

## The University of Manchester

### Annual Report of Student Appeals, Student Complaints and Student Discipline Cases 2018-19<sup>1</sup>

#### Section 1: Executive summary

The Annual Report details the number and nature of formal academic appeals, complaints, discipline and fitness to practise cases handled each academic year and is required under the Regulations for the relevant areas. The data reported below relate only to formal cases and do not include cases which are resolved informally.<sup>2</sup>

The overall number of cases across the different Regulations represents a small proportion of the total student population (1.3% in 2018-19).

However, in relation to academic appeals there has been a significant decrease in the number of formal stage cases from 409 in 2017-18 to 315 in 2018-19. The number of formal complaints received by Faculties has also seen a decrease from 88 in 2017-18 to 76 in 2018-19

The number of formal appeals received by the Faculty of Biology, Medicine and Health (BMH) continues to be significantly higher than the other Faculties with 51% of all appeals being received in this Faculty. The Division of Teaching, Learning and Student Development is currently reviewing possible changes to the Academic Appeals Procedure to include clarification of the purpose of the 'informal stage' which may impact this imbalance.

There has been an increase in the number of students progressing cases to the Office of the Independent Adjudicator (OIA): 57 cases in 2018-19 compared with 48 in 2017-18. As in previous years, the OIA found the vast majority of complaints made to it about the University of Manchester to be Not Justified.

Last year's report commented that during 2017-18, the Differential Attainment Project attempted to explore the experience of Black and Minority Ethnic students/International students in relation to appeals and complaints. The project was unable to access information from case files for research purposes as explicit consent had not been given, but did undertake a number of interviews with case handlers and others involved in the appeals and complaints process. Work has now commenced on a further project overseen by Professor Aneez Esmail to undertake more detailed exploration of cases, with a view to process improvements related to BAME and international students engaging with the appeals and discipline procedures. The outcome of the project will be reported to Senate once complete.

A new version of Regulation XVII (Conduct and Discipline of Students) and its associated procedures was introduced in September 2019. The Student Complaints Procedure was also further updated in February 2019 so that Dignity at Work and Study Complaints from students are now considered under it.

Previous Senate reports, together with procedural information, are available on the TLSD website: <http://www.tlso.manchester.ac.uk/appeals-complaints/reportstosenate/>

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<sup>1</sup> Presented to Senate in January 2020

<sup>2</sup> Note also that home students are split between white and ethnic minority groupings, and international students are a separate category. These categories are as required by the Higher Education Statistics Agency.

## Section 2: Summary of cases considered during 2018-19

	<b>Academic Appeals</b>	<b>Complaints<sup>3</sup></b>	<b>Conduct and Discipline<sup>4</sup></b>	<b>Fitness to Practise</b>	<b>Total</b>
<b>Formal Stage Cases</b>	315	79	119	18	<b>531</b>
<b>Review Stage Cases</b>	31	22	22	2	<b>77</b>
<b>OIA complaints</b>	26	26	5	0	<b>57</b>
					<b>662<sup>5</sup></b>

These data are presented in further detail in the rest of this report, with percentages rounded to the nearest whole number.

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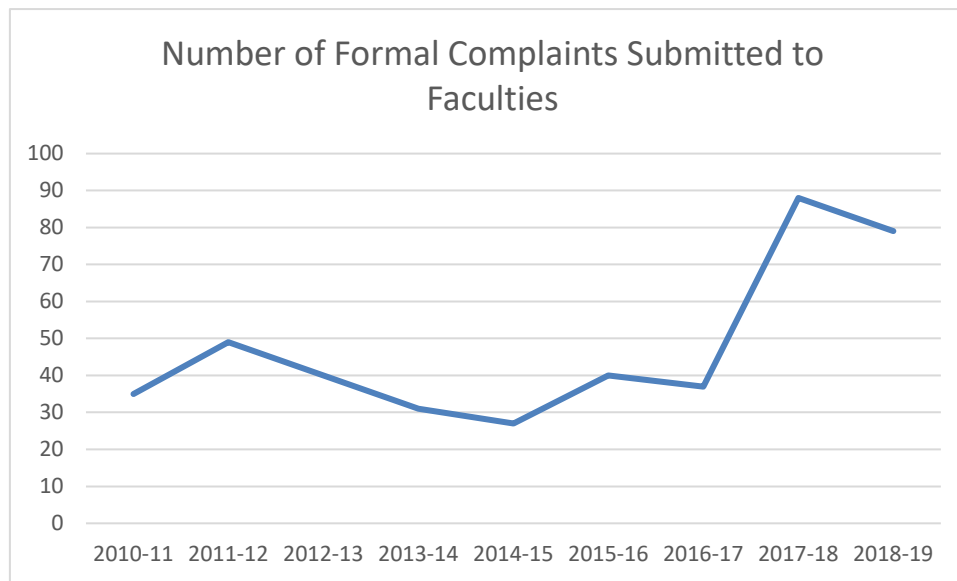
<sup>3</sup> For reasons explained later in this report, the 'Formal Stage' case figures for complaints include Regulation XVIII and Dignity at Work and Study Complaints submitted to Faculties, but not complaints made directly to Residential Services.

