



Appeals, Complaints & Conduct Annual Report

Outcome requested:	Council is asked to consider the 2022-23 Appeals, Complaints & Conduct Annual Report.
Executive Summary:	<p>The report provides an overview of key themes, issues and data relating to appeals, complaints, academic misconduct & student disciplinary matters during the 2022-23 academic year. The effective handling of complaints is a requirement of the C Conditions of Registration with the Office for Students (C1). Further, the policies and procedures that govern student casework at Queen Mary are aligned with the requirements of the Office of the Independent Adjudicator for Higher Education (Condition C2).</p> <p>Senate received a detailed report with full data on student cases at its meeting on 14 March 2023. This report is provided in the background reading for Council members. The key themes of the report are as follows:</p> <ul style="list-style-type: none"> • Significant improvement to the process and timeliness of handling student cases across all areas, as a result of new staffing resources, process and policy review, and the introduction of new case management technologies. • Trend in increasing numbers of complex complaint & disciplinary cases. Such cases require trained and experienced staff to ensure effective handling that meets the expectations of the OfS and consumer protection requirements.
QMUL Strategy: strategic aim reference and sub-strategies [e.g., SA1.1]	<p>Excellence in Education Excellence in Student Engagement Excellence in Student Employability Excellence in Learning Environment</p>
Internal/External regulatory/statutory reference points:	<p>Queen Mary Strategy 2030 Office for Students, <i>Conditions of Registration</i> Quality Assurance Agency, <i>UK Quality Code for Higher Education</i> Office of the Independent Adjudicator, Good Practice Framework Committee of University Chairs, <i>The Higher Education Code of Governance</i></p>
Strategic Risks:	<p>1. Greater student satisfaction 7. Improved student progression 16. Compliance – v) Competition and Markets Authority vii) OFS</p>
Equality Impact Assessment:	<p>EIA Not required.</p> <ul style="list-style-type: none"> • <i>International students may be disproportionately impacted by delays in case resolution. Monitoring the timeliness of such cases is undertaken ahead of key visa deadlines to mitigate or eliminate the risk of such impacts.</i>

	<ul style="list-style-type: none"> <i>Risks related to the effective handling of reports relating to discrimination, harassment or hate crime are detailed in the body of the report</i>
Subject to prior and onward consideration by:	Considered by Senate 14 March 2024
Confidential paper under FOIA/DPA	NO
Timing:	Annual report
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Date:	20 March 2024
Senior Management/External Sponsor	Jonathan Morgan, Chief Governance Officer

Appeals, Complaints & Conduct Office

Annual Report

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.
2. The 2022/23 Annual Report for the Appeals Complaints & Conduct Office outlining detailed data relating to student appeals, complaints, academic misconduct & non-academic disciplinary matters was presented to Senate in March 2024, and is included in the background reading for Council members for further reference. The salient trends outlined in the report are highlighted below.

Academic Misconduct

3. The Appeals, Complaints and Conduct Office has made significant improvements to the process for handling cases of academic misconduct. This work has included the completion of a substantial backlog of academic misconduct cases carried forward from previous academic years, with all cases now progressing within expected timeframes. This progress has been achieved through a combination of additional staffing resource, implementation of new technologies to reduce administrative burdens, and policy review. 1539 academic misconduct cases were completed by the Appeals, Complaints & Conduct Office in 2023, with 536 of these cases carried forth from previous academic years.
4. The University's response to the emergent issue of Generative AI has sought to strike a balance between integrity and effective use of the technology. The Appeals, Complaints & Conduct Office developed guidance for schools and institutes on considering and investigating potential academic misconduct involving AI in a way that focused on student's engagement with learning, in line with UUK guidance. A relatively modest, but notable, number of misconduct cases were reported in relation to inappropriate AI use, reflecting the position that new technologies should be part of learning when used appropriately.
5. Future activities will focus on supporting schools and institutes with improving the timeframes for reporting misconduct cases (the time between assessment submission and referral of a misconduct case was 99 days) and conducting panel hearings (which took on average 145 days, compared to only 39 days when no panel was required), as well as consistency of approach across the disciplines. A combination of training activities and policy amendments are planned to address these issues, in addition to promoting a community of practice approach to sharing best practice and resources across the University.

6. A substantial review of the Academic Misconduct Policy is underway. This will ensure alignment with sector best practice, promote academic integrity and good scholarly conduct, and ensure the policy keeps pace with digital education.

Appeals

7. The number of Appeals and Final Reviews continued to rise steadily in 2022/23, with 869 Appeals and 137 Final Review requests received. The majority of appeals are received within very small timeframes following results release dates, making timely resolution challenging. In response to this, the Appeals, Complaints & Conduct Office seek the early resolution of those cases with clear merit, to reduce the distress and inconvenience of a complex process on vulnerable students. 26% of appeals were resolved in this way during 2022/23.
8. The Office of the Independent Adjudicator has set a condition for QMUL to report measures taken to improve the timeliness of the appeals process in May 2024. This is the result of several cases reviewed where significant delays had occurred. The newly established Community of Practice for Process Improvement (part of the PS Transformation) is leading this review and will recommend changes to the policy and procedure for 2024-25 onwards.

