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Paper Code: SE2018.43



<b>Paper Title</b>	Annual Report on Student Casework 2017-18
<b>Outcome requested</b>	Senate is asked to <b>consider</b> the attached reports
<b>Points for Senate members to note and further information</b>	<p>Four reports are included for consideration</p> <ol style="list-style-type: none"> <li>1. Academic Appeals</li> <li>2. Non-academic appeals</li> <li>3. Assessment Offences</li> <li>4. Complaints, Discipline and Fitness to Practise</li> </ol> <p>The reports provide commentary and data on the number of cases investigated by the Academic Secretariat during the 2017-18 academic year. The reports also provide data on the cases by ethnicity, gender and fee status. Key points for Senate to note are as follows:</p> <ul style="list-style-type: none"> <li>• The total number of cases considered by the Academic Secretariat has risen by 111% since 2013-14 from 453 to 956 cases.</li> <li>• 11 Cases were considered under the Code of Discipline in 2017-18 but this total has already been exceeded in 2018-19 with 17 cases investigated at the time of writing.</li> <li>• Timescales for the resolution of cases have risen across the board. These delays are due to the unprecedented volume of cases and the challenges that this presents in terms of staff resource. ARCS is reviewing its case handling procedures for 2019-20 and it is anticipated that timescales and reporting will be improved by the introduction of a Case Management System.</li> <li>• The number of students seeking redress through the appeal process suggests that there are concerns about assessment and aspects of the student experience more generally. The appeals process is not always helpful in providing students with the feedback or support they are seeking; in many cases, the process causes further frustration since it does not provide the desired outcome. It had been anticipated that the results surgeries offered by schools and institutes would resolve more appeals at the informal stage; however, there is no evidence to suggest that this stage of the appeal process is working as intended.</li> </ul>
<b>Questions for Senate to consider</b>	<ul style="list-style-type: none"> <li>• Does Senate have a view on how Queen Mary should address the volume of student casework?</li> <li>• Are there any suggestions for the improvement of the informal (local) stage of the appeal process, required as part Queen Mary's compliance with the</li> </ul>

	<p>Office of the Independent Adjudicator's Good Practice Framework?</p> <ul style="list-style-type: none"> <li>• Does Senate recommend any further analysis of particular types of casework?</li> </ul>
<b>Regulatory/statutory reference points</b>	<p>QAA UK Quality Code for Higher Education  Office of the Independent Adjudicator: The Good Practice Framework  Office for Students: Regulatory Framework</p>
<b>Strategy and risk</b>	<p>Strategic Aim.3: to provide all our students, wherever based, an education that is judged internationally to be of the highest quality, and which exploits innovations in teaching, learning and assessment.  Strategic Risk.2: high quality student experience throughout the student life cycle  Strategic Risk 7: design and delivery of high quality portfolio of programmes  Strategic Risk 9: reputational development and external relations  Strategic Risk 10: Partnerships  Strategic Risk 13: maintain effective and constructive governance</p>
<b>Reporting/consideration route for the paper</b>	<p>Senate  Council</p>
<b>Authors</b>	<p>Dan Burke, Governance Manger, IHSE</p>
<b>Sponsor</b>	<p>Jane Pallant, Deputy Academic Registrar</p>

## Annual report on academic appeals 2017-18

### Scope

1. This is the annual report on academic appeals submitted during the 2017-18 academic year. An academic appeal is a request for review of an examination board (or research degree examination panel) decision, most commonly relating to an assessment, progression or award decision.

### Number of academic appeals received (as of 19.2.19)

2. 424 academic appeals were submitted in 2017-18. This represents a 20.5% increase on the 352 cases received in 2016-17 and is the highest figure to date. The number of academic appeals has risen 110.9% since 2013-14.

Year	No. appeals	% change	Student population	No. appeals as % of student population
2013-14	201	+18.9	18,768	1.1
2014-15	237	+17.9	18,905	1.25
2015-16	259	+8.5	21,187	1.22
2016-17	352	+35.9	23,114	1.52
<b>2017-18</b>	<b>424</b>	<b>+20.7</b>	<b>23,792</b>	<b>1.78</b>

3. The table below shows the outcomes of appeals received in 2017-18.

Outcome	Number of cases (2016-17 figures in brackets)	Percentage of cases
Not upheld	148 (131)	34.9
Automatically rejected (failed to provide valid grounds for appeal)	15 (N/A)	3.5
Upheld	21 (25)	4.9
Resolved outside the process	37 (39)	8.7
Out of time (rejected)	26 (18)	6.1
Ongoing at time of report	159 (120)	37.5
Withdrawn by student	18 (19)	4.2
<b>TOTAL</b>	<b>424</b>	

4. The high volume of student casework in all categories has presented a significant challenge for ARCS staff; this issue was compounded by the unexpected absence of the casework team leader at a busy time. The huge increase in workload has meant that it has not always been possible to close cases within the published two-month turnaround time, and there are more cases open at the time of writing than in previous years.

## **Grounds for appeal**

5. Regulation 2.155 (2017-18), specifies the two grounds upon which an appeal may legitimately be based:
  - 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.
6. Students must submit appeals within 14 days of the date of the decision being appealed against. Where an appeal is submitted after this period, consideration is given as to whether there is good reason for the delay in submission. Where there is no good reason, the appeal is deemed out of time and the student is issued with a Completion of Procedures letter.
7. Of the 424 appeals received in the 2017-18 academic year, 148 were submitted on the grounds of procedural error (122 in 2016-17 and 69 in 2015-16), 192 on the grounds of exceptional circumstances (185 in 2016-17 and 159 in 2015-16), and 83 were submitted on both grounds (45 in 2016-17 and 28 in 2015-16).