<sup>4</sup> For reasons explained later in this report, the 'Formal Stage' case figures for conduct and discipline include Regulation XVII cases dealt with by Faculties, the University Disciplinary Panel or the Exams Team, but not other areas of the University e.g. Residential Services.

<sup>5</sup> In 2017-18 the total number of cases was 818.

### Section 3: Commentary on Student Complaints (Regulation XVIII and until February 2019, the Dignity at Work and Study Procedure for Students)

#### Formal Complaints submitted to Faculties



#### Overall

Total 2018/19	79
Total 2017/18	88
Total 2016/17	37

#### Number of Complaints

Faculty	PGR	PGT	UG	CPD	F	M	White	BME	International	Total	%	% 17/18	% 16/17
FSE	7	1	17		8	17	13	6	6	25	32	19	16
HUMS	2	7	15		14	10	12	0	12	24	30	59	54
BMH	5	18	7		12	18	8	4	18	30	38	22	30
<b>Total</b>	<b>14</b>	<b>26</b>	<b>36</b>							<b>79</b>			

#### Type of Complaint

	PGR	PGT	UG	CPD	F	M	White	BME	International	Total	%	% 17/18	% 16/17
Academic provision/progress	0	2	1		3	0	1		2	3	4	15	14
Facilities/services	0	8	20		16	12	15	5	8	28	35	48	30
Harassment, discrimination, bullying	5	9	14		10	18	8	6	14	28	35	14	32
Supervision	5	1	1		3	4	3		4	7	9	5	3
Other	4	6	3		2	11	5		8	13	17	19	22
<b>Total</b>	<b>14</b>	<b>26</b>	<b>39</b>		<b>34</b>	<b>45</b>	<b>32</b>	<b>11</b>	<b>36</b>	<b>79</b>			

There was a sharp rise in formal complaint numbers during the 2017-18 academic year due to the UCU Industrial Action. From the table above, it appears that there has been a slight reduction in complaint numbers, but not to the levels experienced pre 2017-18.

#### Outcome of Complaint

Outcome	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18	% 16/17
Complaint upheld or partially upheld	1	2	12	8	7	10	3	2	15	19	12	22
Complaint dismissed	10	20	17	16	31	14	4	29	47	59	61	54
Ongoing at 1/10/2019	2	2	9	7	6	7	3	3	13	17	9	5
Withdrawn by student	0	0	0	0	0	0	0	0	0		7	5
Referred to another part of the University	1	2	1	3	1	1	1	2	4	5	5	14

Other	0	0	0	0	0	0	0	0	0	0	6	0
<b>Total</b>	<b>14</b>	<b>26</b>	<b>35</b>	<b>33</b>	<b>43</b>	<b>31</b>	<b>9</b>	<b>36</b>	<b>79</b>			

#### Resolution of Upheld Complaints

Resolution	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18
Apology/Explanation	0	2	1	2	1	2	1	0	3	20	55
Compensation / financial redress	0	0	1	0	1	1	0	0	1	7	0
Other	1	0	10	6	5	7	2	2	11	73	45
<b>Total</b>	<b>1</b>	<b>2</b>	<b>12</b>	<b>8</b>	<b>7</b>	<b>10</b>	<b>3</b>	<b>2</b>	<b>15</b>		

In 2018-19 academic year, only one case resulted in compensation at the Faculty stage. The most common resolution was an apology or explanation in respect of the circumstances which led to the complaint, followed by various other bespoke solutions.

#### Accommodation Complaints

Whilst many Regulation XVIII complaints are submitted via Faculties, complaints regarding accommodation are submitted directly to Residential Services. In 2018-19 complaints to Residential Services reduced from 53 to 46.

The table below gives further details on the specific types of accommodation complaints received and their outcomes.

#### Type of Accommodation Complaint and Complaint Outcome

	Upheld	Partially Upheld	Dismissed	Total	% 2018/19	% 2017/18
Financial Complaints	0	0	1	1	2	2
Maintenance Issues	3	0	8	11	24	26
Safety and Security	0	0	1	1	2	2
Fallowfield Development	0	0	0	0	0	8
Reception Service	0	0	2	2	4	4
ResLife Service	0	0	1	1	2	4
Infestation	0	0	7	7	16	9
Other Domestic Issues	1	2	2	5	11	23
Multiple/Other Issues	3	3	11	17	39	23
<b>Total</b>	<b>7</b>	<b>5</b>	<b>33</b>	<b>45</b>		

A total of £1,272 worth of compensation was paid in respect of accommodation complaints during the 2018-19 academic year (£2,540 in 2017-18). £1,222 relating to University accommodation and £50 relating to leased halls.

#### Review of Faculty (or equivalent) decision<sup>6</sup>

22 students (compared with 20 in 2017-18) requested a review of their complaints by the Head of Division of Teaching, Learning and Student Development, in accordance with Regulation XVIII, paragraphs 23-25.

