



Senate

Paper Title	Office of the Independent Adjudicator Annual Letter 2014
Outcome requested	Senate is asked to note the Annual Letter and accompanying commentary.
Points for Senate members to note and further information	<p>The OIA reports annually on complaints received and closed in the previous calendar year.</p> <p>Amendments to the Appeal Regulations and Student Complaints Policy were made following the publication of the Good Practice Framework in December 2014</p> <p>Appendix 2 provides summaries of cases received by the OIA in 2014 and shows that the number of justified and partly justified cases will reduce in the Annual Letter 2105</p>
Questions for Senate to consider	<ul style="list-style-type: none">• Is there any other additional information that would be helpful to Senate with regard to its role in the oversight of student appeals and complaints?
Regulatory/statutory reference points	QMUL is required to handle appeals and complaints in accordance with the QAA's UK Quality Code for Higher Education and the guidance and recommendations of the OIA.
Strategy and risk	Failure to effectively manage appeals and complaints has an adverse impact on the student experience, and exposes QMUL to reputational and financial risk.
Reporting/consideration route for the paper	
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Office of the Independent Adjudicator (OIA) Annual Report 2014

1. The OIA reports annually on complaints received and closed in the previous calendar year. The most recent report (appendix 1) shows that:
 - [a] the number of QMUL students who complained to the OIA remains much higher than the mean for institutions of a similar size;
 - [b] the proportion of complaints found to be justified or partly justified was also higher than for the same comparator group.
2. The data, particularly under [b] above do not entirely reflect current practice, because there can be a substantial delay between QMUL dealing with a complaint and the OIA's decision being reflected in the Annual Report.
3. A change to the OIA scheme that came into effect in June 2015 was to extend the deadline for a student to make a submission to the OIA from 3 months to 1 year. The reason for the change was so that the OIA was compliant with EU legislation on ombudsman.
4. Appendix 2 shows a summary of complaints received by the OIA in the 2014 calendar year. The figures show that there will be a reduction in the number of justified and partly justified cases in the 2015 Annual Letter published in 2016.
5. Of the 47 cases received by the OIA in 2014 35 cases were not justified; 3 cases were partly justified; 5 cases were not eligible for review by the OIA; 1 case was settled; 1 case withdrawn by the complainant and 2 outcomes are pending.
6. It therefore appears the steps taken by ARCS to reduce the number of justified and partly justified cases has had a positive effect. The steps taken include adopting a flexible approach to identify outcomes that are acceptable both to QMUL and to students; strengthening and clarifying regulations; reflecting on the national Good Practice Framework for Handling Complaints and Academic Appeals published by the OIA in December 2014.
7. Of the complaints closed by the OIA in 2014, 53% were not justified (44% in 2013); 12% were not eligible under the OIA's rules or withdrawn by the complainant (6% in 2013); 2% were settled (24% in 2013); 20% were partly justified (14% in 2013) and 14% were justified (12% in 2013).
8. The high number of partly justified and justified cases is the consequence of cases from the 2011/12 and 2012/13 academic years which were only closed by the OIA in 2014 and before changes made to case handling and the appeal regulations had effect.
9. The figures also reflect that QMUL procedures did not always lend themselves well to difficult cases involving the late diagnosis of a disability. ARCS have worked with colleagues in the Disability and Dyslexia Service, as well as schools and institutes to improve how such cases are handled. Caseworkers have also received additional training, for example on the Equality Act, in order to improve these aspects of case handling.
10. A number of training sessions for staff serving on casework panels have been delivered and further sessions will be scheduled in November/December 2015.

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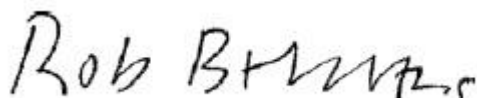
Dear Professor Gaskell

Annual Letter

I enclose the OIA Annual Letter for your institution for 2014. This documents the University's record in handling complaints and appeals. Explanatory notes and relevant definitions are set out in Annexe 2. The Annual Letters will be published on the OIA website in due course.