## **Appeals alleging procedural error**

8. Of the 148 appeals alleging procedural error, two were upheld, 50 were not upheld, 14 were automatically rejected, 21 were resolved outside the process, eight were withdrawn, and four were deemed out of time. 50 cases remained unresolved at the time of this report.
9. Where students appealed on the grounds of procedural error, the key themes of the appeals were:
  - challenging the marks awarded based on the appellant's belief that these had been miscalculated;
  - challenging degree classifications based on the appellant's belief that they should have been awarded a higher classification.
10. Common themes among the bases for appeal included:
  - a stated belief that the appellant's performance in an assessment did not match the grade awarded.
  - a stated belief that marking had not been conducted in line with the published marking criteria.
  - a stated belief that the mark for an assessment was incorrect because it was out of line with the appellant's performance on other modules/assessments.
  - a stated belief that inadequate feedback and/or supervision led to a poorer result than the appellant might have expected to achieve.

11. Procedural errors that led to appeals being upheld, or resolved outside of the process, included:
  - lack of a marking trail;
  - administrative errors in mark entry;
  - administrative errors in the application of late work penalties;
  - missing marks or scripts.
12. In a number of cases, procedural errors were identified during the investigation and schools/institutes had the opportunity to resolve the issue outside of the appeals process in order that the matter could be rectified as quickly as possible.
13. Unfortunately, a small number of cases were based on proven concerns that a school had been unable to provide clear marking trails that evidenced second marking/moderation in accordance with Queen Mary's assessment policy. This has been a recurring issue over several years, and the matter has been raised with the relevant schools. Without a clear audit trail there is no way to demonstrate how marks have been derived when students challenge or query their results; where that was the case, appeals were upheld and referred back to schools/institutes for fresh marking. This need for redress provides a poor student experience and is problematic in terms of Queen Mary's quality assurance procedures. It should be noted that at least one school/institute has adopted a practice where it will not provide feedback when an assessment has been passed.

#### **Appeals claiming exceptional circumstances**

14. Of the 192 appeals submitted on the grounds of exceptional circumstances, 69 cases were not upheld, seven were upheld, 11 were resolved outside the process, 16 were deemed out of time, and seven were withdrawn by the students. 73 cases remain unresolved at the time of this report.
15. Where students submitted appeals claiming exceptional circumstances, common themes included:
  - claims that assessments that had been affected by a health condition that the student had not made known at the appropriate time.
  - claims that a degree classification had been affected by circumstances that had existed for a prolonged period of time, often relating to previous years as well as the final year, which had not been disclosed before the submission of an appeal.
16. The majority of cases submitted on the grounds of exceptional circumstances related to claims that examinations had been affected by ill health. By sitting exams, students declare themselves fit to sit in accordance with the 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, appellants did not provide clear evidence of good reason why they had not disclosed these circumstances to the examination board at the appropriate time.
17. The appeal process does not consider the merit of the circumstances themselves, but rather ascertains whether there was good reason as to why the circumstances were not made known at the proper time. Occasionally, the circumstances themselves may constitute 'good reason', for example someone sectioned under the Mental Health Act (1983).

18. In previous years, Queen Mary has observed a significant increase in the number of cases that involve alleged or actual diagnoses of depression or other mental health conditions, which may in some cases be classified as a disability. That trend has continued. ARCS plans to implement a new casework management system from 2019/20 that will allow for more detailed reporting, but observed evidence does indicate a need for additional mental health support for students.

### Appeals claiming both procedural error and exceptional circumstances

19. 83 appeals were made alleging that both grounds had been met. Of these, 30 were not upheld, four were upheld, and five were deemed out of time. Three cases were withdrawn and five were resolved outside of the process. 36 cases remain unresolved at the time of this report.

### Appeals by developmental year

20. The tables below provide data on the number of appeals received, by level of study and developmental year.

#### Number of academic appeals, by level of study 2017-18 (2016-17 figures in brackets)

Level of study	No. appeals received	% of all appeals (to one decimal place)
Undergraduate and foundation	289 (264)	68.2 (75)
Postgraduate taught	126 (82)	29.7 (23.3)
Postgraduate research	9(6)	2.1 (1.7)

#### Number of academic appeals, by developmental year (2016-17 figures in brackets)

	Number of appeals received	% of all appeals (to one decimal place)
Foundation (Year 0)	8 (13)	1.9% (3.7%)
UG year 1	82 (87)	19.3% (24.7%)
UG year 2	88 (69)	20.8% (19.6%)
UG final year	79 (85)	18.6% (24.1%)
UG year 3 -5	35 (10)	8.3% (2.8%)
PGT	126 (82)	29.7% (23.3%)
PGR	6 (6)	1.4% (1.7%)
<b>Total</b>	<b>424</b>	

21. Undergraduate appeal numbers remained at similar levels to the previous year, but there was a noticeable increase in the number of appeals from taught postgraduate students.

22. Research student appeals are proportionally low; these 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 monitoring of supervision. It should however be noted that Research appeals tend to be the most complex type of appeal.

## Appeals by School/Institute

23. The table below shows the number of appeals by school/institute by total number of appeals received and number of appeals as a percentage of the total population of the School/Institute (2016-17 figures in brackets).