#### Outcome of Review

Outcome	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 2017/18	% 2016/17
Decision upheld fully	4	6	8	3	15	5	3	10	18	82	85	77
Decision altered	0	2	2	2	2	1	2	1	4	18	15	23
<b>Total</b>	<b>4</b>	<b>8</b>	<b>10</b>	<b>5</b>	<b>17</b>				<b>22</b>			

The four cases above where decisions were altered resulted in the following outcomes:

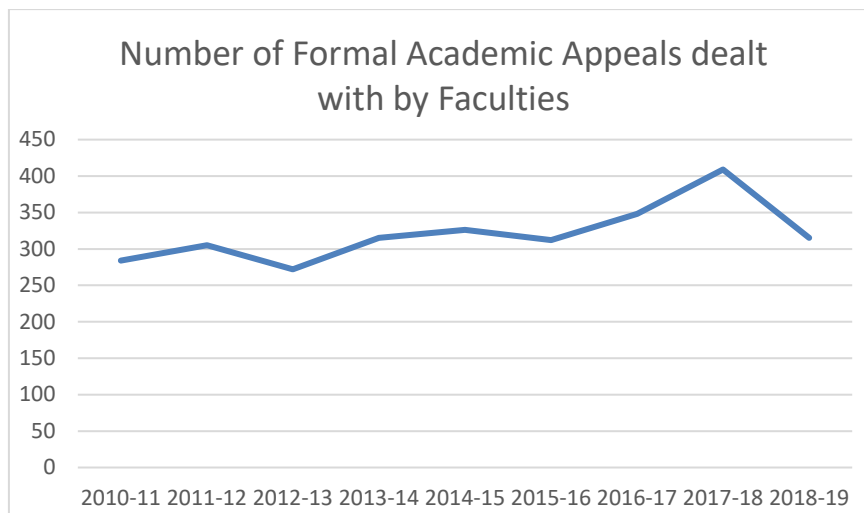
- The Faculty to review the case handling
- An apology and offer of £250 compensation.
- An apology and offer of £400 compensation.
- Offers of compensation and student referred to DASS for further discussions.

<sup>6</sup> The review figures include reviews of all formal complaints, including those dealt with by Residential Services.

The Division of Teaching, Learning and Student Development also reviews complaints against the Students Union which have been dealt with under the Students' Union Code of Practice. However, no review requests in relation to such complaints were received during the 2018-19 academic year.

After the review stage, the University of Manchester procedures are completed and students are issued with a Completion of Procedures letter, as required by the Office of the Independent Adjudicator.

## Section 4: Commentary on Academic Appeals (Regulation XIX)



### Overall

Total 2018/19	315
Total 2017/18	409
Total 2016/17	348

### Total Number of Academic Appeals

Faculty	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18	% 16/17
FSE	4	18	52	17	57	21	12	41	74	23	20	27
HUMS	7	20	56	42	41	24	10	49	83	26	21	28
BMH	1	33	124	93	65	52	50	56	158	51	59	45
<b>Total</b>	<b>12</b>	<b>71</b>	<b>232</b>	<b>152</b>	<b>163</b>	<b>97</b>	<b>72</b>	<b>146</b>	<b>315</b>			

As can be seen from the data above, there has been a significant decrease in the total number of formal academic appeals being received by Faculties, from 409 in 2017-18 to 315 in 2018-19. The number of formal appeals received by the Faculty of Biology, Medicine and Health (BMH) continues to be higher than the other Faculties with 51% of all appeals being received in this Faculty. The Division of Teaching, Learning and Student Development is currently considering possible changes to the Academic Appeals Procedure to include clarification of the purpose of the 'informal stage' which may impact this imbalance.

BME home students make up 17.2% of the student population but constitute 23% of appellants whilst international students make up 37.6% of the student population but constitute 46% of appellants.

There does also appear to be a difference in appeal outcomes between white and BME home students and international students. 51% of white home students had their appeal upheld compared to 37% of BAME home students and 26% of international students. Following a request from Senate members a review of appeal files has commenced, overseen by Professor Annez Esmail with a view to exploring the reasons for the disparity and to recommend process improvements as appropriate.

### Decision Appealed Against

	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18	% 16/17
Degree Classification/ Qualification Awarded	3	28	44	31	44	21	11	43	75	24	14	25
Exclusion due to academic failure	5	10	79	47	47	29	24	41	94	30	37	31
Exclusion due to work and attendance	0	2	1	2	1	1	0	2	3	1	<1	2
Other decision of Board of Examiners/Progress Committee or not recorded	4	31	108	72	71	46	37	60	143	45	49	42
<b>Total</b>	<b>12</b>	<b>71</b>	<b>232</b>	<b>152</b>	<b>163</b>	<b>97</b>	<b>72</b>	<b>146</b>	<b>315</b>			

Exclusion due to academic failure continues to be the most common single reason for appealing, although the composite category of 'other' contains the largest number of cases overall (this category includes appeals against individual assessment marks for example).

