

Senate: 29 June 2005

**Annual Report of Appeals, Complaints and Student Discipline Cases
for the academic year 2003-4**

Person Reporting

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Synopsis

The University regulations on student Appeals, Complaints and Discipline, which were put in place on 1st October 2004, introduced the requirement for an annual report to Senate on the number and nature of such cases, and on any general issues raised.

The following report covers the academic year 2003-4 and hence the cases being reported were dealt with by the legacy institutions. Although this information relates to the previous regulations, it will provide a useful benchmark for future progress. The report amalgamates figures from UMIST and VUM; it should be borne in mind that there was some variation between the regulations in the two institutions. The figures reported below relate only to cases dealt with formally by the Universities under those procedures and thus do not include the significant number of cases which were dealt with at earlier stages in the procedures at the programme, department or service level.

The report is divided into five sections: Student Complaints, Academic Appeals, Cases dealt with by the Student Discipline Committee, Cases taken to the Visitor after completion of internal procedures (all of which present headline figures together with appropriate commentary) and a final section with some concluding comments.

The following base data on the composition of the combined VUM and UMIST student populations will be useful when looking at the tables in this report.

The Student Population 2003-4¹

UG	PGT	PGR	Total	Home	Overseas
28412	6800	3899	39111*	32083**	7028

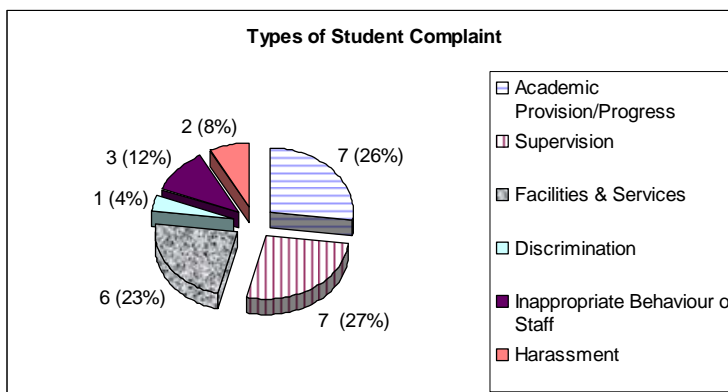
* including c.a. 6,000 students registered for UG programmes leading to qualifications other than degree (e.g. Nursing students doing diplomas or CE nursing course units);

** of which 23825 (74%) are White British, 4790 (15%) are from an Ethnic Minority, and the ethnicity of 3470 (11%) is not known.

Note: In the tables in this paper, EU students have been included with overseas student numbers rather than with the home student numbers as would be more normal. It was felt that, for the purposes of considering factors relating to appeals, complaints and discipline issues, cultural differences may be more relevant than level of fees paid.

¹ HESA Planning Plus 2005

1. Student Complaints



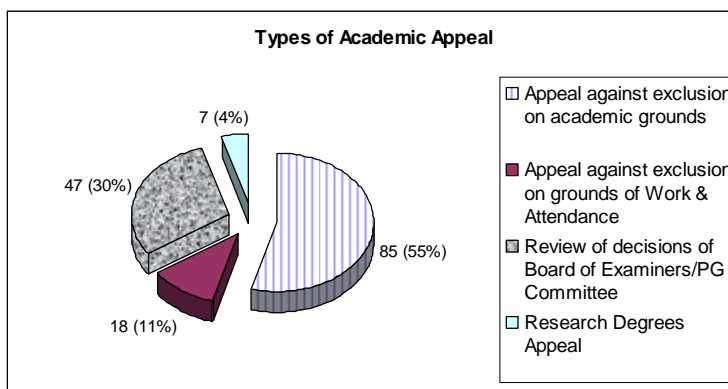
	UG	PGT	PGR	Total	Home – White British	Home – Ethnic Minority	Home – Ethnicity not known	Overseas (incl EU)
Number of formal complaints received:								
	9 (4 M, 5 F)	8 (4 M, 4 F)	9 (7 M, 2 F)	26 (15 M, 11 F)	13 (6 M, 7 F)	2 (1 M, 1 F)	2 (1 M, 1 F)	9 (7 M, 2 F)
Nature of Complaints:								
Academic Provision/Progress	2	4	1	7	1	2	2	2
Supervision	0	1	6	7	4	0	0	3
Facilities and Services	3	3	0	6	3	0	0	3
Discrimination	1	0	0	1	1	0	0	0
Inappropriate behaviour of staff	2	0	1	3	2	0	0	1
Harassment	1	0	1	2	2	0	0	0
Complaint Outcomes:								
Number upheld in full or in part	4	3	7	14	7	1	1	5
Number dismissed	5	4	2	11	6	1	1	3
Complaints withdrawn	0	1	0	1	0	0	0	1
Resolutions:								
Explanation/Information given	4	4	1	9	4	1	1	3
Action taken	2	2	5	9	3	1	1	4
Apology given	1	0	1	2	2	0	0	0
Fees refunded/Compensation given	2	1	2	5	4	0	0	1
Complaint withdrawn	0	1	0	1	0	0	0	1