Ranking	School/Institute	Total no. of appeals	% of all appeals	% of students in the School appealing <sup>1</sup>
1 (4)	Engineering & Materials Science	42 (33)	9.9	3.2 (2.5)
2 (5)	Business & Management	41 (30)	9.7	1.8 (1.8)
3 (8)	Economics & Finance	33 (18)	7.8	2 (1.3)
4 (3)	Electronic Engineering & Computer Science (including BUPT students)	33 (34)	7.8	2.1 (2.9)
5 (1)	Biological & Chemical Sciences	32 (41)	7.5	1.5 (2)
6 (2)	Mathematical Sciences	31 (40)	7.3	3.3 (4.4)
7 (3)	IHSE	27 (34)	6.4	1.6 (1.5)
8 (6)	Law	33 (24)	7.8	4.5 (2)
9 (7)	English & Drama	26 (20)	6.1	2.7 (2.1)
10 (9)	CCLS	24 (17)	5.7	1.9 (3)
10 (10)	Politics & International Relations	24 (13)	5.7	2.3 (1.4)
12 (11)	SLLF	17 (12)	4.0	1.9 (1.4)
13 (12)	Physics & Astronomy	13 (7)	3.1	2.4 (1.3)
14 (16)	Blizard	10 (2)	2.4	1.1 (0.2)
15 (15)	Geography	9 (3)	2.1	1.5 (0.6)
16 (14)	History	6 (4)	1.4	0.8 (0.5)
16 (15)	William Harvey Research Institute	6 (3)	1.4	1.1 (0.6)
17 (17)	Wolfson Institute of Preventative Medicine	5 (0)	1.2	3.5 (0)
18 (13)	International Office	4 (5)	0.9	0.7 (0.9)
18 (12)	IoD	4 (7)	0.9	0.8 (1.4)
20 (13)	BCI	3 (5)	0.7	1.5 (2.7)
21 (-)	ULIP	1	0.2	0.9

24. In terms of the total number of appeals received, the five schools with the most appeals remain similar to 2016-17 levels. SBCS saw a noticeable drop in cases but the overall number of appeals remains high. Economics & Finance appeals have almost doubled; however, this may be attributed to an increase in student numbers within the School.

25. There were noticeable increases in the number of appeals as a percentage of student population in the Schools of Politics & International Relations, Physics & Astronomy and the William Harvey Research Institute.

<sup>1</sup> Calculated using population (by headcount) for all levels and modes of study as at 1 December 2017.

<sup>2</sup> Last year's figure was presented as CCLS and the School of Law combined.

<sup>3</sup> See above.

## Timescales

26. The Queen Mary Appeal Regulations 2017-18 state that students will be notified of the outcome of their appeal application within two calendar months from receipt of the appeal form.
27. Students are notified in the event that the two month deadline is reached before their case is concluded, informing them of the reason for the delay and an approximate timescale for completion (exact timescales for completion are not provided as this can be affected by a number of factors).
28. Of cases that have been closed, the mean time taken to resolve a case for 2017-18 was 95 calendar days (93.5 in 2016-17 and 58 in 2015-16); the median for 2016-17 was 97 calendar days (99.5 in 2016-17 and 57 in 2015-16). 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

	<b>2017-18</b>	<b>2016-17</b>	<b>2015-16</b>
Cases resolved within two months	68 (16%)	55 (15.6%)	154 (59.5%)
Cases resolved in more than two months	165 (38.9%)	177 (50.3%)	93 (35.9%)
Cases unresolved at time of report	191 (45%)	120 (34.1%)	12 (4.6%)

29. The increase in turnaround times was due in large part to the substantial increase in the total number of cases (appeals, assessment offences, complaints and discipline matters) dealt with by the Appeals, Complaints and Conduct Unit in 2017-18. Academic appeals increased by 20% on the 2016-17 figures which in themselves were a 35% increase from 2015-16. It is likely that the increase in cases and the resultant impact on the time to resolve cases will lead to a substantial increase to the final mean and median days taken to complete appeals. This increase in workload remains challenging for the casework team, and temporary help has been brought in to assist, following the extended absence of the team leader.
30. Another significant factor in the increasing turnaround times is the availability of the Chair and the two Deputy Chairs of the Appeals panel. At times during the 2017-18 academic year only one Deputy Chair has been able to regularly look at appeal cases. The increase in appeal cases has led to an increase in the number of cases a Chair is required to consider, from an average of 67 appeals per academic in 2013-14 to 141 appeals in 2017-18. The recruitment process has begun to increase the number of Deputy Chairs in order to reduce the burden on the existing Chair and Deputies.

### Final Review and Office of the Independent Adjudicator for Higher Education

31. Students dissatisfied with the outcome of their appeal may submit a Final Review to the Principal's Nominee, normally the Academic Registrar, or the Vice- Principal (Education).
32. There were 34 final review requests in 2017-18, representing 8% of appeal cases that were not upheld.
33. Six out of 34 cases were upheld following the final review procedure. These were referred back to the relevant Subject Examination Boards for further consideration.



34. Students dissatisfied with the outcome of an appeal may submit a complaint to the Office of the Independent Adjudicator for Higher Education (OIA). Figures on complaints made to the OIA are reported to Senate separately.

### **Developments for 2018-19 and beyond**

35. As noted above, the number of appeals relating to the mark awarded has increased. These are essentially appeals against academic judgement, which is not a valid ground for review. As agreed at previous meetings of Senate, schools/institutes are required to hold 'results surgeries' to give students feedback on their results. If a designated surgery cannot be held, staff should be available to students, either in person or by email, to provide feedback once results have been released. In either situation, schools/institutes should highlight and promote the ways of getting feedback to students in the run up to the release of results.
36. The Senate may wish to consider whether students should be required to demonstrate that they have discussed the matter about which they wish to appeal with their schools before the submission of any appeal.
37. ARCS is recruiting additional Deputy Chairs of Appeals Panels. This will allow for a more equitable share of casework consideration and bring down waiting times for decisions.
38. ARCS is working with IT Services to introduce a new electronic casework management system in SITS from the start of the 2019-20 academic year. This will allow for centralised electronic submission of appeals, provide a more direct and centralised means of communication between appellants and the casework team, and permit automated and much improved tracking of cases (in later developments this should also permit students to log in and directly view the current status of the appeal). The new system will allow for much improved reporting, allowing earlier identification of trends and issues and permitting earlier intervention in schools and institutes, where appropriate.