I hope this is helpful.

Yours sincerely,



Rob Behrens
Independent Adjudicator & Chief Executive

Annexe 1

STATISTICS

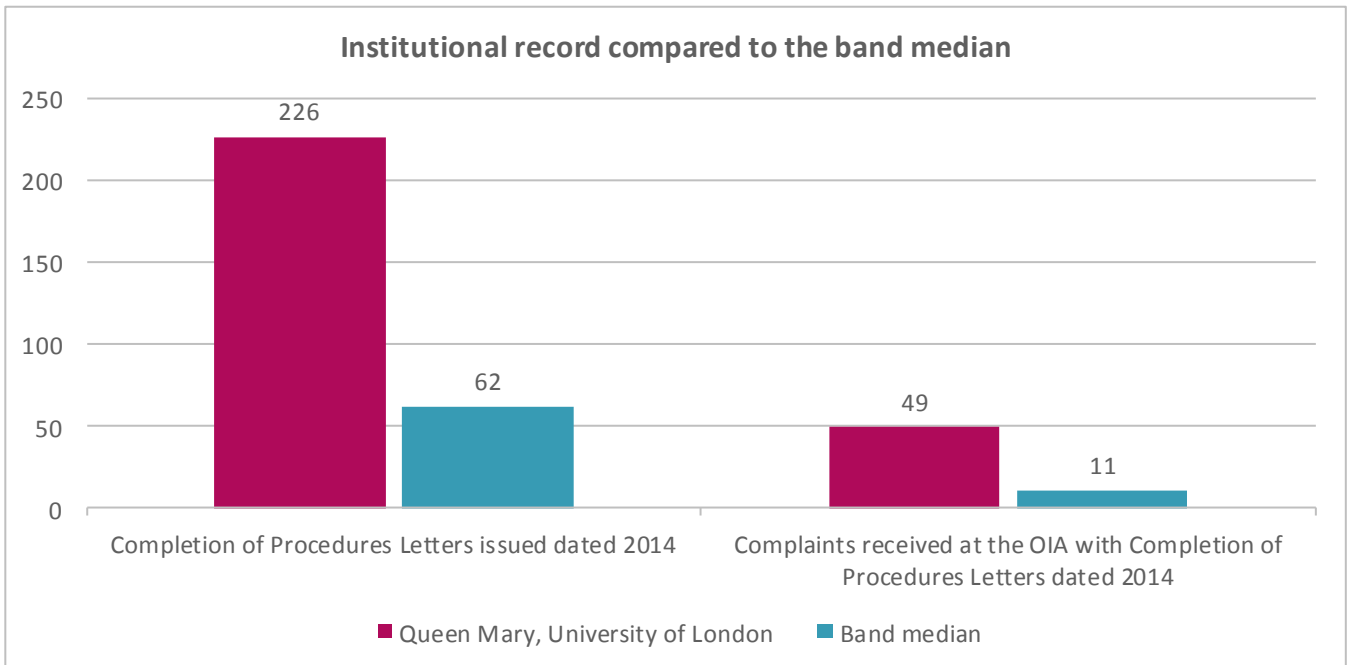
Queen Mary, University of London		
Year	OIA Band	Number of students
2014	E	14860
2013	E	14820

Annual Complaints to the OIA ¹		
Year	Complaints received at the OIA	Complaints closed at the OIA ²
2014	47	51
2013	53	50
Annual Change	Decreased by 6	Increased by 1

Completion of Procedures Letters issued dated		Of these Completion of Procedures Letters issued the OIA received the following:	Complaints received at the OIA with Completion of Procedures Letters dated	
2014	226		2014	49
2013	56		2013	48
Annual Change	Increased by 170		Annual Change	Increased by 1

Queen Mary, University of London has informed the OIA that 226 students were issued with a Completion of Procedures Letter in 2014. To date the OIA has received 49 complaints from Queen Mary, University of London students with Completion of Procedures Letters dated 2014. This means that about one in every five students who exhausted the formal internal complaints procedures during 2014 brought their complaint to the OIA. By way of comparison, the mean average proportion of complaints brought to the OIA from universities in the same band was one in every six students who had complained.³ Charts 1 and 2 below give the comparison between the returns from Queen Mary, University of London and the band medians.

