



Annual report on student casework

<p><b>Outcome requested:</b></p>	<p>Council is asked to <b>consider</b> the annual report on student casework for 2019-20. This report provides assurance to Council that student complaints are handled in accordance with the requirements of the Office of the Independent Adjudicator for Higher Education, in line with Element 3 of the CUC's current <i>Higher Education Code of Governance</i>.</p> <p>The report is also relevant to Queen Mary's fulfilment of the conditions of registration with the Office for Students (conditions B1-B5 and C1-C3)</p>
<p><b>Executive Summary:</b></p>	<p>The report gives an overview of the student casework relating to the 2019-20 academic year and specifically those cases that have reached institutional level consideration and are managed at that level. The report covers appeals, assessment offences, student complaints and discipline cases.</p> <p>The full report (considered by Senate and provided as background reading) covers each category of case in detail. The key points considered by Senate are as follows:</p> <ul style="list-style-type: none"> <li>• the percentage of students submitting an academic appeal has decreased during 2019-20, and this is believed to be as a result of the contingency arrangements that were put in place as part of the response to the Covid-19 pandemic;</li> <li>• that the process for informal and local resolution of cases should continue to be explored further to deliver better outcomes for students; the percentage of students alleged to have committed academic misconduct (formerly referred to as assessment offences) has risen substantially from 1.4% to 2.3%, a 67% year-on-year increase;</li> <li>• the serious nature of some cases considered under the Code of Discipline, including sexual misconduct and other serious breaches of the Code;</li> <li>• that support for students throughout all aspects of casework should be reviewed in order to ensure that students are aware of support available to them, even if they have ceased to be a registered student.</li> </ul>
<p><b>QMUL Strategy: strategic aim reference and sub-strategies [e.g., SA1.1]</b></p>	<p>Excellence in Education Excellence in Student Engagement Excellence in Student Employability Excellence in Learning Environment</p>
<p><b>Internal/External regulatory/statutory reference points:</b></p>	<p>Aligns with: Queen Mary Strategy 2030 Office for Students, <i>Conditions of Registration</i></p>

	Quality Assurance Agency, <i>UK Quality Code for Higher Education</i> Office of the Independent Adjudicator, <i>Good Practice Framework</i> Committee of University Chairs, <i>The Higher Education Code of Governance</i>
<b>Strategic Risks:</b>	1. Greater student satisfaction 7. Improved student progression 16. Compliance – v) Competition and Markets Authority vii) OFS
<b>Equality Impact Assessment:</b>	Monitoring data is requested from students submitting complaints and appeals and is recorded. Data is also recorded for students alleged to have committed assessment offences and those being investigated under the Code of Discipline. The full casework report includes a breakdown of appeals and assessment offence cases by gender and ethnicity.
<b>Subject to prior and onward consideration by:</b>	Considered by: Senate, 4 March 2021 Education Quality and Standards Board, 31 March 2021
<b>Confidential paper under FOIA/DPA:</b>	No
<b>Timing:</b>	n/a
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<b>Date:</b>	15 March 2021
<b>Senior Management/External Sponsor:</b>	Jonathan Morgan, Chief Governance Officer and Secretary



## Introduction

1. Effective complaint handling, in accordance with consumer protection law, is a condition of registration with the Office for Students (C1). Further, the CUC's Higher Education Code of Governance (Element 3, Reputation, 3.7) states that governing bodies should seek assurance that student complaints are handled in accordance with the requirements of the Office of the Independent Adjudicator for Higher Education. This report gives an overview of student casework relating to the 2019-20 academic year, specifically those cases that have reached institutional level consideration and are managed at that level. The overview covers academic and non-academic appeals, student complaints, student discipline and academic misconduct.
2. Queen Mary adopts the following general principles for managing student casework:
  - informal and local resolution where possible;
  - timely resolution;
  - natural justice;
  - clearly defined processes and regulations.
3. Senate received detailed reports on each of these areas at its meeting on 4 March 2021. The key points identified were:
  - the percentage of students submitting an academic appeal has decreased during 2019-20, and this is believed to be as a result of the contingency arrangements that were put in place as part of the response to the Covid-19 pandemic;
  - that the process for informal and local resolution of cases should continue to be explored further to deliver better outcomes for students;
  - the percentage of students alleged to have committed academic misconduct (formerly referred to as assessment offences) has risen substantially from 1.4% to 2.3%, a 67% year-on-year increase;
  - the serious nature of some cases considered under the Code of Discipline, including sexual misconduct and other serious breaches of the Code;
  - that support for students throughout all aspects of casework should be reviewed in order to ensure that students are aware of support available to them, even if they have ceased to be a registered student.

