

## Senate: 7 February 2007

### Annual Report of Appeals, Complaints and Student Discipline Cases 2005-6

#### Headline Report

#### Person Reporting

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#### Action

For information

#### Synopsis

The University regulations on student Appeals, Complaints and Discipline, which were put in place on 1<sup>st</sup> 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 2005-6. 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 6 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, Other University Level Reviews of Student Cases 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](http://www.manchester.ac.uk/senate)) or from the Office of Student Support and Services (email [jenny.wragge@manchester.ac.uk](mailto: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.

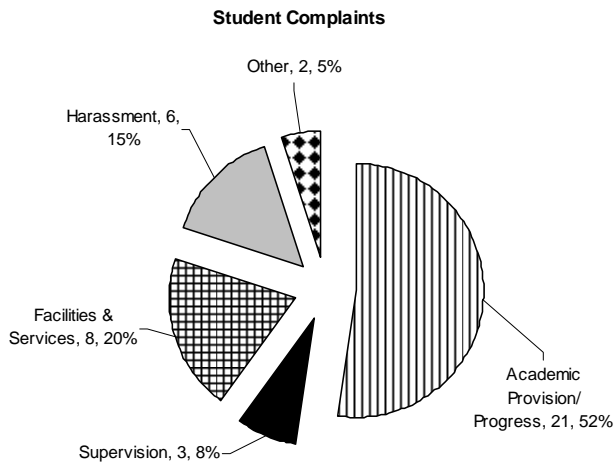
#### The Student Population 2005-6<sup>1</sup>

	UG (%)	PGT (%)	PGR (%)	Total	Home (%)	Home White (%)	Home Ethnic Minority (%)	Home Ethnicity Not Known (%)	Overseas (inc EU) (%)
EPS	6048 (74)	910 (1)	1248 (15)	8206	5771 (70)	4397 (76)	1040 (18)	334 (6)	2435 (30)
HUM	10946 (69)	3724 (24)	1086 (7)	15756	12194 (77)	9846 (81)	1720 (14)	628 (5)	3562 (23)
MHS	7711 (82)	1043 (11)	661 (7)	9415	8694 (92)	6260 (72)	1783 (21)	651 (7)	721 (8)
FLS	1755 (77)	171 (8)	351 (15)	2277	1969 (86)	1542 (78)	373 (19)	54 (3)	308 (14)
Univ	26460 (74)	5848 (16)	3346 (9)	35654	28628 (80)	22045 (77)	4916 (17)	1667 (6)	7026 (20)

**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.

<sup>1</sup> 1 December 2005

## 1. Student Complaints



	EPS	HUM	MHS	FLS	Central Admin
Academic Provision/Progress	11	2	7	1	
Supervision	1	2			
Facilities & Services		5			3
Harassment		1	2		3
Other		1	1		

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	Overseas (inc EU)
<b>Number of Formal Complaints Received (15F, 13M, 1 combined):</b>								
Total	26	6	8	40	23	4	5	8
%	65	15	20	100	58	10	13	20
<b>Nature of Complaint:</b>								
Academic provision/progress (53%)	17	1	3	21	14	3	3	1
Supervision (8%)	1	1	1	3			1	2
Facilities & Services (20%)	4	2	2	8	3	1		4
Harassment (15%)	3	1	2	6	4	1		1
Other (5%)	2		2	2	1		1	
<b>Complaint outcomes:</b>								
Number resolved <sup>2</sup> (48%) *	15	1	3	19	11	2	4	2
Number dismissed (43%)	11	2	4	17	10	1	1	5
Number pending (10%)	1	2	1	4	2	1		1

\* Compensation was given in 3 cases, amounting to £6,000, £2,000 + bursary, and £1,000 respectively.

<b>No of complaints submitted by students to the University for review of the Faculty decision (%):</b>								
Total	4	1	1	6	4	1	1	
<b>Outcomes:</b>								
Number where Faculty decision upheld	3			3	2	1		
Number where Faculty decision changed*	1	1	1	3		1		

\* One letter of apology was sent and compensation was awarded in two cases, of £7,000 and £1,000 respectively.

<sup>2</sup> e.g. by explanation, apology or compensation.