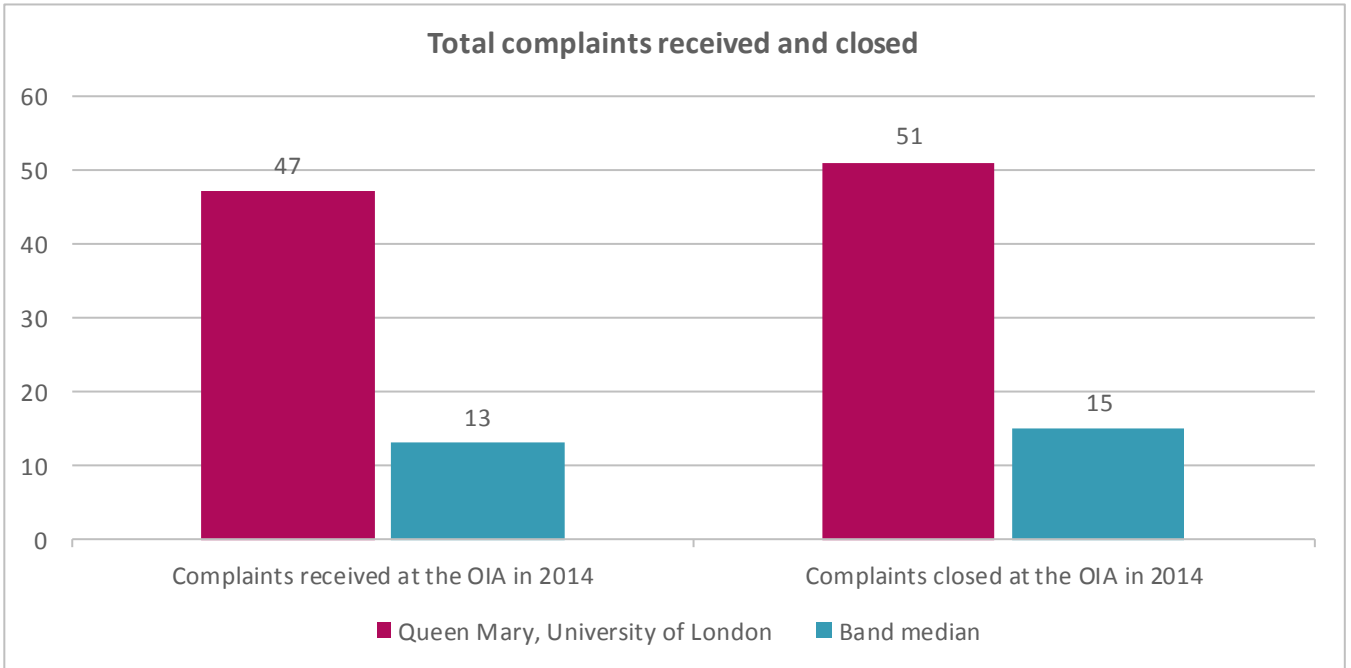
Chart 1



¹ The figures under headings "Complaints received at the OIA" and "Complaints received at the OIA with Completion of Procedures Letters dated [year]" may overlap. The figures under these headings should therefore not be added together.

² Some of the complaints might have been received in the previous year.

³ Here we use the mean average for the band as the comparator. This is consistent with the way we have previously calculated the ratio of complaints to completion of procedures letters for the OIA as a whole. The charts that follow show comparison to the median average to limit the distorting impact of any outlying institutions within the band.



