<b>18,768</b>	<b>0.39</b>

3. Apart from a fall in the 2011/12 academic year the number of non-academic appeals received as a percentage of the QMUL student body has remained fairly static over the last few years.
4. The number of non-academic appeals submitted by category is as follows:

### Appeals received by category

Category of appeal	2013/14		2012/13	
	Number	% of total	Number	% of total
Student Disciplinary Procedure	0	0	0	0
Assessment Offences Regulations	26	36	23	34
Decisions to terminate the registration of a taught student	37	51	24	36
Decisions to terminate the registration of a student on a research studies programme	1	1	4	6
Regulations and procedures for upgrade from MPhil to PhD	0	0	2	3
Decisions relating to student bursaries, scholarships and grants	2	3	3	4
Appeals against Professional Capability and Fitness to Practise	1	1	2	3
Residence appeals	4	5	2	3
Fees	2	3	6	9
Special Exam Arrangements	0	0	1	2

6. The above table shows that the largest categories remain appeals against assessment offence decisions and deregistration cases. 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. The number of appeals against an assessment offence decision remained static despite a fall in the total number of assessment offences in 2013/14 compared to 2012/13.

#### Grounds for a review

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.

*Academic Regulations 2013/14, 2.146*

- 9. Of the 73 appeals received, 28 were submitted on the grounds of i., procedural error, 28 were submitted on the grounds of ii., exceptional circumstances and 17 were submitted on both grounds.
- 10. Of the 73 cases received during the 2013/14 academic year 23 were not upheld, 14 cases were upheld, 28 cases were resolved by other means, 7 cases were out of time and 1 case was withdrawn.
- 11. The reason for the large number of cases resolved outside of the process is owing to a group of deregistration cases that were rescinded by the School as the procedure had not been correctly followed and accurate attendance records were not available. The Appeal Office has worked with the School to ensure such problems do not recur.

### **Timescales**

- 12. The QMUL Regulations 2013/14 state that students will be notified of the outcome of their appeal application within 2 months from the receipt of the submission of supporting evidence.
- 13. All students are notified if the deadline is reached informing them that their case is still under consideration and an approximate timescale for completion (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 2013/14 was 32.2 days; the median was 28 working days. The table below provides a breakdown of the number of cases under/over the timescale specified by the regulations.

<b>Time taken to resolve case</b>	
Number of cases under 2 months	66 (90%)
Over 2 months	7 (10%)

### **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.

### **Developments for 2014/15 and beyond**

- 16. 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.

17. 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.
18. The Framework can be read online at: <http://www.oiahe.org.uk/media/96361/oia-good-practice-framework.pdf>.
19. QMUL will undertake a review of its processes and procedures for handling appeals and complaints in time for the June meeting of Senate. It is not expected 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.
20. 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

21. Appendix 1 shows the breakdown of non-academic appeals received by developmental year. Appendix 2 shows the breakdown by fee status. Appendix 3 shows cases by ethnic group and gender.
22. 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 and Asian-Indian. There does not appear to be any obvious reason for this over-representation and no common themes in their appeals.
23. The gender split in applications was 84% male and 16% female, which is more marked than the division in the previous academic year and probably explained by the high number of cases received from the School of Economics and Finance which were predominately male.

### Appendix 1 - Appeals by developmental year

Year of study	Number of appeals 2013/14	As % of all appeals 2013/14	Number of appeals 2012/13	As % of all appeals 2012/13	Number of appeals 2011/12	As % of all appeals 2011/12
Applicant	1	1	0	0	0	0
Year 0 (foundation)	1	1	11	16	2	5
UG Year 1	11	15	9	14	5	13
UG Year 2	16	22	9	14	8	21
UG Year 3	2	3	0	0	0	0
UG Final Year	26	35	10	15	7	18
Year 4 (MBBS)	2	3	2	3	1	3
PGT	14	19	20	30	6	16
PGR	1	1	6	9	9	24
<b>Total</b>	<b>73</b>		<b>67</b>		<b>38</b>	

### 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	67	49	73
Overseas	24	33	18	27
<b>Total</b>	<b>73</b>		<b>67</b>	

### Appendix 3 – Appeals received by ethnic group and gender

Ethnicity	Number of appeals	Proportion of all appeals (% to one decimal place)	Appeals within ethnic group:	
			Male (%)	Female (%)
Arab	1	1.4	100	0
Asian – Bangladeshi	7	9.6	71	29
Asian – Chinese	7	9.6	57	43
Asian – Indian	10	13.7	90	10
Asian – Pakistani	10	13.7	80	20
Asian – Other	6	8.2	50	50
Black – African	8	11.0	75	25
Black – Caribbean	1	1.4	100	0
Black- Other	1	1.4	100	0
Mixed – White/Asian	0	0	0	0
Mixed – White/Black African	0	0	0	0
Mixed – White/Black Caribbean	2	2.7	100	0
Other mixed	4	5.5	100	0
Other ethnic background	2	2.7	100	0
White	12	16.4	58	42
Not stated	2	2.7	100	0
<b>Totals</b>	<b>73</b>		<b>84</b>	<b>16</b>