### **Equality Data**

39. The tables below show the breakdown of academic appeals received by ethnicity and gender, and by fee status.
40. The highest number and proportion of appeals were from students who stated their ethnicity as white. This is also the largest ethnic group at Queen Mary. The second highest number of appeals was from students who stated their ethnicity as Asian-Other, Asian-Chinese and Black-African.
41. The gender split in appeals was 51% male and 49% female. (57% and 43% in 2016-17 and 60% 40% in 2015-16). Amongst the largest ethnic group at Queen Mary (White) the split was 51% male, 49% female.
42. 74.5% of appeals were from students classified as home/EU fee-status and 25.5% from overseas students, a figure similar to those of previous years. Home/EU students make up about two thirds of Queen Mary Students (65%), so the figures are roughly proportionate.

## Academic appeals received by ethnicity and gender

Ethnicity	Number of appeals	Proportion of all appeals (% to one decimal place)	Appeals within ethnic group:	
			Male (%)	Female (%)
Arab	16	3.8	40	60
Asian - Bangladeshi	33	7.8	100	0
Asian - Chinese	21	5.0	66.7	33.3
Asian - Indian	41	9.7	47.6	52.4
Asian - other	28	6.6	52.5	47.5
Asian - Pakistani	45	10.6	0	100
Black - African	42	9.9	59.3	40.7
Black - Caribbean	5	1.2	55.6	44.4
Chinese	17	4.0	100	0
I do not know	8	1.9	40.5	59.5
I do not wish to give this information	3	0.7	60	40
Information refused	2	0.5	29.4	64.7
Mixed - White and Asian	2	0.5	62.5	37.5
Mixed - White and Black Caribbean	3	0.7	100	0
not known	1	0.2	50	50
Other Asian Background	20	4.7	50	50
Other Black background	1	0.2	33.3	66.7
Other ethnic background	6	1.4	100	0
Other mixed background	14	3.3	60	40
White	112	26.4	0	100
White and Asian	2	0.5	16.7	83.3
White-Black African	2	0.5	28.6	71.4
<b>Totals</b>	<b>424</b>			

## Academic appeals received by fee status

Fee Status	Number of appeals 2016-17 figures in brackets	% of total appeals 2016-17 figures in brackets
Home/EU	316 (255)	74.5 (72.4)
Overseas	108 (97)	25.5 (27.6)
<b>Total</b>	<b>424</b>	

## Annual report on non-academic appeals submitted under the Queen Mary Appeal Regulations 2017-18

### Scope

1. This report focuses on non-academic appeals, comprising appeals against decisions made under the following procedures or regulations:
  - i. Student Disciplinary Procedure, as detailed in the Code of Student Discipline;
  - ii. Professional Capability and Fitness to Practise regulations;
  - iii. Regulations for Assessment Offences;
  - iv. decisions to terminate the registration of a student for non-academic reasons (i.e non-payment of fees, attendance, Notices to Quit Halls etc.);
  - v. decisions on student bursaries, scholarships and grants administered by Queen Mary.

### Data analysis and trends

2. 59 non-academic cases were submitted in 2017-18, comprising 57 appeals and two requests for final review. This compares to 108 cases in 2016-17, a decrease of 45 per cent. The total number of appeals received compares with previous years as follows:

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

Year	No. appeals	Student population	No. appeals as % of student population
2013-14	73	18,768	0.39
2014-15	72	18,905	0.38
2015-16	59	21,187	0.28
2016-17	108	23,114	0.47
<b>2017-18</b>	<b>59</b>	<b>23,792</b>	<b>0.25</b>

3. The substantial decrease in the number of non-academic appeals in 2017-18 is almost solely down to removal of the policy on module deregistration for non-attendance. In 2016-17 there were 42 appeals against module deregistration.

### Appeals received by category

4. The number of non-academic appeals submitted by category is shown in the table below. The largest category is appeals against penalties imposed under the Regulations for Assessment Offences. Given the impact that penalties may have on progression, award or registration it is perhaps unsurprising that students contest the penalties imposed (though only 12.6% of students found guilty of assessment offences appealed the outcomes).

Category of appeal	2017-18		2016-17		2015-16	
	Number	% of total	Number	% of total	Number	% of total
Student Disciplinary Outcome	0	0	2	2	1	2
Assessment Offences Regulations	35	59	34	31	9	15
Module and programme deregistration - attendance	4	7	46	43	32	54
Deregistration - non-payment of fees	15	25	16	15	12	20
Deregistration – failing to enrol	0	0	4	4	0	0
Bursaries, scholarships and grants	0	0	3	3	1	2
Professional Capability and Fitness to Practise Panel	1	2	2	2	1	2
Residence appeals	1	2	0	0	1	2
Fee status or refund	1	2	1	1	0	0
Intercalated degree application (final review only)	2	3	0	0	0	0

### Grounds for appeal

5. In accordance with paragraph 2.155 of the 2017-18 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 Queen Mary'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.
6. Of the 57 appeals received, 19 alleged procedural error (26 in 2016-17), 29 claimed exceptional circumstances (58 in 2016-17) and nine were submitted under both grounds (24 in 2016-17).
7. The outcomes for the 59 non-academic appeals made in 2017-18 were as follows:

Outcome	Number of cases (2016-17 figures in brackets)
Upheld	6 (12)
Not upheld	24 (65)
Deemed out of time (rejected)	5 (1)
Resolved outside of the process	11 (19)
Withdrawn	2 (1)
Open at time of report	11 (10)

8. All cases resolved outside of the appeal process concerned students who had been deregistered for non-payment of tuition fees. These students paid the outstanding fees during the 14 day appeal period rather than pursuing their case as an appeal, and Queen Mary exercised discretion to permit the students to continue on their programmes.