The OIA closed 51 complaints against Queen Mary, University of London in 2014. Chart 3 below displays the outcome of the closed complaints and compares Queen Mary, University of London figures to those of the band median.

Chart 3

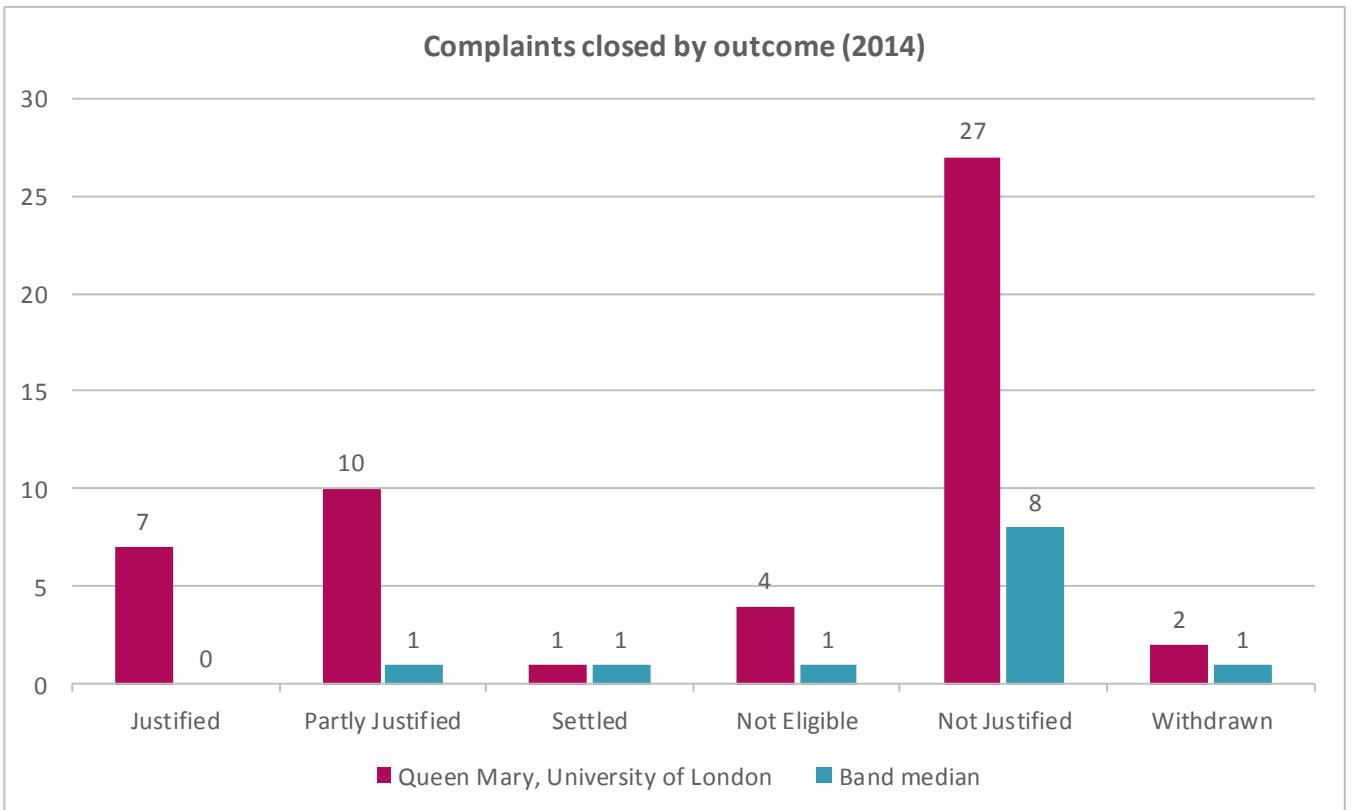


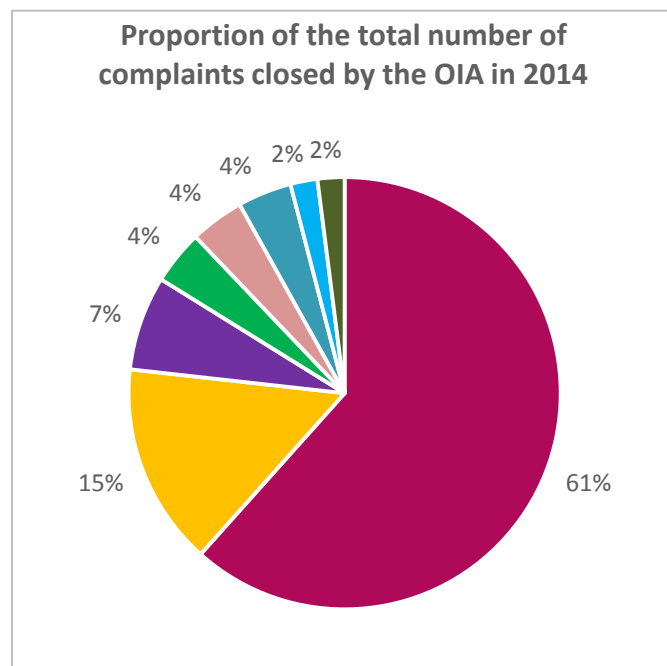
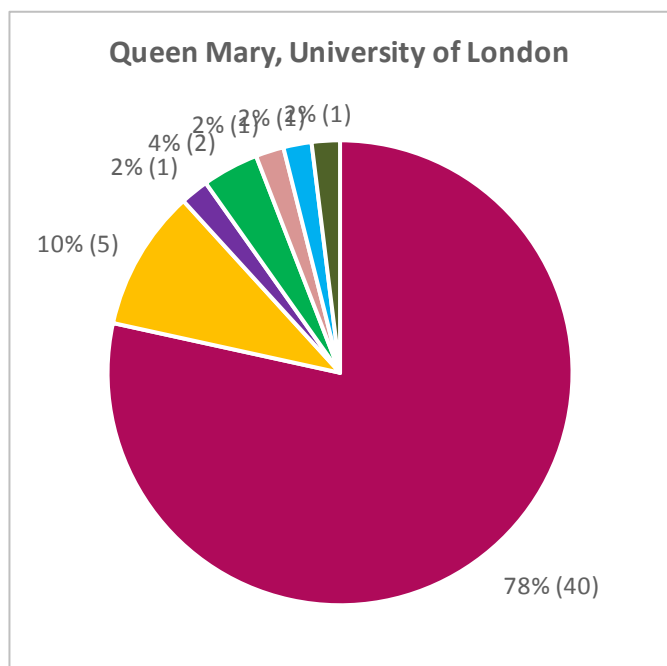
Chart 4 below breaks down the complaints about Queen Mary, University of London closed in 2014 by subject matter of complaint. Chart 5 below illustrates the proportion of the total number of complaints about all universities closed by the OIA in 2014 attributable to subject matter of complaint. In chart 4 actual numbers of complaints are contained in brackets.

Complaints closed by subject matter (2014)

- Academic Status
 - Academic misconduct, plagiarism and cheating
 - Discrimination and Human Rights
 - Welfare and Accommodation
- Services issues (Contract)
 - Disciplinary matters (not academic)
 - Financial
 - Other

Chart 4

Chart 5



As previously notified the university's subscription for 2015 will include a case element based on complaint numbers in 2014.

We were grateful for the university's response to the Good Practice Framework consultation during the year.