### Grounds for Appeal

	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18	% 16/17
Mitigating Circumstances	9	53	203	125	140	84	61	120	265	84	68	73
Procedural Irregularity	1	9	20	14	16	7	7	16	30	10	16	16
Bias	0	3	8	8	3	3	3	5	11	3	9	6
Poor Supervision	2	6	1	5	4	3	1	5	9	3	7	5
<b>Total</b>	<b>12</b>	<b>71</b>	<b>232</b>	<b>152</b>	<b>163</b>	<b>97</b>	<b>72</b>	<b>146</b>	<b>315</b>			

Note: Students can cite more than one ground for appeal.

As in previous years, by far the most common ground of appeal was that 'there exists or existed circumstances affecting the student's performance of which, for a credible and compelling reason, the Examination Board or equivalent body may not have been made aware when the decision was taken and which might have had a material effect on the decision'. The updated Policy on Mitigating Circumstances, introduced in September 2017, does not seem to have had a major effect on this in fact in the last academic year the proportion of appeals made on this ground increased from 68% in 2017-18 to 84% in 2018-19. TLSD are currently working with colleagues in Schools and Faculties to review the Mitigating Circumstances policy with an aim to ensure that the policy is student focused and is implemented consistently across the University.

### Outcome of Appeal

	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18	% 16/17
Dismissed - invalid grounds	0	16	41	29	28	17	17	23	57	18	28	14
Dismissed - no substance	5	26	71	38	64	20	20	62	102	32	27	45
Ongoing at 01/10/2019	3	7	18	11	17	9	5	14	28	9	7	3
Upheld/Upheld and referred back to School for review of decision	4	15	85	60	44	45	25	34	104	33	30	34
Withdrawn/Not Pursued	0	7	17	14	10	6	5	13	24	8	8	5
<b>Total</b>	<b>12</b>	<b>71</b>	<b>232</b>	<b>152</b>	<b>163</b>	<b>97</b>	<b>72</b>	<b>146</b>	<b>315</b>			

The number of appeals dismissed on the basis that they are invalid, as allowed for by paragraph 5 of Regulation XIX decreased from 28% in 2017-18 to 18% in 2018-19. A formal appeal may be dismissed from the outset because it has not been made in time, because it is considered to be a challenge to academic judgement or because it does not meet a pre-condition for an appeal on a particular ground (for example, the Faculty may consider that an appeal made on the ground of mitigating circumstances should be rejected because the student has not offered a credible and compelling reason, with supporting documentation, explaining why they did not utilise the mitigating circumstances procedure prior to receiving their results).

100 out of the 104 upheld appeals (96%) were made on the ground of mitigating circumstances. Therefore, an upheld appeal does not necessarily mean that the original decision was incorrect, but more commonly means that late mitigating circumstances evidence has been provided which may have affected the Exam Board's decision if it had been made available earlier.

## Review of Faculty Decision

31 students requested a review of their academic appeal (Regulation XIX, paragraph 10) by the Head of Division of Teaching, Learning and Student Development during the 2018-19 academic year. This is a reduction from the 41 requests received in 2017-18 and 42 in 2016-17.

### Number of Faculty Appeals Reviewed

Faculty	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18	% 16/17
BMH	0	2	5	4	3	0	6	1	7	23	26	29
FSE	0	3	6	1	8	1	2	6	9	29	28	38
HUM	2	7	5	4	10	1	1	12	14	45	42	33
Spurgeon's	0	0	0	0	0	0	0	0	0	0	5	
Cliff College	0	0	1	1	0	0	0	1	1	3		
<b>Total</b>	<b>2</b>	<b>12</b>	<b>17</b>	<b>10</b>	<b>21</b>	<b>2</b>	<b>9</b>	<b>20</b>	<b>31</b>			

### Outcome of Review

	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18	% 16/17
Decision upheld fully	1	10	15	10	16	2	8	16	26	84	77	90
Decision altered	1	2	2		5	0	1	4	5	16	23	10
<b>Total</b>	<b>2</b>	<b>12</b>	<b>17</b>	<b>10</b>	<b>21</b>	<b>2</b>	<b>9</b>	<b>20</b>	<b>31</b>			

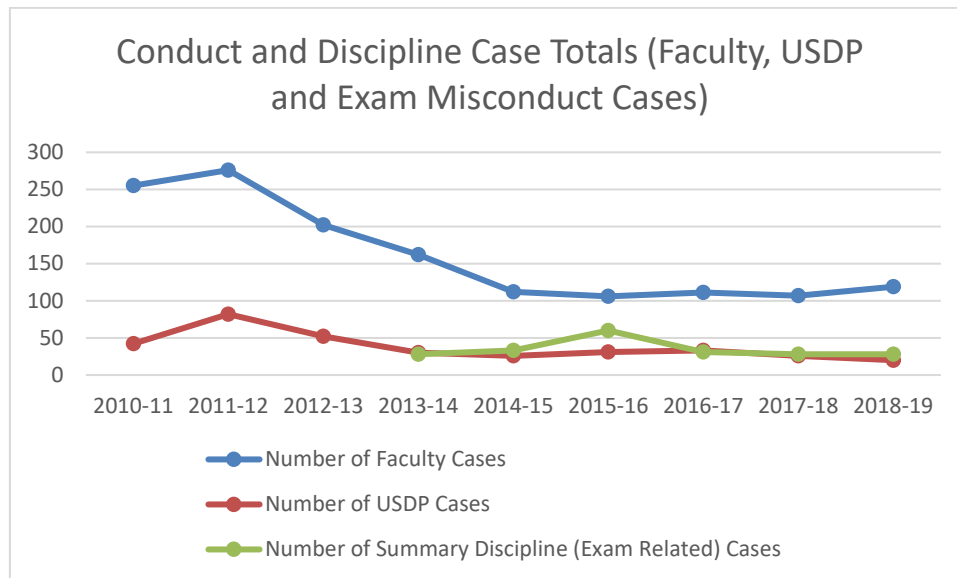
There was a reduction in the number of cases that were taken to review stage in 2018-19 which resulted in the previous decision being altered in some way compared to the previous academic year (16% compared to 23% in 2017-18). Most commonly, the alteration took the form of a recommendation that mitigating circumstances be (re)considered by a School Mitigating Circumstances Panel. In addition, compensation was paid in three review cases, even though the overall decision remained unchanged. This was due to a delay in the Faculty's handling of the appeals.