## Comments

The number of formal complaints handled has increased markedly in 2005/6:

2003/4: 26

2004/5: 27

2005/6: 40

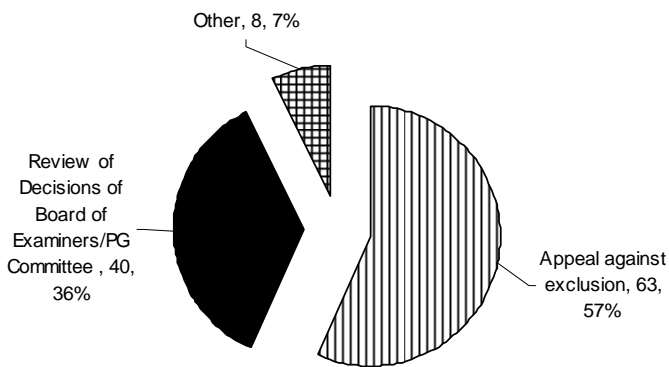
Reasons for this might include both the University's transparency in terms of highlighting and publicising its complaints procedure, and students' inclination to make more use of the complaints procedure as increases in tuition fees are publicised and students' expectations raised.

It is relevant to note the following points:

- Proportionately, the number of complaints resolved Faculties remains relatively constant but there was an increase in the proportion of cases dismissed from 30% to 43%.
- 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.
- Substantial awards of compensation have been made, both by Faculties and also by the University when changing some Faculty decisions. In total the University has compensated students to the value of £18,000.
- Complaints about supervision generally remain low, with only one complaint about PhD supervision being handled. There were a total of 6 complaints from PhD students.

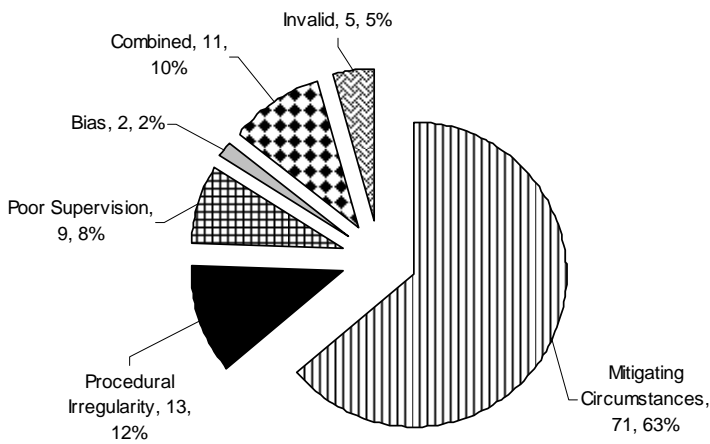
## 2. Academic Appeals

**Types of Academic Appeal**



	EPS	HUM	MHS	FLS
Appeal against exclusion	1	10	45	7
Review of Decisions of Board of Examiners/PG Committee	14	11	14	1
Other	3	4		1

**Grounds for Appeal**



	EPS	HUM	MHS	FLS
Mitigating Circumstances	12	14	37	8
Procedural Irregularity		7	6	
Poor Supervision	1	1	7	
Bias			2	
Combined	3		7	1
Invalid	2	3		

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	Overseas (inc EU)
<b>Number of Appeals Received (62F, 49M):</b>								
Total	89	15	7	111	56	31	5	19
%	80	14	6	100	50	28	5	17

<b>Nature of Appeal:</b>								
Appeal against exclusion (57%)	62	1		63	42	16	3	2
Review of Decisions of Board of Examiners/PG Committee (36%)	23	11	6	40	17	9	2	12
Other (7%)	4	3	1	8	3	2		3

<b>Grounds for Appeal:</b>								
Mitigating circumstances not previously brought to the attention of the examiners (63%)	61	8	2	71	32	23	3	13
Procedural irregularities (12%)	8	3	2	13	8	2		3
Poor Supervision (8%)	6	1	2	9	8		1	
Bias (2%)	2			2	1	1		
<b>Grounds for Appeal (continued):</b>								
Combined Grounds (10%)	9	1	1	11	5	4	1	1
Invalid Grounds/Grounds Not Given (5%)	3	2		5	2	1	1	1