## Timescales

9. Under the Academic Regulations 2017-18 Queen Mary seeks to provide students with an outcome within two months from the receipt of the appeal form.
10. In the event that an appeal is not resolved within the two-month period, the student is notified with the reason for the delay and an approximate timescale for completion (exact timescales for completion are not provided as this can be affected by a number of factors).
11. The mean time taken to resolve a case in 2017-18 was 106 calendar days (71 in 2016-17) the median was 158 calendar days (74 in 2016-17). The table below provides a breakdown of the number of cases under/over the timescale specified by the regulations.

<b>Time taken to resolve cases</b>	<b>2017-18</b>	<b>2016-17</b>
Resolved within two months	21 (36%)	34 (35%)
Resolved in over two months	26 (44%)	64 (65%)
Currently open (unresolved)	12 (20%)	N/A

12. The increase in workload coupled with the unexpected long-term absence of the casework team leader have led to an increase in turnaround times in 2017-18. Whilst the number of non-academic appeals decreased during 2017-18, the total number of cases considered by the team rose substantially for the second consecutive year. This challenge is exacerbated by the need for a different colleague to consider each stage of an appeal to avoid any perception of bias in the process, placing further restrictions upon available resource.

## Final Review, and Office of the Independent Adjudicator for Higher Education

13. Students dissatisfied with the outcome of their appeal may submit a Final Review to the Principal's Nominee (normally the Academic Registrar or Vice- Principal (Education)).
14. There have been two final review requests in 2017-18; both were rejected.
15. Students dissatisfied with the outcome of an appeal or Final Review may submit a complaint to the Office of the Independent Adjudicator for Higher Education (OIA). Figures on complaints made to the OIA are reported to Senate separately.

## Equality data

16. 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.
17. The data are probably too small to be statistically significant. The gender split was roughly in line with that of Queen Mary's student population. Home students were considerably more likely to appeal than overseas students.
18. The highest number and proportion of appeals were from students who stated their ethnicity as White, Asian-Bangladeshi or Asian-Pakistani. There does not appear to be any obvious reason for this over-representation and no common themes in their appeals.

### Appendix 1 – Non-academic appeals by study year

Year of study	Number of appeals 2017-18	% of all appeals 2017-18	Number of appeals 2016-17	% of all appeals 2016-17	Number of appeals 2015-16	% of all appeals 2015-16
Year 0 (foundation)	1	2	2	2	1	2
UG Year 1	20	34	42	39	14	24
UG Year 2	8	14	23	21	23	39
UG Final Year	14	24	29	27	8	14
Year 3 -5 (MBBS)	3	5	0	0	3	5
UGA	0	0	1	1	0	0
PGT	13	22	10	9	10	17
PGR	0	0	1	1	0	0
<b>Total</b>	<b>59</b>		108		<b>59</b>	

### Appendix 2 – Non-academic appeals by fee status

Status	Number of appeals 2017-18	% of appeals 2017-18	Number of appeals 2016-17	% of appeals 2016-17
Home/EU	35	59	76	70
Overseas	24	41	32	30
<b>Total</b>	<b>59</b>		108	

### Appendix 3 – Non-academic appeals by ethnic group and gender

Ethnicity	Number of appeals	Proportion of all appeals (% to one decimal case)	Appeals within ethnic group	
			Male (%)	Female (%)
Arab	1	1.7	0	100
Asian – Bangladeshi	8	13.6	75	25
Asian – Chinese	7	11.9	0	100
Asian – Indian	7	11.9	14	86
Asian – Pakistani	8	13.6	100	0
Asian – Other	4	6.8	25	75
Black - African	2	3.4	100	0
Black – Caribbean	2	3.4	100	0
Black – Other	1	1.7	0	100
White/ Black African	1	1.7	100	0
White/ Black Caribbean	1	1.7	100	0
White	9	15.3	63	37
I do not know/Not given	8	13.6	50	50
<b>Totals</b>	<b>59</b>		<b>55.92</b>	<b>44.08</b>

## 2017-18 annual report on cases considered under the Regulations for Assessment Offences

### Scope

1. This report provides an analysis of the cases considered under the Regulations for Assessment Offences in 2017-18.
2. The Regulations for Assessment Offences define assessment offences as the following:
  - i. breach of any section of the Academic Regulations relating to the conduct of assessment;
  - ii. offences relating to an invigilated examination:
    - a. unauthorised access to an examination paper before an examination;
    - b. forgery of an examination timetable produced by QMUL;
    - c. removal of an question paper, answer script or other examination stationery from an examination venue;
    - d. causing a disturbance during an examination, either physically, verbally, or through an electronic device;
    - e. refusal to cooperate with an invigilator, or to follow an invigilator's instructions;
    - f. possession of unauthorised materials whilst under examination conditions, or leaving unauthorised material in an examination venue (including cloakrooms and toilets);
    - g. access, possession or use of unauthorised material on a computer, mobile telephone, or other electronic device during an examination;
    - h. communicating with another candidate while under examination conditions;
    - i. copying, or attempting to copy, the work of another candidate;
    - j. having writing on the body in an examination venue;
  - iii. plagiarism;
  - iv. the fraudulent reporting of source material;
  - v. the fraudulent reporting of experimental results, research, or other investigative work;
  - vi. collusion in the preparation or production of submitted work, unless such joint or group work is explicitly permitted;
  - vii. use, or attempted use, of ghost writing services for any part of assessment;
  - viii. submission of work, or sections of work, for assessment in more than one module or assignment (including work previously submitted for assessment at another institution);
  - ix. impersonation of another student in an examination or assessment, or the employment of an impersonator in an examination or assessment.
3. The School of Business and Management (SBM) submitted an unprecedented number of referrals in 2017/18. The majority were submitted in July and August 2018, but many of those related to events from some months earlier. This delay in referral meant that the investigations risked impacting on progression and award decisions. As a result of the delay, SBM offered to deal with the administrative aspects of the referrals, including informing students of the outcome of the allegation. Unfortunately, SBM did not log the type of allegation made and this information is missing from the records at present.