After the review stage, the University of Manchester procedures are completed and students are issued with a Completion of Procedures letter, as required by the Office of the Independent Adjudicator.



## Section 5: Commentary on Conduct and Discipline of Students (Regulation XVII)

Conduct and Discipline cases may relate to either academic malpractice or non-academic misconduct and are handled in a variety of different locations within the University depending on the nature of the offence, the seriousness of it, the student's previous history etc. Previous Senate Reports have focused primarily on cases handled by Faculties, the University Disciplinary Panel and those handled by a Summary Discipline Panel in relation to exam misconduct. For the purposes of comparison with previous years, figures for these types of cases are given first below, followed by cases handled by other areas of the University.



### Overall

	2018/19	2017/18	2016/17
Faculties	119	107	111
University Student Disciplinary Panel (USDP)	20	26	33
Summary Disciplinary Panel (Exam Misconduct)	28	28	31
<b>Total</b>	<b>167</b>	<b>161</b>	<b>175</b>

### Faculty Cases

#### Total Number

Faculty	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18	% 16/17
FSE	1	11	31	8	35	5	6	32	43	36	36	46
HUMS		4	24	16	12	7	5	16	28	24	45	33
BMH		12	36	31	17	17	13	18	48	40	19	21
<b>Total</b>	<b>1</b>	<b>27</b>	<b>91</b>	<b>55</b>	<b>64</b>	<b>29</b>	<b>24</b>	<b>66</b>	<b>119</b>			

#### Type of Misconduct

	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18	% 16/17
Collusion		4	11	7	8	6	4	5	15	13	13	19
Plagiarism	1	23	80	48	56	23	20	61	104	87	85	80
Fabrication/Falsification											2	<1
<b>Total</b>	<b>1</b>	<b>27</b>	<b>91</b>	<b>55</b>	<b>64</b>	<b>29</b>	<b>24</b>	<b>66</b>	<b>119</b>			

In 2018-19 the number of Faculty cases rose slightly but there is no evidence of an upward trend over time. Plagiarism remains the largest proportion of cases dealt with at Faculty level, with International students continuing to remain the more likely demographic of students to be involved in instances of academic malpractice.

### Outcome of Faculty Misconduct Cases

Outcome	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18	% 16/17
Accusation withdrawn	0	1	1		2	1	1	0	2	2	3	2
Guilty	1	23	81	48	57	24	19	62	105	88	84	83
Not Guilty	0	1	6	3	4	2	3	2	7	6	4	13
Other e.g. ongoing at 1/10/2019, outcome not reported	0	2	3	4	1	2	1	2	5	4	9	2
<b>Total</b>	<b>1</b>	<b>27</b>	<b>91</b>	<b>55</b>	<b>64</b>	<b>29</b>	<b>24</b>	<b>66</b>	<b>119</b>			

### Highest Penalty Imposed in Guilty Cases (more than one penalty can be imposed)

	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18
Reprimand & Warning	1	4	5	7	3	3	1	6	10	10	6
Mark Reduction	0	7	33	17	23	9	7	24	40	38	21
Mark of Zero for Specific Piece of Work or Unit	0	12	41	23	30	11	11	31	53	50	50
No reassessment or substitution	0	0	0	0	0	0	0	0	0	0	10
Penalty not reported	0	0	2	1	1	1		1	2	2	13
<b>Total</b>	<b>1</b>	<b>23</b>	<b>81</b>	<b>48</b>	<b>57</b>	<b>24</b>	<b>19</b>	<b>62</b>	<b>105</b>		

Most students whose academic malpractice case is referred to a Faculty are found guilty, and most of these are given a mark of zero for the specific piece of work or course unit in which the unfair practice occurred.

### University Student Disciplinary Panel Cases

Cases of academic malpractice or non-academic misconduct deemed to be particularly serious, or where the student has a previous disciplinary record, may be referred to a University Student Disciplinary Panel.