Annexe 2

EXPLANATORY NOTES

- Note 1* Under Scheme Rule 4 the OIA has the discretion, exceptionally, to review complaints even where the internal complaints procedures have not been exhausted. For statistical purposes, we treat such complainants as having exhausted the relevant procedures.
- Note 2* Student numbers were obtained from Higher Education Statistics Agency (HESA) - www.hesa.ac.uk. 2010/2011 HESA figures were used to assign universities to the relevant OIA subscription band in 2013 and 2011/2012 figures in 2014.
- Note 3* The heading 'Complaints received at the OIA in 2014' includes all complaints where the OIA Complaint Form was received at the OIA during 2014. It also includes Not Eligible complaints. By contrast, 'Complaints received at the OIA with Completion of Procedures Letters dated 2014' includes only complaints received at the OIA with Completion of Procedures Letters dated 2014, whenever received. For example, a complaint may have been received in 2015 but with the Completion of Procedures Letter dated 2014. The example given also applies to 2013 statistics.
- Note 4* In this exercise, bands G, H and I are merged for the purposes of calculating band averages for universities in those bands. This enabled the OIA to provide more meaningful contextual information where numbers of institutions in bands are small.
- Note 5* The heading 'OIA Band' refers to OIA subscription bands which for 2014 were as follows:

Institution size	2014 band
Fewer than 500 students	A
501 to 1,500 students	B
1,501 to 6,000 students	C
6,001 to 12,000 students	D
12,001 to 20,000 students	E
20,001 to 30,000 students	F
30,001 to 50,000 students	G
50,001 to 100,000 students	H
More than 100,000 students	I

DEFINITIONS

Completion of Procedures Letter – Once a student has exhausted the university's internal complaints or appeals procedures, the university must promptly send the student a Completion of Procedures Letter. In line with published Guidance, this letter should set out clearly what issues have been considered and the university's final decision. This letter directs the student to the OIA.

Justified/Partly Justified/Not Justified – At the end of the OIA review process we will decide whether a student's complaint about the university is Justified, Partly Justified or Not Justified.

Not Eligible complaint – This is a complaint that we cannot review under our Rules.

Settled complaint - Once a complaint is received by the OIA and the University has been notified, a complaint will be considered "settled" where the parties to the complaint reach an agreed outcome prior to the OIA issuing a Final Decision.

Suspended complaint - A case may be suspended, normally at the request of a complainant, in exceptional circumstances e.g. bereavement or illness. Cases may also be suspended if there is on-going action taking place in another forum which could affect the outcome of the OIA's review e.g. secondary procedures taking place within the University.

Withdrawn complaint - A complaint will be considered "withdrawn" if a complainant requests that the OIA cease to review the complaint or in cases where the complainant fails to participate in the OIA's process.

CATEGORIES OF COMPLAINTS

Academic Status - complaints which are related to academic appeals, assessments, progression and grades.

Service Issues (contract) - complaints which are related to the course or teaching provision, facilities and supervision.

Disciplinary matters - complaints which are related to disciplinary proceedings for non-academic offences.

Academic Misconduct - complaints which are related to academic offences including plagiarism, collusion and examination offences.

Discrimination and Human Rights - complaints where the student claims there has been any form of discrimination, including harassment, and where he or she claims his or her Human Rights have been breached.

Financial - complaints relating to finance and funding: e.g. fees and fee status, bursaries and scholarships.

Welfare and Accommodation - complaints relating to support services, e.g. counselling, chaplaincy, assistance for international students and university accommodation issues.

Appendix 2 – summary of cases received by the OIA in calendar year 2014

Case 1

UG MBBS

Requirement to sit in attendance and pay full fees

OIA decision: not justified

Case 2

SEFP

Fee rate for 1st year of BSc

OIA decision: Not eligible

Case 3

UG Business and Management

Assessment Offence Penalty

Decision: not justified

Case 4

UG MBBS

Requirement to sit in attendance and pay full fees

OIA decision: not justified

Case 5

UG MBBS

Disability as an extenuating circumstance

OIA decision: not justified

Case 6

UG MBBS

Extenuating circumstances not properly taken into account

OIA decision: not justified

Case 7

UG MBBS

Student appealing deregistration from 2010/11 academic year

OIA decision: not eligible – out of time

Case 8

UG MBBS

Assessment and marking of exampaper

OIA decision: not justified

Case 9

UG MBBS

Disability

OIA decision: pending outcome

Case 10

PG SMD

Extenuating circumstances, marking and assessment

OIA decision: not justified

Case 11
UG SBCS
Disciplinary matter – student suspended from laboratories
OIA decision: not eligible – student had not been through QMUL’s internal appeal procedures

