

Senate: 1 February 2006

Annual Report of Appeals, Complaints and Student Discipline Cases 2004-5

Headline Report

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 2004-5. The figures reported below in respect of Appeals and Complaints relate only to formal cases and thus do not include the significant number of cases which were dealt with and resolved informally by Schools.

The report is divided into 5 sections: Student Complaints, Academic Appeals, Conduct and Discipline Cases dealt with by the Faculties, Conduct and Discipline Cases dealt with by the Student Discipline Committee and Cases submitted by students to the Office of the Independent Adjudicator (OIA) after completion of internal procedures. There is then a final section with some concluding comments.

A detailed breakdown of all the figures by Faculty is available on the Senate website (www.manchester.ac.uk/senate) or from the Office of Student Support and Services (email jenny.wragge@manchester.ac.uk).

The following base data on the composition of the student population will be useful when looking at the tables in this report.

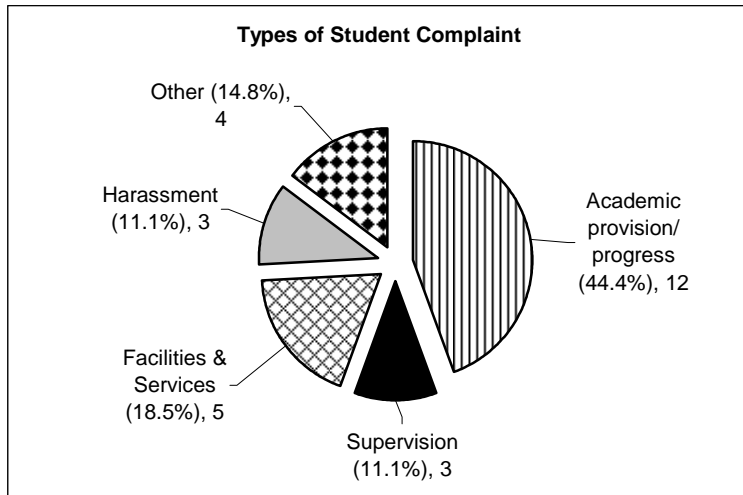
The Student Population 2004-5¹

	UG	PGT	PGR	Total	Home*	Home White	Home Ethnic Minority	Home Ethnicity Not Known	Overseas (inc EU)
EPS	5996 (71%)	1156 (14%)	1282 (15%)	8434 (24%)	5974 (71%)	4280 (72%)	1024 (17%)	670 (11%)	2460 (29%)
HUM	10692 (69%)	3666 (24%)	1054 (7%)	15422 (44%)	12031 (78%)	9310 (77%)	1585 (13%)	1136 (9%)	3391 (22%)
MHS	7276 (82%)	985 (11%)	594 (7%)	8855 (25%)	8222 (93%)	5693 (69%)	1619 (20%)	910 (11%)	633 (7%)
FLS	1709 (75%)	238 (10%)	347 (15%)	2294 (7%)	1936 (84%)	1446 (75%)	306 (16%)	184 (10%)	358 (16%)
Univ	25673 (73%)	6045 (17%)	3277 (9%)	35005	28163 (81%)	20729 (74%)	4534 (16%)	2900 (10%)	6842 (19%)

* including c.a. 3120 students registered for UG programmes leading to qualifications other than degree (e.g. Nursing students doing diplomas or CE nursing course units);

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. Student Complaints



	EPS	HUM	MHS	FLS	Central Admin
Academic provision/progress	1	9	1	1	
Supervision	1	2			
Facilities & Services			1	2	2
Harassment	2		1		
Other	1	3			

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	Overseas (inc EU)
Number of Formal Complaints Received (13F, 13M, 1 combined):								
Total	16	4	7	27 ²	17	5	1	4
%	59.3	14.8	25.9	100.0	63.0	18.5	3.7	14.8
Nature of Complaint:								
Academic provision/progress (44.4%)	9	2	1	12	8	2	1	1
Supervision (11.1%)		1	2	3	2			1
Facilities & Services (18.5%)	4		1	5	5			
Harassment (11.1%)	3			3	1	2		
Other (14.8%)			4	4		1		3
Complaint outcomes:								
Number resolved (55.6%)	7	3	5	15	9	3		3
Number resolved informally ³ (7.4%)	2			2	1	1		
Number dismissed (29.6%)	5	1	2	8 ⁴	5	1		1
Number pending (7.4%)	2			2	1		1	
Resolutions								
Explanation/Information Given/ Action Taken	4	2	5	11	5	2		4
Apology given	2	1	1	4	4			
Action taken against the subject of the complaint under disciplinary regulations	1			1		1		