#### Total Number

Faculty	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18	% 16/17
FSE	0	1	11	3	9	0	2	10	12	10	23	42
HUM	0	2	4	3	3	2	1	3	6	60	69	55
BMH	0	2		2		0	2	0	2	30	8	3
<b>Total</b>	<b>0</b>	<b>5</b>	<b>15</b>	<b>8</b>	<b>12</b>	<b>2</b>	<b>5</b>	<b>13</b>	<b>20</b>			

#### Type of Misconduct

Type of Misconduct	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18	% 16/17
Academic malpractice	0	4	10	6	8	0	2	12	14	70	42	67
Non-academic misconduct (or both academic and non-academic)	0	1	5	2	4	2	3	1	6	30	58	33
<b>Total</b>	<b>0</b>	<b>5</b>	<b>15</b>	<b>8</b>	<b>12</b>	<b>2</b>	<b>5</b>	<b>13</b>	<b>20</b>			

### Outcome of USDP cases

Outcome	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18	% 16/17
Guilty	0	5	15	8	12	2	5	13	20	100	77	85
Not guilty	0	0	0	0	0	0	0	0	0		23	15
<b>Total</b>	<b>0</b>	<b>5</b>	<b>15</b>	<b>8</b>	<b>12</b>	<b>2</b>	<b>5</b>	<b>13</b>	<b>20</b>			

Where a student is found guilty by the USDP, penalties tend to be more severe than for cases dealt with at a lower level. Of note, one student was expelled during 2018-19 following a USDP, one was suspended until they attended graduation, two were excluded for 12 months and one was excluded from specific areas of the University or University facilities.

## Summary Discipline (Exam Misconduct) Cases

When a student is suspected of possessing unauthorised material in a centrally arranged University exam, these cases are usually dealt with by a Summary Disciplinary Panel organised by the Exams Team.

	PGR	PGT	UG	F	M	White	BME	International	Total 18/19	Total 17/18	Total 16/17
Possession of unauthorised material		8	9	12	5	0	1	16	17	28	31

Two of the cases were referred to University Disciplinary Panel to consider. In the remaining 15 cases only one was found not guilty, with the most common penalty being a mark of zero for either the exam or the course unit as a whole.

## Discipline (Residential Services) Cases

This is a new dataset not previously included in the Senate Report. Residential Services undertakes discipline cases in respect of misconduct in halls. Data for 2018-19 is detailed below.

	PGT	UG	F	M	White	BME	International	Total 18/19	%
Antisocial behaviour		58	22	36	38	13	7	58	14
Damage to premises		5	1	4	4	1	0	5	1
Drugs or use of banned substances	1	156	32	125	86	52	19	157	39
Physical/verbal aggression to staff or students		12	1	11	8	1	3	12	3
Prohibited items (pets, candle, incense, cooking, multiple occupancy)	1	15	12	4	5	3	8	16	4
Racist/offensive behaviour		4	4	0		2	2	4	1
Smoking/fire alarm activation/tampering		152	48	104	84	36	32	152	38
<b>Total</b>	<b>2</b>	<b>402</b>	<b>120</b>	<b>284</b>	<b>225</b>	<b>108</b>	<b>71</b>	<b>404</b>	

Of the 404 cases only two students were found not guilty following the disciplinary hearing. Of those found to be in breach only two students were expelled from their accommodation. Fines totalling £44,365.99 were issued during the academic year - £28,000 of which related to drug related offences.

## School Cases

Except in severe cases, Schools tend to handle instances of first offence UG and PGT academic malpractice and may also handle some instances of non-academic misconduct. Plagiarism remains the most common type of misconduct that Schools investigate.

The TLSD requests data from Schools on the cases heard by them for inclusion in this report. The data collected from Schools is detailed below.<sup>7</sup> A comparison to previous years is not included due to incomplete data being available previously.

### Type of Misconduct

	Study Abroad/CPD/PGR	PGT	UG	F	M	Unknown	White	BME	International	Total	%
Collusion	0	13	26	24	15	0	0	0	39	39	9
Plagiarism	1	160	147	165	141	2	6	5	297	308	73
Non-specified academic misconduct	2	14	48	20	44	0	9	2	53	64	15
Non-academic misconduct	0	2	2	2	2	0	0	0	4	4	1
Other/not specified	0	2	4	0	6	0	0	0	6	6	2
<b>Total</b>	<b>3</b>	<b>191</b>	<b>227</b>	<b>211</b>	<b>208</b>	<b>2</b>	<b>15</b>	<b>7</b>	<b>399</b>	<b>421</b>	

### Outcome of School misconduct cases

Outcome	Study Abroad/CPD/PGR	PGT	UG	F	M	Unknown	White	BME	International	Total	%
Guilty	2	164	194	187	172	1	10	17	333	360	86
Not Guilty	0	22	30	22	29	1	5	3	44	52	12
Other e.g. ongoing at 1/10/2019	1	5	3	2	7	0	0	0	9	9	2
<b>Total</b>	<b>3</b>	<b>191</b>	<b>227</b>	<b>211</b>	<b>208</b>	<b>2</b>	<b>15</b>	<b>20</b>	<b>386</b>	<b>421</b>	

<sup>7</sup> It should be noted that only formal cases are included in these figures – where a student has received an informal warning or feedback without the need for the case to proceed to a full hearing, then this has not been captured.