## Figures

4. 277 allegations were investigated under the Regulations for Assessment Offences in 2017-18. The types of allegation are broken down in the table below.

Allegation	No. of cases	No. of UG cases	No. of PG cases
Plagiarism	132	91 (68.9%)	41 (31.1%)
Examination offence	122	83 (68%)	39 (32%)
Other offences (collusion, ghost writing etc.)	23	20 (87%)	3 (13%)

5. Allegations of plagiarism and offences in examinations have risen markedly. There were 173 allegations of plagiarism in 2016-17 and 141 in 2015-16. There were 87 allegations of examination offences in 2016-17 and 57 in 2015-16.

6. The table below provides a breakdown of offences by developmental year:

Year of Study	Plagiarism	Examination Offence	Other offence (collusion, ghost writing)	Total (% of 17-18)
0	-	2	-	2 (0.7%)
1	22	29	-	51 (18.4%)
2	25	24	4	63 (22.7%)
3-5	-	11	-	11 (4%)
Associate	4	-	2	6 (2.2%)
Final year	40	10	14	64 (23.1%)
Postgraduate	41	39	3	83 (30%)

7. There is a relatively even spread of allegations between year groups. It is often the case that a high proportion of allegations are submitted from students in their first year due to a lack of understanding of academic practice at university level.

8. The table provides a breakdown of cases by School and study level.

School	Number of cases (2016-17 figures in brackets)	UG	PGT
Business & Management	176 (65)	109	70
SBCS (inc. Nanchang)	35 (47)	35	0
Economics and Finance	30 (21)	26	4
Politics & International Relations	29 (21)	25	4
CCLS	16 (12)	0	16
IHSE	12 (3)	12	0
SLLF	12 (13)	12	0
EECS	11 (10)	6	5
Mathematical Sciences	11 (9)	11	0
Blizard Institute	11 (10)	0	11
English and Drama	9 (9)	9	0
SEMS	9 (17)	9	0
International Office	7 (4)	7	0
Geography	6 (3)	6	0
History	6 (9)	6	0
Physics and Astronomy	6 (4)	6	0
ULIP	3 (1)	3	0
Wolfson Institute of Preventive Medicine	1 (0)	0	1



9. There has been noticeable drop in the number of allegations from SBCS and large increases for SEF, SBM and the IHSE. The rise in IHSE cases followed a clarification that the in-course assessments taken in years 1-4 of the MBBS programme needed to be treated as invigilated examinations, and therefore should be automatically referred to the Academic Secretariat – in previous years these cases were investigated within the Institute. The increase in SEF is likely attributable to the School's increase in student numbers. SBM also had a large increase in student numbers but the rise in assessment offence allegations goes beyond that; there is no clear reason for that increase.

## Investigations

10. All students accused of committing an assessment offence were given the opportunity to respond to the allegation in writing. Students alleged to have plagiarised, colluded with other students or submitted work written by a ghost writing were provided with the evidence relating to the concern at the same time that the Academic Secretariat informed them of the allegation.
11. The mean time taken to resolve an assessment offence allegation was 54.1 calendar days (56 in 2016-17 and 41.2 in 2015-16); the median was 50.5 calendar days (46 in 2016-17 and 35.5 in 2015-16).
12. The mean time for completing investigations into allegations of plagiarism in 2017-18 was 57 calendar days and the median was 46.
13. The mean time for completing investigations into allegations of examination offences in 2017-18 was 46.1 calendar days and the median was 48.5.
14. The mean time for completing investigations into other allegations such as collusion or ghost writing in 2017-18 was 91.6 calendar days and the median was 92. The additional time required to resolve these types of cases is attributable to their more complex natures, which necessitate a lengthier and more complex investigation process.
15. The mean time for cases to be completed following a hearing of the Assessment Offences Panel in 2017-18 was 80.5 calendar days. The median was 71 calendar days.

## Outcomes

16. In 2017-18 it was determined that an offence had been committed in at least 258 of the 277 allegations referred for investigation. One allegation was withdrawn by the school and 15 cases were dismissed. As of 19 February 2019 three cases remain open, two of which are to be heard by an Assessment Offences panel.
17. The table below provides the outcomes of the cases:

Penalty	Plagiarism	Exam offence	Other offence
Case dismissed	7	2	2
2.142i i. a formal reprimand	9	12	4
2.142ii. failure (a mark of zero) in the element of assessment in which the offence occurred, with a resubmission of that element permitted within the same attempt at the module. This resubmission shall not count as an additional attempt, but the mark for the resubmitted element of assessment shall be capped to the minimum pass mark.	63	13	10