No of complaints submitted by students to the University for review of the Faculty decision (11.1%):								
Total	1	1	1	3	3			
Outcomes:								
Number where Faculty decision upheld				2				
Number where Faculty decision changed				1				

² 1 joint complaint – 9 females, 6 males, all undergraduates

³ Complaints which were submitted as formal complaints, but referred back a stage to be dealt with informally by the School concerned

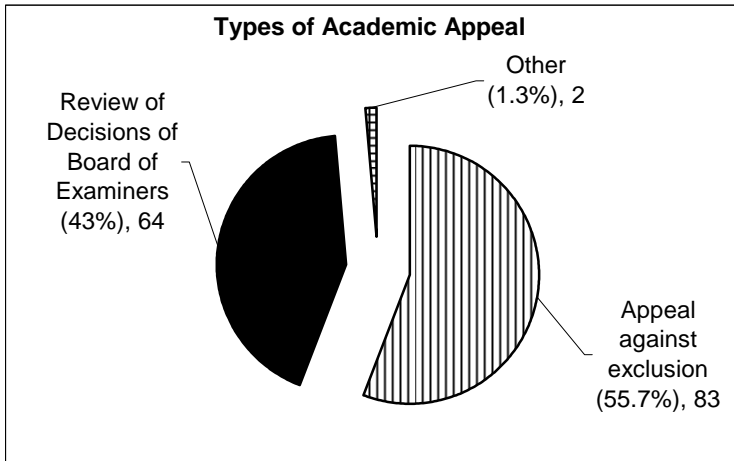
⁴ 1 joint complaint – 9 females, 6 males, all undergraduates

Comments

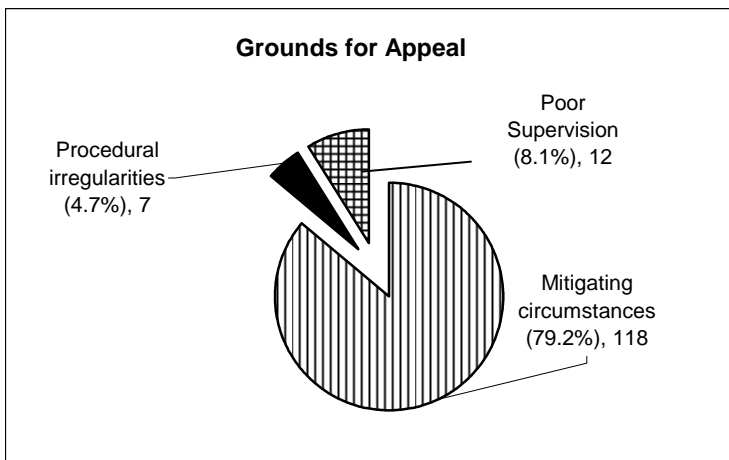
As in 2003-4, the number of formal complaints formally dealt with in 2004-5 was relatively small (26 and 27 respectively). Nonetheless, it is relevant to note the following points:

- It is reassuring that, despite the degree of change which has taken place in all parts of the University, there has been no increase in the number of formal complaints.
- It is recognised however that these figures do not include the number of cases dealt with informally at the School level, and it is assumed that there is a significant number of cases resolved in this way.
- Compensation of £1000 was awarded in one case which was reviewed at University level.
- A total of three complaints were taken by students to the Office of the Independent Adjudicator. The Adjudicator has upheld the University's decision on one of them and her judgement on the remaining two is awaited.
- In 2003-4 it was noted that 6 out of 9 complaints by PhD students related to the quality of their supervision. In 2004-5 the number of complaints relating to supervision has fallen to 3, of which 2 were from PhD students. There were a total of 7 complaints from PhD students.