Comments

The number of formal complaints dealt with in 2003-04 is relatively small and it would therefore be inappropriate to try to draw too many conclusions from this data. It is, however, relevant to note the following points:

- Of the 9 complaints from PGR students, 6 related primarily to matters concerning their supervision.
- Overseas students represented approximately 18% of the total University student population but submitted 35% of the complaints.
- About half of the complaints were upheld in full or in part and, of these, 5 received a refund of fees or financial compensation. The total cost of these financial remedies was £23,750 – made up of £12,750 in fees refunds (between 3 students) and £11,000 compensation (between 2 students).
- One of the students recorded in the above figures went on to petition the Visitor. The Visitor, having sought the advice of the Office of the Independent Adjudicator, decided that the complaint should not be upheld.

2. Academic Appeals

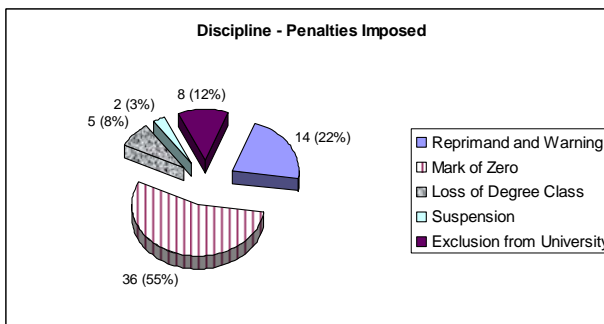
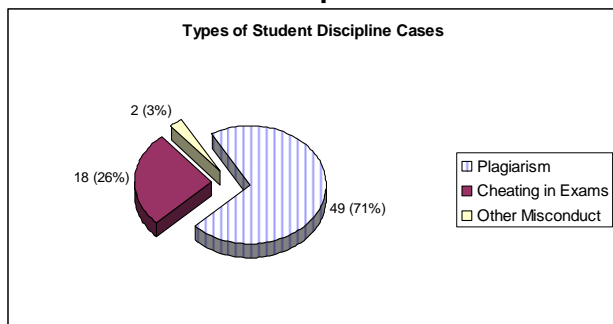


	UG	PGT	PGR	Total	Home – White British	Home – Ethnic Minority	Home – Ethnicity not known	Overseas (Incl EU)
Number of appeals received:								
	136 (79 M, 57 F)	14 (6 M, 8 F)	7 (5 M, 2 F)	157 (90 M, 67 F)	68 (38 M, 30 F)	50 (29 M, 21 F)	4 (3 M, 1 F)	35 (20 M, 15 F)
Nature of Appeal:								
Appeal against exclusion on academic grounds	80	4	1	85	37	32	0	16
Appeal against exclusion on grounds of Work & Attendance	18	0	0	18	9	5	0	4
Review of decisions of Boards of Examiners/PG Cttee	38	6	3	47	21	12	4	10
Research Degrees Appeals	0	4	3	7	1	1	0	5
Outcomes:								
Number of appeals upheld in full or in part	69	5	2	76	34	30	2	10
Number of appeals dismissed	59	9	5	73	31	17	2	23
Appeal withdrawn	8	0	0	8	3	3	0	2