## Appeals

4. Queen Mary received 283 appeals in 2019-20, a decrease of 42% since 2018-19 (483 appeals). Senate noted that 18% of completed 2019-20 appeals had been successfully resolved outside of the process; staff in the Appeals, Complaints and Conduct team had negotiated the informal resolution of these cases with the relevant school or institute without the need for a formal appeal. While these cases were resolved with a positive outcome, the need for a more robust informal stage at local level will help resolve cases more quickly, while providing a greater level of student support.
5. Common reasons cited by students in their appeals included concern that:
  - an assessment mark was incorrect, because it did not accord with the student's expectation of their own performance;
  - marking was not conducted in line with the published marking criteria;
  - a mark for an assessment was incorrect because it was not aligned with performance on other modules/assessments;
  - they had received inadequate feedback and/or supervision leading to a poorer result than the student had expected to achieve;
  - there were administrative errors in the calculation or recording of marks;

- the student had experienced health issues, and in particular those relating to mental health, that had not made known at the appropriate time;
  - there was an alleged good reason for the non-payment of fees which had resulted in deregistration from the programme of study.
6. Challenging academic judgement is not a valid ground for appeal and several appeals were not upheld on this basis. Queen Mary also has well-defined and published procedures for students who wish to request extenuating circumstances to be taken into consideration.
  7. Reasons for upholding appeals included lack of marking trails and other administrative errors related to processing and recording marks, and in a few cases, clear evidence demonstrating a student had 'good reason' for not having been able to disclose their circumstances earlier.

### **Complaints**

8. If students have concerns about a service or other issue, they are advised to raise them with local managers in the first instance. Most concerns are dealt with and resolved at a local level (Stage 1). Where this is not possible students can raise a complaint at institutional level (Stage 2). During the 2019-20 academic year, 21 complaints were received at institutional level compared to 23 cases in 2018-19. The complaints received in 2019-20 have tended to be complex in nature, often raising a combination of both academic and non-academic issues in the same complaint.

### **Code of student discipline**

9. Nine disciplinary cases were investigated in 2019-20, compared to 24 cases for 2018-19 and 11 in 2017-18. Cases have increased in severity and complexity, and this has proved challenging for all involved in the disciplinary process. The numbers of disciplinary cases tend to fluctuate with 13 cases already received for 2020-21 at the time of writing. Of the nine cases referred for investigation in 2019-20, no further action was taken in two of these cases. Of the remaining seven, six cases were partially or fully proven by the Student Disciplinary Committee, and one case is ongoing.

### **Academic misconduct**

10. 628 allegations of academic misconduct were investigated under the Academic Misconduct Policy in 2019-20 (375 in 2017-18). At the time of writing, 622 of the 628 cases had been resolved, and the allegations had been proven in 88.9% of cases. The number of alleged offences relative to the total student body remains low, but it has increased year on year. The increase in number of this type of case may be partly explained by improved detection methods, but will be monitored closely, particularly in those schools with higher incidents of academic misconduct. Senate noted the importance of appropriate training for students with regard to academic practice, with schools and institutes asked to ensure that this training was given as part of new student induction with additional information for continuing students.

### **Challenges**

#### Time taken to resolve cases

11. The increase in both volume and complexity of student casework has led to delays in providing appeal outcomes to students. There has been an increase in the staff resource of the central casework team; however, the effective resolution of some cases

at local level will remove the need for all students to escalate their case to the formal process, enabling the casework team to focus on the most complex and serious cases at the institutional level. The Education Quality and Standards Board has endorsed the introduction of a compulsory local stage of the appeal process, and it will be possible to implement this stage through the use of an essential electronic casework management system which is required to streamline casework processes for students and staff.

12. As noted above, Senate members agreed that the support available to students with an ongoing case should be reviewed. Students were advised of the support available to them once their case was received, or when they were notified of an allegation of misconduct; however, some students might have had their registration terminated and it was important to ensure that these students had access to appropriate support while their case was under consideration.

#### Student conduct

13. Cases involving an alleged breach of the Code of Student Discipline have become more complex in nature, including serious allegations of sexual misconduct. Queen Mary has engaged an expert external investigator to assist with serious allegations of sexual misconduct, and this service will be kept under review.
14. There has also been an increase in low-level behavioural issues where a targeted approach would be more effective in tackling issues such as poor behaviour in lectures, or minor breaches of the Queen Mary Covid Code. A system of misconduct warnings was introduced in 2019-20 to try to resolve minor behavioural issues at an early stage, thereby signalling that the behaviour was not appropriate through the provision of an initial warning. This system will be kept under review alongside additional support for Heads of School and Directors of Institute to assist with the resolution of disciplinary matters at local level.

Academic Registry and Council Secretariat  
March 2021