2. Academic Appeals



	EPS	HUM	MHS	FLS
Appeal against exclusion		42	38	3
Review of Decisions of Examiners	13	21	14	16
Other		2		



	EPS	HUM	MHS	FLS
Mitigating circumstances	7	51	44	16
Procedural irregularities	2	5		
Poor Supervision	4	1	5	2

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	Overseas (inc EU)
Number of Appeals Received (72F, 77M):								
Total	127	15	7	149	58	46	18	27
%	85.2	9.4	4.7	100	38.9	30.9	11.4	18.1

Nature of Appeal:

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	Overseas (inc EU)
Appeal against exclusion (55.7%)	82		1	83	41	23	9	9
Review of Decisions of Board of Examiners/PG Committee (43%)	43	15	5	64	18	20	8	18
Other (1.3%)	2			2	1	1		

Grounds for Appeal:

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	Overseas (inc EU)
Mitigating circumstances not previously brought to the attention of the examiners (79.2%)	112	5	1	118	51	40	13	14
Procedural irregularities (4.7%)	4	2	1	7	2		2	3
Poor Supervision (8.1%)	3	5	4	12	3	1	2	6
Invalid Grounds/Grounds Not Given (8.1%)	9	3		12	3	4	1	4

Outcomes:

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	Overseas (inc EU)
Number of mitigating circumstances appeals upheld (i.e. decision reconsidered – may or may not have changed outcome)	63	3		66	31	18	7	10

<i>Number of procedural irregularities appeals upheld</i>	2	1		3	1		1	1
<i>Number of poor supervision appeals upheld</i>	1	1	1	3	1			2
<i>Number of appeals dismissed</i>	45	9	5	59	15	22	8	14
<i>Appeal withdrawn</i>	7	1		8	7	1		
<i>Outcome pending</i>	9	1		10	3	4	1	2
No of academic appeals submitted by students for review by the University:								
<i>Number of Faculty decisions upheld</i>	3	2	1	6	2	3		1
<i>Number of Faculty decisions changed</i>			1	1				1
Total	3	2	2	7	2	3		2

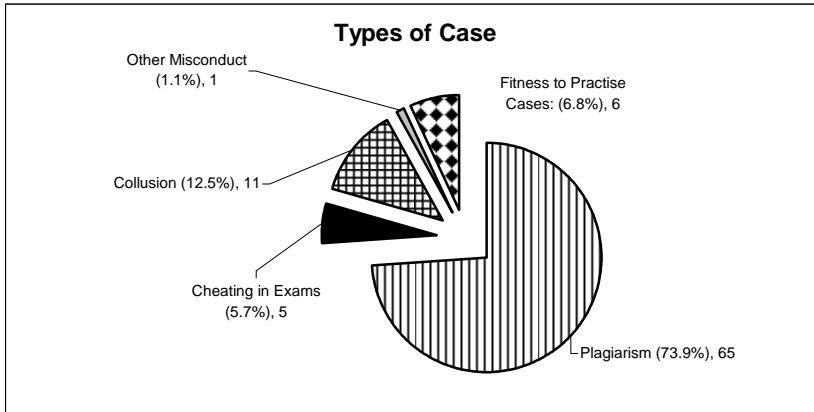
Compensation of £5000 was offered in the case of changed Faculty decision, but this has been refused and the case taken by the student to the OIA.

A total of three cases have been referred to the OIA. One has been dismissed and the decisions relating to the other two are awaited.

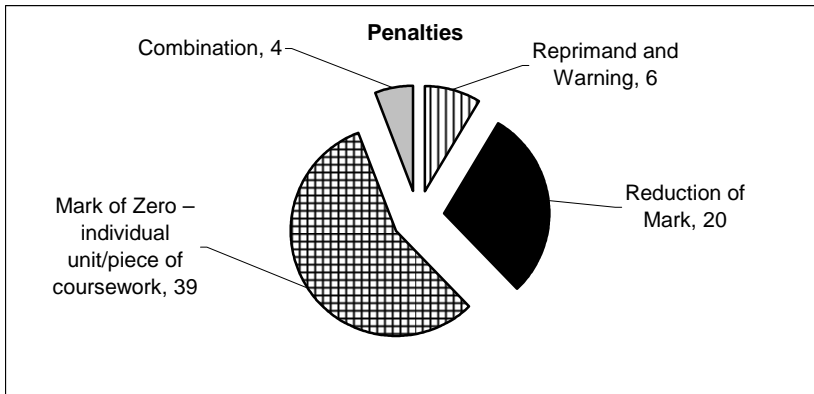
Comments:

- There were a total of 149 academic appeals, (2003-4 = 157), of which 56% were against decisions to exclude and 43% sought review of a decision of a Board of Examiners/PG Committee.
- 85% of the Academic Appeals were from undergraduate students. The University's student population is 73% undergraduate. This is comparable to the 2003-4 figures (87% of appeals, 72% of the university population.)
- 82% of all academic appeals were from home students and 18% from overseas (compared to a ratio of 80:20 respectively in the University population).
- Of the home students some 31% were from an ethnic minority group (whereas students from an ethnic minority make up 16% of the home student population). This compares to 2003-4, in which the figures were 41% and 15% respectively.
- The most common ground for appeal was mitigating circumstances (79%). 63 out of the 118 (53%) mitigating circumstances appeals were upheld; i.e. the circumstances being brought forward were such that the Board of Examiners' decision was deemed worthy of reconsideration in the light of those circumstances. Had such circumstances been considered at the prescribed time, a considerable reduction could be made to the appeal workload, to the benefit of both students and staff.
- The 2003-4 report commented that the time taken to deal with academic appeals was outside those set down in the regulations and would require monitoring closely. The time taken to deal with appeals in 2004-5 was, on average, 44 days. This is again outside the time limits set down in the regulations and further attention should be given to addressing this issue.
- 7.4% of appeals were made on the grounds of poor supervision, of which 4 out of the 11 were submitted by postgraduate research students. Three poor supervision appeals were upheld, of which 1 concerned a postgraduate research student.

3. Conduct and Discipline - Cases dealt with by Faculties



	EPS	HUM	MHS	FLS
Plagiarism	7	48	5	5
Cheating in Exams			2	3
Collusion		4	3	4
Other Misconduct	1			
Fitness to Practise Cases			6	



	EPS	HUM	MHS	FLS
Reprimand and Warning	3	2	1	
Reduction of Mark		15	1	4
Mark of Zero	1	28	4	6
Combination	3	1		

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	Overseas (inc EU)
Number of Cases (41F, 46M, 1 combined case):								
Total	61	25	1	88 ⁵	29	18	6	34
%	68.2	25	1.1	100	33	20.5	6.8	38.6
Nature of Cases:								
Plagiarism (73.9%)	47	17	1	65	21	12	5	27
Cheating in Exams (5.7%)	3	2		5	4		1	
Collusion (12.5%)	5	5		11 ⁶	1	2		7
Other Misconduct (1.1%)	1			1	1			
Fitness to Practise Cases: (6.8%)	5	1		6	2	3	1	
Outcomes:								
Not Guilty (5.7%)	3	1	1	5	2	2	1	
In Breach of Regulations (79.5%)	50	20		70	29	6	3	32
Outcomes: Fitness to Practise Cases:								
Continue under close supervision	2			2	1		1	
Deemed not fit to practise	3	1		4	1	3		

⁵ One joint case – 3 overseas, 1 home, 3 female, 1 male, both pgt and pgr.

⁶ One joint case – 3 overseas, 1 home, 3 female, 1 male, both pgt and pgr.

Penalties Imposed:								
<i>Reprimand and Warning</i>	5	1		6	2	1	1	2
<i>Reduction of Mark</i>	14	6		20	8	2		10
<i>Mark of Zero – individual unit/piece of coursework</i>	31	8		39	13	8	2	16
<i>Combination of the above</i>	2	2		4		1		3

Number of decisions submitted by students for review at University level. The decisions in both cases were confirmed.

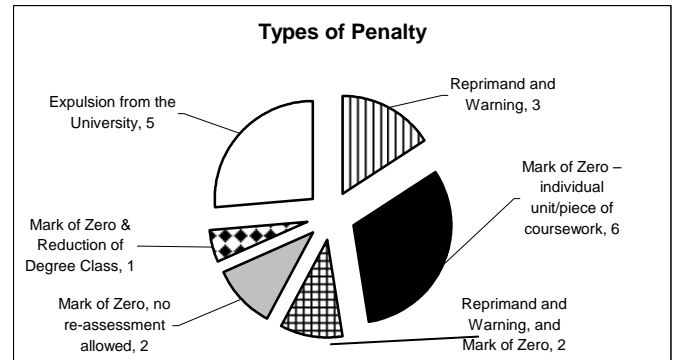
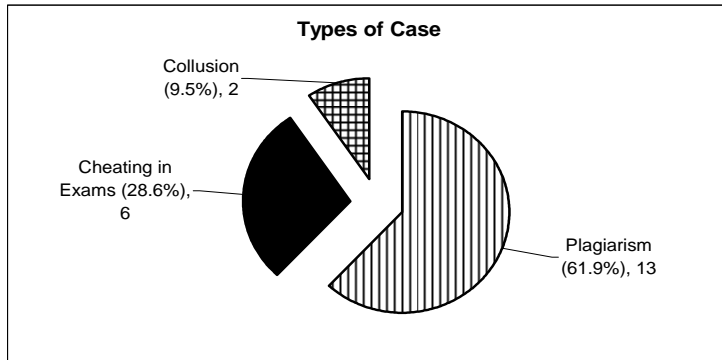
<i>Appeal Against Exclusion on Grounds of Fitness to Practice</i>	2			2	1	1		
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Comments