*Highest Penalty Imposed in Guilty Cases (more than one penalty may be imposed)*

	Study Abroad/CPD/PGR	PGT	UG	F	M	White	BME	International	Total	%
Reprimand & Warning	2	45	63	58	52	22	23	65	110	31
Mark Reduction	7	30	41	43	35	17	14	47	78	22
Mark of Zero for Specific Piece of Work or Unit	10	54	93	81	76	13	49	95	157	44
Requirement to undertake a piece of work connected to the offence		6	2	1	7		1	7	8	2
Suspension from clinics		1			1			1	1	<1
Other/ Not recorded		5	1	4	2		1	5	6	1
<b>Total</b>	<b>21</b>	<b>141</b>	<b>194</b>	<b>187</b>	<b>173</b>	<b>52</b>	<b>88</b>	<b>220</b>	<b>360</b>	

## Appeals against conduct and discipline decisions

Students may appeal decisions relating to conduct and discipline in accordance with Regulation XVII. 22 students submitted disciplinary appeals during 2018-19 compared to 32 students in 2017-18.

The person or body dealing with an appeal varies depending on where the original case was heard. The data below represents all disciplinary appeals dealt with during the 2018-19 academic year, irrespective of where the original case was heard.

*Outcome of Disciplinary Appeals*

	PGR	PGT	UG	F	M	White	BME	International	Total 18/19	% 18/19	Total 17/18	% 17/18	% 16/17
Original decision upheld		7	7	5	9	0	2	12	14	64	26	81	89
Original decision altered		1	7	4	4	1	2	5	8	36	6	19	11
<b>Total</b>		<b>8</b>	<b>14</b>	<b>9</b>	<b>13</b>	<b>1</b>	<b>4</b>	<b>17</b>	<b>22</b>		32		

Where the original decision was altered at appeal stage, four cases were referred back for reconsideration, one student's expulsion was reduced to a suspension, whilst one student had the length of their suspension reduced, one student was found not guilty at appeal whilst the final student had their degree classification reduced by one level instead of being awarded a Diploma of Higher Education.

After the appeal stage, the University of Manchester procedures are completed and students are issued with a Completion of Procedures letter, as required by the Office of the Independent Adjudicator.

## Section 6: Commentary on Fitness to Practise<sup>8</sup>

Fitness to Practise cases originate in the Faculty of Biology, Medicine and Health (BMH) because of the nature of the programmes of study undertaken in that Faculty. Fitness to Practise cases can arise for a variety of reasons, which often relate to matters of health and professional conduct. BMH School Health and Conduct Committees have the power to refer a student to a Fitness to Practise Committee.

Due to the length of time over which a Fitness to Practise case can run, and to reflect a clearer picture of outcomes, the data presented below is based on the number of Fitness to Practise Committee hearings that took place during the 2018-19 academic year.

### Number of Fitness to Practise Cases

School (Division)	UG	PGT	F	M	White	BME	International	Total 18/19	Total 17/18	Total 16/17
Medical Sciences (Medical Education)	10	0	2	8	2	7	1	10	11	9
Health Sciences (Nursing, Midwifery and Social Work)	8	0	4	4	3	5	0	8	1	1
Health Sciences (Pharmacy and Optometry)	0	0	0	0	0	0	0	0	2	0
<b>Total</b>	<b>18</b>	<b>0</b>	<b>6</b>	<b>12</b>	<b>5</b>	<b>12</b>	<b>1</b>	<b>18</b>	<b>14</b>	<b>10</b>

A variety of outcomes may result from a Fitness to Practise hearing, ranging from the case being dismissed to expulsion.

### Outcome of Cases

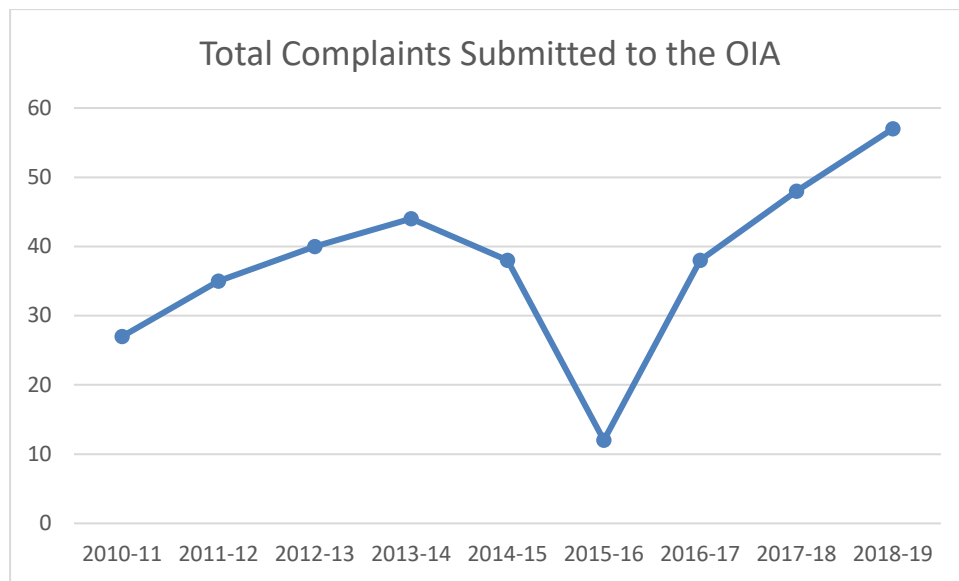
Outcome	UG	PGT	F	M	White	BME	International	Total 18/19	Total 17/18	Total 16/17
Case dismissed	1	0	0	1	0	1	0	1	1	1
Continue with advice and guidance	6	0	1	5	2	4	0	6	5	6
Continue under close supervision	0	0	0	0	0	0	0	0	2	0
Expulsion	4	0	3	1	1	3	0	4	3	1
Undertake further study e.g. repeat/bespoke year	0	0	0	0	0	0	0	0	3	2
Interim findings/referred to further meeting	3	0	1	2	1	2	0	3	0	0
Suspended but allowed to continue at a later date	4	0	1	3	1	2	1	4	0	0
<b>Total</b>	<b>18</b>	<b>0</b>	<b>6</b>	<b>12</b>	<b>5</b>	<b>12</b>	<b>1</b>	<b>18</b>	<b>14</b>	<b>10</b>