Complaints

9. The addition of two new posts with specialist focus on complaints and non-academic disciplinary matters has delivered substantial benefits to the handling of complex casework. These benefits have included significant improvements to the responsiveness and timeliness of complaint handling, and allows for more support, guidance and training to be provided to colleagues across the University who are involved in early stages of the complaint process.
10. In 2022/23 60 Formal Complaints and 34 Complaint Reviews were submitted via internal QMUL processes. Key themes included: conduct of staff and students (including sexual harassment and discrimination), industrial action, fees, quality of educational experience, supervision (research students).
11. 35% of Complaint Reviews were upheld by the Appeals, Complaints & Conduct Office, identifying a need for further training and support to Schools/Institutes/Departments for effective investigations at the local level.
12. The Office of the Independent Adjudicator has set a condition for QMUL to ensure that all staff who undertake investigations of student complaints receive appropriate training. This work to extend and enhance training on complaint handling is supported by the new specialist roles mentioned above.

Group Litigation Claim

13. In common with many other higher education institutions, the University received a large group litigation claim in relation to industrial action and coronavirus, dating from 2017 to 2023. While the University does not have details of all the claimants at this stage, the Appeals, Complaints and Conduct Office is investigating the information we do have and is working with schools and institutes to ensure that records are appropriately retained.
14. In relation to industrial action, it is worth noting that three Complaints were submitted in 2023 and these were handled in line with the case studies and briefing notes from the Office of the Independent Adjudicator.

Disciplinary cases

15. Although the overall number of formal disciplinary cases remains comparatively small, the complexity and seriousness of the matters considered requires significant resourcing and expertise to ensure effective handling of these matters. In the 2022/23 academic year the cases handled under the Code of Student Discipline comprised : 8 sexual misconduct; 8 bullying/harassment; 5 discrimination, and 6 other disciplinary matters.
16. The new specialist Conduct & Complaint Officer roles provide assurance that appropriate experienced and trained staff members are available to handle these matters in a timely, trauma-informed and sensitive manner. The introduction of these roles is essential to prepare QMUL for the expected introduction of a new OfS Condition of Registration related to preventing and addressing harassment and sexual misconduct.
17. It is noteworthy that the latter half of the 2023 calendar year (which falls outside the 2022/23 academic year covered in the data above) saw a significant increase in submissions to the Appeals, Complaints & Conduct Office via Report + Support, the University's platform for reporting bullying, harassment, sexual misconduct & hate crime. A significant portion of these reports related to Islamophobia or Anti-Semitism following the escalation of conflict in Israel and Palestine. The increase in reporting reflects societal and sector-wide patterns.
18. Additionally, the introduction of the Conduct & Complaint Officer posts has supported outreach work to build trust in University reporting processes with QMSU and colleagues in support/advisory roles in Student Experience Directorate or Schools/Institutes. This has contributed to a greater number of reports, and an increase in the number of reports which proceed to full investigation by the Appeals, Complaints & Conduct Office. In 2022/23, 19 of the 27 cases did not proceed to formal investigation. A larger number of cases have already proceeded to formal investigation in the first half of 2023/24 than the previous year, indicating a very positive trend of growing trust in the process.

Case Studies

Two cases studies are presented below to illustrate the complexity of complaints & disciplinary issues, and the collaborative between different teams to provide an effective resolution.

19. Case Study 1: Anti-Semitism Report

The Appeals, Complaints & Conduct Office received a submission via Report + Support concerning social media posts made by an account in the name of a QMSU Society. The posts expressed support for Palestine, and the reporting student described the statements as Anti-Semitic, and asked the university to investigate.

A Conduct & Complaints Officer contacted the reporting student, acknowledging their concerns and that recent global events may be impacting students in certain demographics. They provided information about support services, security measures aimed at supporting students impacted, and offered to meet with the student to discuss their concerns. The Conduct & Complaints Officer recommended that as the posts were made by a Society, rather than an individual student, the report be referred to the Student Union for consideration. With the student's consent, the information in their report was shared with QMSU, who met with the reporting student to discuss their concerns. The student was informed that the University's support services remained available, and that if they needed further assistance, they were able to reach out in future.

20. Case Study 2: Harassment & Research Integrity Complaint

The Appeals, Complaints & Conduct Office received a complaint from a postgraduate research student describing what they considered to be bullying and harassment by their supervisor. One of the examples of bullying they described was about the authorship of a journal article, where they felt that they had not been given due credit for their contributions, and they raised concerns about conduct in the labs while research was undertaken. They also reported feeling uncomfortable, and that the supervisor appears to have prioritised other researchers for reasons they think relate to their sex and race.

The Appeals, Complaints & Conduct Office contacted the Research Integrity & Assurance Officer for advice about the authorship and research integrity issues. They decided that a formal research misconduct investigation was not required, but the contract with the research funding body requires the University to inform them of any complaints. An investigating officer was appointed by the Head of School, who completed the investigation. The Employee Relations team in Human Resources provided advice and support about matters relating to the staff member's support and employment conditions. The Appeals, Complaints & Conduct Office acted as an important point of contact for the student, and provided advice about the Student Complaint Policy.

The investigation did not find any evidence to support the specific allegations made in the complaint, but given the supervisory relationship had broken down, the School made alternative supervision arrangements for the student to continue their studies with a fresh support and supervision team. The School offered a three-month extension to the PhD submission deadline, with fees waived, as a goodwill gesture because the student's academic progress had fallen behind while their complaint was investigated. The Research Integrity & Assurance Officer informed the funding body that the investigation has concluded.