- 2004-5 was the first time that Faculties dealt formally with Conduct and Discipline cases, with only the most serious or complex cases being referred to the Student Discipline Committee of Senate (SDC – see next section).
- 37% of the cases dealt with by the Faculties involved overseas students (who account for 19% of the University student population), and 21% involved home students from an ethnic minority (16% of the university population). The figures for 2003-4 were 41% and 18% respectively.
- When the number of cases dealt with by Faculties are added to those handled by the SDC (giving 101 in total) this represents an overall increase in discipline cases in comparison with 2003-4 (69 cases). This is one area in which the new procedures seem to have resulted in an increase in cases. It may be that there was a reluctance in the past to refer things to the Discipline Committee, as this was perceived to be a heavy-handed approach, and that the opportunity now for matters to be dealt with at Faculty level has made the disciplinary procedure more accessible.
- Plagiarism accounted for 74% of cases in 2004-5 (70% in 2003-4) and remains the main problem for student discipline; it is clear that more work is required to address this issue.
- The largest number of plagiarism cases was in the Faculty of Humanities which accounted for 48 out of the 65 cases. This reflects both the stringency with which all incidences of plagiarism were dealt with by the Faculty (in the future the Faculty will be concentrating its efforts on ensuring that a distinction is made between poor academic practice and malpractice) and also a discipline specific factor, in that the humanities disciplines tend to offer more scope for plagiarism.
- The proportion of taught postgraduate students involved in plagiarism cases is relatively high – 26% of the plagiarism cases - whilst taught postgraduates account for 17% of the University student population.
- Although the numbers are small, there is an apparent growth in collusion (11 cases in 2004-5 whilst in 2003-4 the numbers were not significant enough to be reported separately). This may most appropriately be addressed by concentrating on the clarity of guidelines and appropriate assessment techniques for group work.

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

These cases are all in addition to those reported and dealt with by the Faculties.



	EPS	HUM	MHS	FLS
<i>Plagiarism</i>	1	7	4	1
<i>Cheating in Exams</i>	3	3		
<i>Collusion</i>		2		

	EPS	HUM	MHS	FLS
<i>Reprimand and Warning</i>	2		1	
<i>Mark of Zero - individual unit/piece of coursework</i>	1	4	1	
<i>Reprimand and Warning, and Mark of Zero</i>	1	1		
<i>Mark of Zero, no re-assessment allowed</i>		2		
<i>Mark of Zero & Reduction of Degree Class</i>			1	
<i>Expulsion from the University</i>		4		1

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	Overseas (inc EU)
Number of Cases (19F,12M):								
Total	11	10		21	7	3	1	10
%	52.4	47.6		100	33.3	14.3	4.8	47.6

Nature of Cases:	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	Overseas (inc EU)
<i>Plagiarism (61.9%)</i>	7	6		13	2	4	1	6
<i>Cheating in Exams (28.6%)</i>	2	4		6	1			5
<i>Collusion (9.5%)</i>	2			2	2			
Outcomes⁷:								
<i>Not guilty (4.8%)</i>	1			1	1			
<i>Breached regulations (90%)</i>	9	10		19	6	1	1	11
Penalties Imposed:								
<i>Reprimand and Warning</i>	3			3	1			2
<i>Mark of Zero - individual unit/piece of coursework</i>	4	2		6	3			3
<i>Reprimand and Warning, and Mark of Zero</i>	1	1		2	1			1
<i>Mark of Zero, no re-assessment allowed</i>	2			2	1		1	
<i>Mark of Zero & Reduction of Degree Class</i>	1			1		1		
<i>Expulsion from the University</i>		5		5				5

Number of decisions reviewed by the University at the request of the student

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	Overseas (inc EU)
Total	2	1		3	1		1	1
Outcomes:								
<i>Number of original decisions upheld</i>	2	1		3	1		1	1

⁷ 1 MHS case was not heard as the student withdrew: UG Female, Home Ethnic Minority.