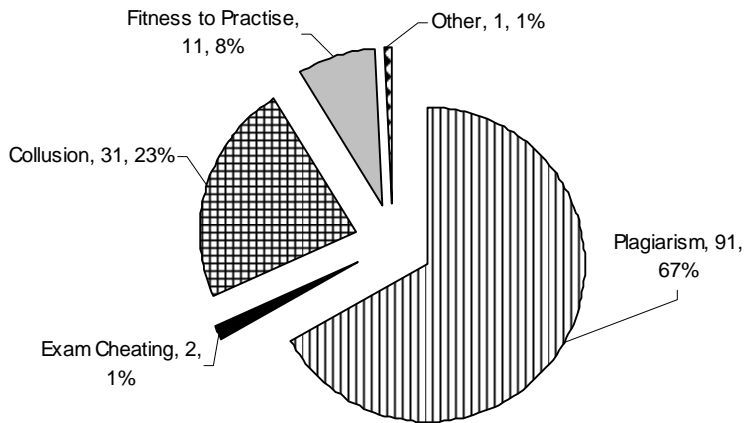
<b>Outcomes:</b>								
<i>Number of mitigating circumstances appeals upheld (i.e. decision reconsidered – may or may not have changed outcome)</i>	<b>35</b>	<b>2</b>	<b>1</b>	<b>38</b>	<b>17</b>	<b>13</b>	<b>4</b>	<b>4</b>
<i>Number of procedural irregularities appeals upheld</i>	<b>3</b>	<b>2</b>		<b>5</b>	<b>3</b>			<b>2</b>
<i>Number of poor supervision appeals upheld</i>	<b>4</b>		<b>1</b>	<b>5</b>	<b>5</b>			
<i>Number of combined appeals upheld</i>	<b>4</b>		<b>1</b>	<b>5</b>	<b>4</b>			<b>1</b>
<i>Number of appeals dismissed</i>	<b>38</b>	<b>11</b>	<b>2</b>	<b>51</b>	<b>23</b>	<b>14</b>	<b>3</b>	<b>11</b>
<i>Appeal withdrawn/not pursued</i>	<b>5</b>	<b>1</b>	<b>1</b>	<b>6</b>	<b>2</b>	<b>3</b>		<b>1</b>
<i>Outcome pending</i>	<b>1</b>			<b>1</b>	<b>1</b>			
<b>Academic appeals submitted by students for review by the University (some of these cases originated in 2004/5):</b>								
<i>Number of reviews dismissed</i>	<b>4</b>	<b>5</b>	<b>2</b>	<b>11</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>5</b>
<i>Number of reviews upheld in full or in part</i>								
<b>Total</b>	<b>4</b>	<b>5</b>	<b>2</b>	<b>11</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>5</b>

### Comments:

- The number of academic appeals reduced considerably in 2005-6, compared with previous years (111 compared with 149 in 2004-5 and 157 in 2003-4). The reduction has taken place in appeals against decisions of Boards of Examiners/Progress Committees, down from 43% to 36%. 57% of appeals in 2005-6 were against decisions to exclude, which is consistent with the 2004-5 figure, also 56%.
- There has been an increase in the proportion of appeals citing procedural irregularities as the grounds for appeal, from 5% in 2004-5 to 12% in 2005/6
- 80% of the academic appeals were from undergraduate students. The University's student population is 74% undergraduate. This is comparable to the 2004-5 figures (85% of appeals, 73% of the university population.)
- 83% of all academic appeals were from home students and 17% from overseas (compared to a ratio of 80:20 respectively in the University population).
- Of the home students some 28% were from an ethnic minority group (whereas students from an ethnic minority make up 17% of the home student population). In 2003-4 the figures were 41% and 15% respectively, and in 2004/5 they were 31% and 16%.
- Although mitigating circumstances continues to be the most common ground for appeal it is encouraging to note that the proportion of cases citing this ground has reduced from 79% in 2004/5 to 64% in 2005/6, reflecting efforts in Faculties and Schools to clarify what circumstances can be regarded as mitigating and to encourage students to bring these circumstances to the attention of the School in advance of Exam Boards and Progress Committees. The proportion of cases 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) was 54% which is comparable with the 2004/5 figure of 53%.
- The time limit on concluding academic appeals remains challenging and has been discussed with Faculty colleagues responsible for dealing with them. Although many appeals are completed within the time limit, there are some that inevitably take longer. This is partly a consequence of the fact that the majority of academic appeals are initiated following the summer examination period, leading to an intense workload. It is important that students are kept informed of the progress of their appeal and delays are explained.
- 8% of appeals were made on the grounds of poor supervision, of which 2 out of the 9 were submitted by postgraduate research students. None were upheld.