Comments:

- More than half of all academic appeals were against exclusion on the basis of academic failure and about 10% on the basis of failure to satisfy work and attendance requirements
- 87% of academic appeals were from undergraduate students who made up 72% of the total University student population
- 76% of all academic appeals were from home students and 24% from overseas (compared to a ratio of 82:18 respectively in the University student population)
- Of the home students, some 41% were from ethnic minority students (whereas students from an ethnic minority make up 15% of the home student population)
- Approximately half the appeals were upheld in full or in part
- The time taken to deal with these appeals was not systematically recorded but, based on a random sample of 10 cases, appeals against exclusion were completed in an average of 32 working days. A similar sample of cases of requests for a review of decisions of examiners were completed in an average of 22 working days. These timescales are outside those set down in the regulations and this is an area that needs to be more closely monitored with a view to improving.

3. Conduct and Discipline - Cases dealt with by the Student Discipline Committee and the Examinations Discipline Committee



	UG	PGT	PGR	Total	Home – White British	Home – Ethnic Minority	Home – Ethnicity not known	Overseas (incl EU)
Number of cases before the Committee:								
	37 (22 M, 15 F)	31 (23 M, 8 F)	1 (1 M, 0 F)	69 (46 M, 23 F)	20 (14 M, 6 F)	14 (9 M, 5 F)	0	35 (23 M, 12 F)
Nature of Cases:								
Plagiarism	28	21	0	49	17	9	0	23
Cheating in exams	9	9	0	18	2	5	0	11
Other misconduct	0	1	1	2	1	0	0	1
Outcomes:								
Number of students found not guilty	1	3	0	4	0	2	0	2
Number of students found to have committed a breach of regulation	36	28	1	65	20	13	0	32
Penalties imposed:								
Reprimand & warning	8	6	0	14	3	3	0	8
Mark of zero	23	13	0	36	15	8	0	13
Loss of class of degree	3	2	0	5	1	2	0	2
Suspension	1	0	1	2	1	0	0	1
Exclusion from University	1	7	0	8	0	0	0	8
Appeals against decision of Student Discipline Committee:								
Number of appeals received	7 (4 M, 3 F)	6 (5 M, 1 F)	0	13 (9 M, 4 F)	3 (3 M, 0 F)	2 (1 M, 1 F)	0	8 (5 M, 3 F)
Outcomes of Appeals:								
Number of appeals upheld in full or in part	0	1	0	1	0	0	0	1
Number of appeals dismissed	7	5	0	12	3	2	0	7

Comments:

- 50% of cases dealt with by Discipline Committees involved overseas students (whereas overseas students constitute 18% of the total University student population)
- Of the home students, 41% were from ethnic minority students (whereas students from an ethnic minority make up 15% of the home student population)
- Over 70% of cases dealt with involved plagiarism
- 42% of plagiarism cases involved PGT students (who made up 17% of the total University student population)
- 47% of plagiarism cases involved overseas students (who made up 18% of the total University student population)
- Of all cases: 20% received a light penalty, 52% a 'standard' penalty, and 22% a severe penalty
- Of the 15 students who received severe penalties from Discipline Committees 11 of these were overseas students.

4. Cases taken to the Visitor (after completion of internal procedures)

	UG	PGT	PGR	Total	Home – White British	Home – Ethnic Minority	Home – Ethnicity not known	Overseas (incl EU)
Number of cases								
	3 (2 M, 1 F)	1 (1 M, 0 F)	0	4 (3 M, 1 F)	3 (2 M, 1 F)	0	0	1 (1 M, 0 F)
Outcomes:								
Number dismissed	3	1	0	4	3	0	0	1
Number upheld	0	0	0	0	0	0	0	0
Number awaiting decision	0	0	0	0	0	0	0	0

Comments:

The two Visitors for the legacy institutions were Her Majesty the Queen acting through the Lord President of the Council (VUM) and His Royal Highness The Duke of Edinburgh (UMIST). As determined by law, it was the role of the Visitor to ensure the proper working of universities' statutes and procedures and, provided the Visitor exercised those powers properly, his/her decisions could not be subject to review by the courts. Thus once all internal procedures had been concluded, students could petition the Visitor for a review of their cases if they remained dissatisfied. The role of the Visitor in dealing with student cases was abolished under the Higher Education Act 2004 and was replaced from 1st January 2005 by the Office of the Independent Adjudicator for Higher Education (OIA). The OIA operated under a transitional scheme, in which VUM and UMIST voluntarily participated, in the period March to December 2004. The four cases recorded in the above table were all determined by the Visitor following advice from the OIA. Following the merger, His Honour Sir Rhys Davies was appointed Visitor for the University of Manchester for the period to 31st December 2004.

- Of the three undergraduate petitions to the Visitor in 2003-04, one related to a complaint in 2002-03 concerning the allocation of a teaching placement, one concerned the outcome of an academic appeal against the degree result, and one concerned a complaint against the actions of a member of staff in dealing with a complaint of harassment. The PGT case related to an appeal against exclusion on grounds of academic failure. All four cases were dismissed by the Visitor following advice from the OIA.
- A further 9 complaints relating to appeals, complaints and discipline cases in 2003-04 have been submitted to the Visitor/OIA after 1st October 2004 and these will be reported on in the 2004-05 report to Senate.

5. Concluding comments:

As noted in Section 3, more than 70% of discipline cases in 2003-04 involved plagiarism. When the new regulations were being developed for the new University, particular attention was given to how such cases should be dealt with and to the guidance to be given to students. The principles underlying the new procedures put in place in December 2004 are that plagiarism should be seen in the broader context of academic malpractice, that cases of such malpractice should be dealt with as far as possible at School level, and that greater effort should be made to ensure that all students fully understand the academic conventions that should be followed and the serious consequences of committing acts of academic malpractice. It would be timely now to undertake an audit of actions being taken by Schools to raise students' awareness of these issues.

The data in this paper confirm that proportionately more overseas students have submitted appeals and complaints than would be expected from the composition of the overall student population. This is perhaps not surprising given the greater commitment they have made, both in terms of the fees they pay (where higher fees are paid) and the greater family and cultural pressures on them to succeed. The number of overseas students who were dealt with by the Student Discipline Committee/Examinations Discipline Committee and who were excluded from the University is however worrying and reinforces the need to ensure that international students properly understand plagiarism, both in concept and in practice, and its serious consequences.

Similarly, the data highlight concerns about the proportionately higher numbers of students from Home Ethnic Minority backgrounds who have appeared before Discipline Committees and who have pursued academic appeals (particularly appeals against exclusion) than Home White British students. It is interesting to note also that a significantly higher proportion of academic appeals from Ethnic Minority students were upheld than from White British students. It is important that steps are taken to analyse these data in more detail and to understand and address the underlying issues. The Equality and Diversity Office has been consulted and has confirmed that a new Race Equality Policy and Action Plan is currently being reviewed. An impact assessment process will take place over the coming months which, in combination with robust data monitoring, will identify and offer resolution to discrimination within the University's policies and procedures. The Equality and Diversity Office is also in the process of developing a range of consultation methods to maximise student involvement in addressing equality and diversity issues.

As noted in the introduction to this paper, these 2003-04 figures relate to procedures operated in the legacy institutions. In accordance with devolution of activities from central administration to the Faculties, the new procedures put in place from 1st October 2004 have introduced greater involvement of the Faculties in dealing with student cases. The formal stage of the Academic Appeals procedure and of the Student Complaints procedure is now undertaken at Faculty level, with the opportunity for a review of a Faculty decision to be undertaken at University level if the student remains dissatisfied. [Note: a review of these new procedures will be undertaken in 2005-06 and the desirability of moving from three-stage to two-stage procedures will be explored.] The Student Discipline Committee continues to be operated at University level but more cases of academic malpractice are now dealt with summarily by the Schools and Faculties. It is intended that the report on the 2004-05 cases will be made to Senate at its meeting in February 2006 and this timescale will be followed for the future. While future reports will need to reflect the changes in procedures, it is hoped that they will broadly follow the format of this current report, so that more meaningful analysis and trends over time can be identified.