Comments:

- As noted earlier, 2004-5 was the first year in which Faculties dealt formally with discipline cases. This has had the effect of reducing the number seen by the SDC, but colleagues responsible for managing the SDC have expressed confidence that the cases being referred are appropriate, i.e. serious and/or complex.
- As was observed in 2003-4, the bulk of the cases before the SDC concern overseas students (47.6% in 2004-5 and 50% in 2003-4). Overseas students constitute 19% of the overall university population.
- All the exclusions imposed by the SDC concerned overseas taught postgraduate students – again this is consistent with 2003-4 (7 out of the 8 expulsions).
- 62% of the cases involved plagiarism, and almost half of these involved overseas students.

5. Cases taken by students to the Office of the Independent Adjudicator (OIA) (after completion of internal procedures)

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	Overseas (inc EU)
Number of Cases (6F, 8M)*:								
Total	4	5	5	14	2	5	1	6
%	28.6	35.7	35.7	100	14.3	35.7	7.1	42.9

Outcomes:

<i>Number Dismissed 71.4%</i>	4	4	3	11	1	4	1	5
<i>Number Awaiting Decision (28.6%)</i>		1	2	3	2			1

* of which 8 originated in 2003-4

Comments:

- It is reassuring that, thus far, the OIA has upheld the University's decisions.

6. Concluding comments

Equality and Diversity

As has been noted, overseas and ethnic minority home students are disproportionately represented both in the number of academic appeals being brought and in the number of discipline cases. Work is ongoing with the Equality and Diversity Unit to undertake an impact assessment of the University's procedures in these areas.

In the case of academic appeals, it has been suggested that there may be cultural factors affecting the willingness of different ethnic groups to divulge adverse personal circumstances until the situation becomes very serious. This may be a factor in the number of appeals which are brought on the grounds of mitigating circumstances (see below).

With respect to matters of discipline, and the high proportion of taught postgraduate students involved, it may be significant that a high proportion of these are overseas students, many of whom have completed their first degree outside the UK and therefore are unfamiliar with the UK approach to plagiarism. Different cultural approaches to academic deference may also be significant in the disproportionate numbers of overseas students involved in plagiarism. In combating plagiarism it will be important to pay close attention to the appropriateness of the types of assessment used, with the aim of 'designing plagiarism out of the curriculum.'

Mitigating Circumstances

The number of appeals on grounds of mitigating circumstances is of concern. It is clear that mitigating circumstances are being presented after the event, as a reaction to an unfavourable decision by the Board of Examiners/Progress Committee, when they could have been made available at a more appropriate time. Consideration will be given to strategies to improve this situation, particularly to emphasise to candidates the need to bring relevant circumstances forward *before or immediately after* the assessment is undertaken. Candidates will be reminded that the University is not obliged to consider such circumstances after the results are confirmed and it may be useful to adopt a strategy by which candidates who do bring forward mitigating circumstances are required to provide justification for not having done so in advance. A focus on understanding the reasons why students seem reluctant to raise such circumstances at the appropriate time - cultural factors may be involved - will assist in developing appropriate educational strategies and it will also be important to concentrate on providing a clear understanding of what does *not* constitute mitigating circumstances.

Time

The time taken to deal with appeals in 2004-5 was on average 44 days. It is recognised that a lot of this workload arises at a time in the academic year when there is a great deal of pressure, and also many appeals take place over the summer when it is difficult to conclude them as speedily as one would like. Nonetheless a clear timeframe is laid down in the regulations. Discussions about how to improve the turn around time are ongoing with staff involved.

Supervision

Although PhD supervision has remained prominent as an issue both within the University and nationally, there are a relatively small number of formal complaints or academic appeals made in this area. This suggests both that Schools are successfully resolving complaints at an early stage, and also that the University can be pleased with the general standard of supervision, whilst always striving to ensure that the quality of supervision remains high.