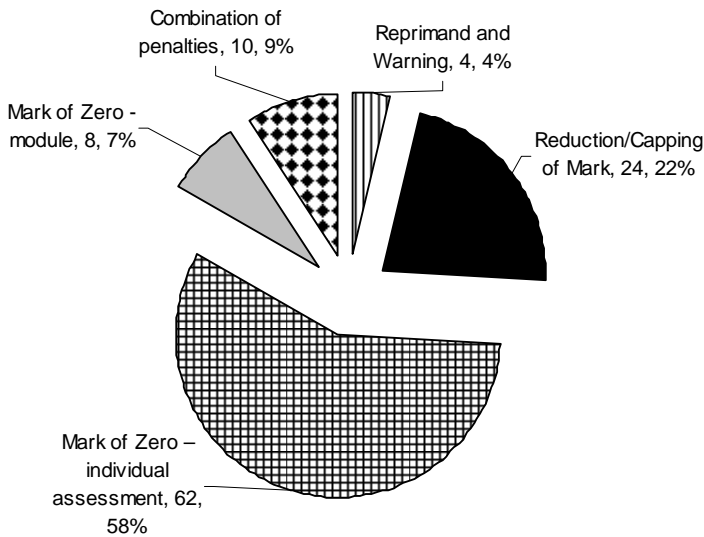
### 3. Conduct and Discipline - Cases dealt with by Faculties

**Student Discipline Cases**



	EPS	HUM	MHS	FLS
<b>Plagiarism</b>	16	52	7	16
<b>Exam Cheating</b>	2			
<b>Collusion</b>	9	12		10
<b>Fitness to Practise</b>			11	
<b>Other</b>	1			

**Penalties**



	EPS	HUM	MHS	FLS
<b>Reprimand and Warning</b>	2			2
<b>Reduction/Capping of Mark</b>	1	17		6
<b>Mark of Zero - individual assessment</b>	5	41	4	12
<b>Mark of Zero - module</b>	2			6
<b>Combination of penalties</b>	10			

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	Overseas (inc EU)
<b>Number of Cases (67F, 69M):</b>								
<b>Total</b>	86	47	3	136	30	30	9	67
<b>%</b>	63	35	2	100	22	22	7	49
<b>Nature of Cases:</b>								
<i>Plagiarism (67%)</i>	49	39	3	91	17	16	8	50
<i>Cheating in Exams (1%)</i>	2			2				2
<i>Collusion (23%)</i>	23	8		31	7	10		14
<i>Other Misconduct (1%)</i>	1			1				1
<i>Fitness to Practise Cases: (8%)</i>	11			11	8	2	1	
<i>Referred to SDC*</i>		5	1	6	1			5
* If proved, these cases would demand a more serious penalty than that available to Faculties.								
<b>Outcomes:</b>								
<i>Not Guilty/Accusation withdrawn (6%)</i>	4	4	1	9	5	4		
<i>In Breach of Regulations (81%)</i>	71	38	1	110	19	22	7	62

<b>Outcomes: Fitness to Practise Cases:</b>								
<i>Continue under close supervision</i>	2			2	2			
<i>Deemed not fit to practise</i>	3			3	2	1		
<i>Accusation withdrawn</i>	2			2		1	1	
<i>Not Guilty</i>	3			3	3			
<i>Pending</i>	1			1				
<b>Penalties Imposed:</b>								
<i>Reprimand and Warning</i>		3	1	4	1			3
<i>Reduction/Capping of Mark</i>	21	3		24	5	8	2	9
<i>Mark of Zero – individual assessment</i>	35	27		62	7	12	6	37
<i>Mark of Zero – module</i>	7	1		8	5	1		2
<i>Combination of penalties</i>	7	3		10	1			9

6 cases were reviewed at University level. Of the 6, one appeal was upheld.

<i>Appeal Against Faculty Discipline Decision</i>	4	2		6	1	1	1	3
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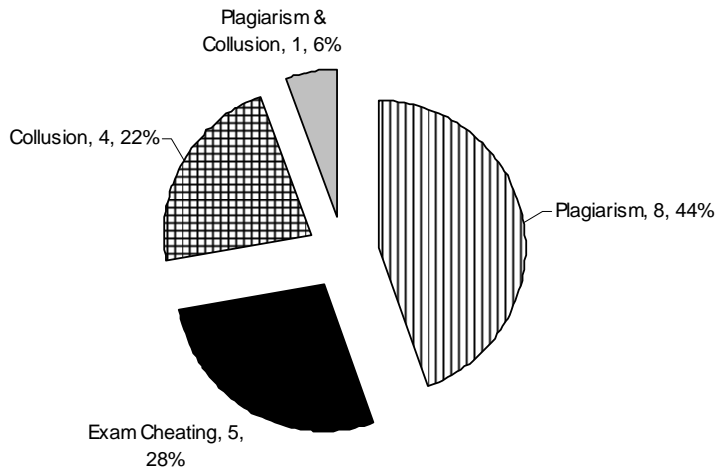
### Comments