Penalty	Plagiarism	Exam offence	Other offence
2.143iii. failure (a mark of zero) in the module of which the assessment forms a part, with the maximum mark on any resit or retake limited to the minimum pass mark	44	33	5
2.143iv. failure (a mark of zero) in the module which the assessment forms a part, with no permission to resit or retake the module;	6	8	0
2.413v. failure (with marks of zero) of the whole diet of modules taken during the academic year in which the offence occurred. Where resit attempts remain, the resit mark shall not be automatically capped to the minimum pass mark, irrespective of the regulations for that programme of study. However, the maximum mark achievable on resit shall be no higher than that achieved at the first attempt (before the penalty mark of zero was applied). If a module was failed at the first attempt then the resit mark shall be capped to the minimum pass mark.	0	0	0
2.143vi. failure (with marks of zero) of the whole diet of modules taken during the academic year in which the offence occurred, with the maximum mark on any resits or retakes limited to the minimum pass mark;	0	9	0
Penalties iii. & v.	0	41	0
Penalties iv. & vi.	1	0	0

18. Penalties iii. & v. in combination is the standard penalty for proven examination offences. There was a large increase in its application in 2017-18, issued 41 times compared to 18 times in 2016-17. In 2016-17, seven students were issued combinations of penalties imposed other than the standard iii. & v. This fell to one student in 2017-18, who was issued penalties iv. & vi.
19. The use of penalty ii has almost doubled since 2016-17. There has also been a noticeable increase in the application of penalty iii.
20. Students found to have committed a plagiarism offence are advised to seek advice from their school or institute on avoiding plagiarism in future and are also advised of support on academic practice provided by Academic Development. It would be helpful if schools/institutes could provide a named contact who students could speak to about ways of improving their work and this information would be provided in an outcome letter. Schools/institutes are further advised to ensure that they advise students of their expectations regarding plagiarism and referencing at the start of each module.

### Equality data

21. The tables below give a breakdown of cases by gender, fee status and ethnicity.

#### *Gender as a percentage of cases*

	Overall	UG	PGT
Female	44.9%	40.1%	54.1%
Male	55.1%	59.9%	45.9%

#### *Fee status as a percentage of cases*

	Overall	UG	PGT
Home/EU Fee Status	52.3%	67.3%	23.3%

<b>Overseas Fee Status</b>	47.7%	32.7%	76.7%
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**Ethnic origin**

	<b>No.</b>	<b>Overall %</b>	<b>UG %</b>	<b>PGT %</b>
Arab	6	1.5	1.9%	0.8%
Asian - Bangladeshi	45	11.5	16%	3%
Asian - Chinese	86	22.1	14%	37.6%
Asian - Indian	47	12.1	9.3%	17.3%
Asian - Other	21	5.4	6.2%	3.8%
Asian - Pakistani	40	10.3	11.7%	7.5%
Black - African	28	7.2	9.3%	3%
Black - Caribbean	3	0.8	1.2	0
Black - other	1	0.3	0.4	0
I do not know	8	2.1	3.1	.
I do not know my ethnic background	1	0.3	0.4	0
I do not wish to give this information	3	0.8	0.4	1.5%
Not disclosed	3	0.8	0.8	0.8%
Other	9	2.3	1.2	4.5
Other Asian background	11	2.8	1.6	5.3%
Other Mixed	7	1.8	2.3	0.8%
Other mixed background	2	0.5	0.4	0.8%
Other White	1	0.3	0.4	0
White	63	16.2	17.5	13.5%
White and Asian	1	0.3	0.4	0
White/Black African	3	0.8	1.2	0
White/Black Caribbean	1	0.3	0.4	0

## **2017-18 Annual report on cases considered under the Student Complaints Policy, Fitness to Practise and Code of Student Discipline**

1. This is the annual report on cases investigated at institutional level during the 2017-18 academic year under the Student Complaints Policy, Code of Student Discipline and by the Fitness to Practise Committee under the Professional Capability & Fitness to Practise Regulations.

### **Complaints: data analysis and trends**

2. During the 2017-18 academic year, 33 complaints were received at institutional level (Stage 2 of the complaints process). This compares to 14 cases in 2016-17, 10 in 2015-16, and 17 in 2014-15.
3. 27 of the complaints related to academic matters (10 in 2016-17, seven in 2015-16) and six to non-academic matters (four in 2016-17 and three in 2015-16).
4. The 27 complaints concerning academic matters comprised:
  - 17 on the UCU strike;
  - four on programme delivery;
  - two on PhD supervision;
  - one on an appeal outcome;
  - one on the alleged misrepresentation of programme information available at point of application and facilities available on campus;
  - one on a School's consideration of long-term extenuating circumstances;
  - one on reasonable adjustments for a disability.
5. The six complaints concerning non-academic matters comprised:
  - three on halls of residence;
  - one on fees;
  - one on a visa;
  - one on a data protection breach.
6. One complaint was submitted by a group of students, who were concerned about the alleged misrepresentation of programme information available at the point of application and the facilities available on campus.
7. As of 19 February 2019, one complaint remains under investigation.

### **Complaints: outcomes**

8. Of the 33 complaints considered at Stage 2 of the Complaints Policy, 32 were not upheld although one student was offered additional compensation supplementary to that awarded at stage one.

## Complaints: timescales

9. Queen Mary aims to resolve Stage 2 complaints within one month. Where it is not possible to complete a case in this timeframe, the complainant is informed and given the reason for the delay.
10. The mean time taken to resolve a complaint in 2017-18 was 122 days; the median was 93. This compares to 72 and 79 days in 2016-17, and 42 and 45 days in 2015-16.
11. The timeframe for Stage 2 complaints is quite tight as this period includes seven days for the student to submit any additional evidence for their complaint and a further seven days for the student to comment on a case summary before a decision is made.
12. The most common cause of cases exceeding the one-month timescale was the considerable increase in the volume of other types of casework; this was compounded by the unexpected absence of the team leader for a protracted period. Complaints tend to be more complex and include a greater degree of subjectivity than other case types, requiring a lengthy investigation process. This in turn means that the Complaints Assessor is required to spend more time considering each case.
13. The table below details the length of time taken to resolve cases in 2017-18.