Appeals against a decision of a Fitness to Practise Committee can be made on the grounds of disproportionate outcome, procedural irregularity and/or the availability of new evidence. During the 2018-19 academic year, two appeals were submitted to the Division of Teaching, Learning and Student Development from students who had been expelled. One appeal was received out of the timescales outlined in the procedure and therefore the decision was taken to uphold the student's expulsion. The second student was allowed to return to the programme under specified conditions.

After the appeal stage, the University of Manchester procedures are completed and students are issued with a Completion of Procedures letter, as required by the OIA.

<sup>8</sup> Cases dealt with under the Procedure for a Committee on Fitness to Practise

## Section 7: Commentary on cases taken by students to the Office of the Independent Adjudicator (OIA)



The OIA is appointed as the national independent body to consider student complaints. Usually, a student needs to have completed a University's internal procedures before taking a case to the OIA. The OIA has no regulatory powers over universities and cannot punish or fine them; however universities are expected to act upon its recommendations. The Head of Division of Teaching, Learning and Student Development is the University's point of contact for the OIA.

The number of complaints made by students to the OIA rose from 48 in 2017-18 to 57 in 2018-19. The anomaly seen during the 2015-16 academic year can be attributed to the OIA changing its timeframe for complaint submission from 3 months to 12 months.

### 2018-19 OIA Complaints

	PGR	PGT	UG	F	M	White	BME	International	Total	2017/18
Total	8	24	25	18	39	19	16	22	57	48
%	14	42	44	32	68	33	28	39		

### Outcome

	PGR	PGT	UG	F	M	White	BME	International	Total	%	% 17/18	% 16/17
Justified	0	0	0	0	0	0	0	0	0	0	0	0
Partly Justified	1	0	3	1	3	1	1	2	4	7	4	5
Not Justified	2	11	10	9	14	6	9	8	23	40	54	71
Not Eligible	2	7	5	1	13	6	2	6	14	25	15	8
Withdrawn/settled	1	5	4	3	7	3	2	5	10	18	13	11
Ongoing as at 01/01/2019	2	1	3	4	2	3	2	1	6	10	15	5
<b>Total</b>	<b>8</b>	<b>24</b>	<b>25</b>	<b>18</b>	<b>39</b>	<b>19</b>	<b>16</b>	<b>22</b>	<b>57</b>			

None of the cases submitted to the OIA during the 2018-19 academic year were found to be Justified, although four were found to be Partly Justified. In the first of these cases, the OIA recommended £500 compensation. In the second case, the OIA recommended £800 compensation for distress caused to the student and a reduction in the tuition fee charged by 50% for the year the student had to repeat. In the third case no monetary award was recommended and the appeal was referred back to be reconsidered by an Appeal Board. In the final case, which related to Industrial Action in 2017, the OIA recommended that a refund of £63.07 was made in respect of tuition fees due to the non-delivery of classes.

**Profile of Student Population**

**2018-19**

Total number of students 1/12/2018

	Grand Total	Home Students													
		UGRD		PGDT		PGDR		International (incl. EU)		White		Ethnic Minority		Ethnicity Not Known	
			%		%		%		%		%		%		%
Faculty of Science and Engineering	12149	8239	67.8	2095	17.2	1815	14.9	6475	53.3	4087	33.6	1573	12.9	14	0.1
Faculty of Humanities	16464	10651	64.7	4887	29.7	926	5.6	6475	39.3	7883	47.9	2089	12.7	17	0.1
Faculty of Biology, Medicine and Health	11628	7883	67.8	2562	22.0	1183	10.2	2180	18.7	6185	53.2	3248	27.9	15	0.1
Grand Total	40241	26773	66.5	9544	23.7	3924	9.8	15130	37.6	18155	45.1	6910	17.2	46	0.1