Case 12
UG SBCS
Extenuating Circumstances and degree classification
OIA decision: not justified

Case 13
UG SBCS
Assessment offence penalty
OIA decision: not justified

Case 14
UG SBCS
Degree classification and extenuating circumstances
OIA decision: not justified

Case 15
SEFP
Extenuating circumstances and deregistration.
OIA decision: Not Eligible – out of time

Case 16
UG EECS
Progression criteria
OIA decision: not justified

Case 17
UG Physics
Disability and failure to submit extenuating circumstances
OIA decision: not justified

Case 18
PG SMD
Failure to achieve MSc and extenuating circumstances
OIA decision: not justified

Case 19
PG SEMS
Insufficient information about programme provided when applying
OIA decision: not justified

Case 20
UG Mathematics
Disability support
OIA decision: partly justified
Recommendation: increase amount offered to student from £500 to £1000, repeat offer to permit student to retake final year.

Case 21

UG Mathematics

Mental Health

Settled – student had on-going health issues, agreed student could resit with 1st sit status.

Case 22

UG Mathematics

Error on exampaper

OIA decision: not justified

Case 23

UG Mathematics

Error with exam timetabling

OIA decision: not justified

Case 24

UG Mathematics

Disability and extenuating circumstances

OIA decision: not justified

Case 25

UG EECS

Degree classification and disability

OIA decision: not justified

Case 26

PG EECS

Deregistration owing to immigration status.

OIA decision: not justified

Case 27

UG EECS

Extenuating circumstances properly considered

OIA decision: not justified

Case 28

PG SEMS

Assessment offence penalty for plagiarism

OIA decision: not justified

Case 29

PG EECS

Exam marking

OIA decision: not justified

Case 30

PGR EECS

Stipend payment, failure of programme

OIA decision: partly justified

Recommendation: £646.53 for stipend reconciliation, £500 for error with stipend payment

Case 31
PG EECS
Project submission deadline
OIA decision: pending outcome

Case 32
UG EECS
Disability, extenuating circumstances, delay to resolving appeal
OIA decision: not justified

Case 33
UG Economics and Finance
Deregistration for low attendance
OIA decision: not justified

Case 34
UG Politics
Assessment offence penalty for exam offence
OIA decision: not justified

Case 35
UG Economics and Finance
Disability, extenuating circumstances, exams
OIA decision: not justified

Case 36
UG Economics and Finance
Appeal submitted out of time
OIA decision: not justified

Case 37
PG CCLS
Marking of exampaper
OIA decision: not justified

Case 38
UG Law
Extenuating circumstances and degree classification
OIA decision: not justified

Case 39
UG Law
Degree classification awarded in 2007
OIA decision: Not eligible – out of time

Case 40
UG Law
Degree classification and extenuating circumstances
Withdrawn by student after OIA informed them case was unlikely to be justified

Case 41
UG Law
Extenuating circumstances
OIA decision: not justified

Case 42
UG Business and Management
Delay in completing appeal case
OIA decision: partly justified for delay
Recommendation £500

Case 43
UG Mathematics
Extenuating Circumstances
OIA decision: not justified

Case 44
UG Business and Management
Extenuating circumstance and degree classification
OIA decision: not justified

Case 45
UG EECS
Assessment offence penalty for plagiarism
OIA decision: not justified

Case 46
UG SLLF
Extenuating circumstances, supervision, appeal not considered fairly
OIA decision: not justified