Time taken to resolve complaint	Number of complaints
Within 30 days	1 (2)
Between 30 and 90 days	7 (7)
More than 90 days	8 (5)

## Office of the Independent Adjudicator for Higher Education

14. Students dissatisfied with the outcome of a complaint are entitled to apply to the Office of the Independent Adjudicator (OIA) – the independent student complaints scheme. Applications made to the OIA are reported separately to Senate.

## Code of Student Discipline

15. Eleven allegations of disciplinary offences were investigated by the Academic Secretariat under the Code of Student Discipline in 2017-18. There were 10 cases in 2016-17, and six in 2015-16.
16. The 17 disciplinary cases investigated so far in 2018-19 already exceeds the total number for the whole of 2017-18. The Academic Secretariat is concerned by this unexplained increase, not only in terms of the incidents themselves but also because of the considerable resources these cases require to investigate, to the detriment of the investigation of other case types.
17. The 11 allegations can be categorised as follows:
  - two incidents of offensive messages sent to staff;
  - two students gained unauthorised access to the IT systems of an external company;
  - two cases of harassment of other students;
  - one student was alleged to be in possession of cannabis;
  - one incident of endangering the health and safety of a student;
  - one incident of assault towards another student;
  - one incident of sexual misconduct in the Library.

18. In the majority of cases the participants were interviewed and an investigation into the allegation was undertaken. Where it was not possible to conduct interviews, students were invited to submit statements in response to the allegations. The actions taken following misconduct allegations were as follows:

- two cases were dismissed by the Student Disciplinary Committee;
- three cases were considered by the Academic Registrar and the appropriate Vice-Principal and it was determined that whilst the allegations were proven, no further action should be taken under the Code of Discipline;
- one informal caution was issued;
- no further action was taken in one case where a student admitted to the concern and apologised;
- one student was excluded from specific parts of the Mile End campus.

### **Fitness to Practise**

19. There were two referrals to the Fitness to Practise Committee for medical students during the 2016-17 academic year (two in 2016-17, none in 2015-16).

20. In one case the concern was found to be proven, and the student was given conditions and undertakings for their return to the course in September 2019. In the other case the concern was found to be proven at the time the concern had been raised, but the Committee determined that the student had remediated successfully and was considered fit to practise.

### **Conclusions and developments for 2018-19 and beyond**

21. The number of cases considered under the Student Complaints Policy, Code of Student Discipline and by the Fitness to Practise Committee remained at similar levels to those of previous years in 2017-18. However, as noted above the number of cases considered so far in 2018-19 under the Code of Student Discipline has increased substantially. Work is underway to promote positive conduct within the framework of Queen Mary's values.

22. It has become increasingly difficult to resolve complaints within the timeframes stated in the Student Complaints Policy. Several factors affect the turnaround times for complaints:

- i. The very substantial increase in the number of academic appeals and referrals for investigation under the Regulations for Assessment Offences. These often take priority over other casework since they can impact on a student's progression, award or registration;
- ii. Cases reaching Stage 2 of the Complaints Policy are inherently complex. For example, concerns regarding PhD supervision may have been ongoing for several years before a complaint is submitted,
- iii. An investigation into a complaint is materially different to that of an assessment offence or appeal. Complaints often concern subjective matters, for example the relative cleanliness of halls of residence, whereas appeals are lodged against decisions made under defined Queen Mary processes and consideration in those cases centres on whether those processes were followed.

23. A number of cases considered under the Code of Student Discipline (particularly in the current 2018-19 academic year) relate to allegations of poor behaviour. Some of these cases have been serious, while others have been at a lower level. The Senate may wish to consider new mechanisms for dealing with these 'lesser' offences in future. Schools and

institutes often deal with discipline locally, but the Code may benefit from review in this regard; issuing a school-level 'cease and desist' notice as a first warning, with repeat behaviour referred straight to the institutional level could be a possible approach. ARCS, QMSU and the Faculty Education Managers will develop information to promote positive behaviours and to provide accessible information on what may constitute a breach of the Code of Discipline, with examples of sanctions.

## Appendix: equality data

24. The tables below provide data on complaints and disciplinary cases by level of study, fee status and ethnicity. Due to the small number of cases it is not possible to draw any meaningful conclusions from the data.

### 1. Complaints by level of study

Level of study	Number of complaints 2017-18
UG	28
PG taught	3
MPhil/PhD	2

### 2. Complaints by ethnicity (NB does not include group complaints)

Ethnicity	Number of Complaints
Asian - Indian	1
Asian – Pakistani	1
Black - African	1
Black or Black British - African	1
White	9
Not given	3

### 3. Complaints by fee status (NB does not include group complaints)

Status	Number of complaints	% of complaints
Home/EU	11	69
Overseas	5	31

### 4. Complaints by Gender (NB does not include group complaints)

Gender	Number of complaints	% of total complaints
Male	6	37
Female	10	63

### 5. Disciplinary allegations by level of study

Level of study	Number of cases 2016-17
UG	7
PG taught	1
Research	3

## 6. Disciplinary allegations by ethnicity

<b>Ethnicity</b>	<b>Number of Cases</b>
Asian – Bangladeshi	1
Asian – Chinese	1
Black – African	3
Other – Mixed	1
White	5
<b>Totals</b>	<b>11</b>

## 7. Disciplinary allegations by fee status

<b>Status</b>	<b>Number of cases</b>	<b>% of total allegations</b>
Home/EU	9	82
Overseas	2	18