- 49% of the conduct and discipline cases dealt with by the Faculties involved overseas students (who account for 20% of the University student population), and 22% involved home students from an ethnic minority (17% of the university home student population). The figures for 2003-4 were 41% and 18% respectively, and for 2004-5 were 37% and 21%.
- When the number of cases (136) dealt with by Faculties are added to those handled by the Student Discipline Committee (17) this represents a continued increase in discipline cases in comparison with 2003-4 (69 cases) and 2005-6 (101 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 is seen as more appropriate.
- Plagiarism accounted for 67% of cases in 2005-6 (70% in 2003-4 and 74% in 2004-5). Although this is a satisfactory drop, plagiarism remains the main problem for student discipline and the guidelines for handling plagiarism are currently under review.
- The largest number of plagiarism cases was in the Faculty of Humanities which accounted for 52 out of the 91 cases. This reflects both the size of the Faculty 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 has increased from 26% in 2004-5 to 43% in 2005-6, whilst taught postgraduates account for 16% of the University student population.
- In 2004-5 it was noted that there was 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 trend has continued in 2005-6 when there were 31 (23%, compared with 12.5% in 2004-5) collusion cases, and confirms that this is a growing problem which requires attention. 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 of Senate (SDC)

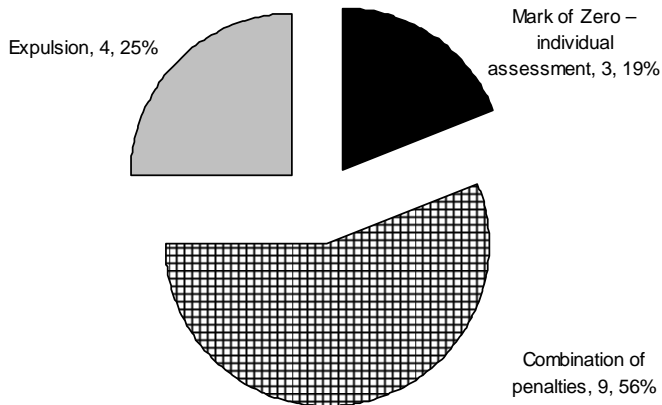
These cases are all in addition to those reported and dealt with by the Faculties.

**Type of Case**



	EPS	HUM	MHS	FLS
<b>Plagiarism</b>	4	1	3	
<b>Exam Cheating</b>	4	1		
<b>Collusion</b>	4			
<b>Plagiarism &amp; Collusion</b>	1			

**Penalties**



	EPS	HUM	MHS	FLS
<b>Mark of Zero - individual assessment</b>	2		1	
<b>Combination of penalties</b>	8	1		
<b>Expulsion</b>	2	1	1	

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	Overseas (inc EU)
<b>Number of Cases (19F,12M):</b>								
<b>Total</b>	10	7	1	18	1	4		11
<b>%</b>	56	39	6	100	6	22		61

<b>Nature of Cases:</b>								
<i>Plagiarism (44%)</i>	5	2	1	8	1	2	1	4
<i>Cheating in Exams (28%)</i>	3	2		5				5
<i>Collusion (22%)</i>	1	3		4				4
<i>Plagiarism and Collusion (6%)</i>	1			1	1			
<b>Outcomes:</b>								
<i>Not guilty (11%)</i>		1	1	2	1			1
<i>Breached regulations (89%)</i>	10	6		16	1	3	1	11
<b>Penalties Imposed:</b>								
<i>Mark of Zero - specific assessment</i>	2	1		3		1		2
<i>Combination of Penalties</i>	6	3		9	1		1	6
<i>Expulsion from the University</i>	2	2		4		1		3

Three decisions were subsequently reviewed by the University at the request of the student. No decisions were changed.



**Comments:**

- The involvement of Faculties in dealing formally with discipline cases has sustained the reduction in the number seen by the SDC, which dealt with 18 cases in 2005-6 compared with 21 in 2004/5.
- As was observed in 2003-4, the bulk of the cases before the SDC – 61% - concern overseas students (47.6% in 2004-5 and 50% in 2003-4). Overseas students constitute 20% of the overall university population.
- Four students were excluded from the University by SDC, one from a home ethnic minority background and three overseas. Two of the exclusions were of taught postgraduate students. The overall number of exclusions has reduced from 8 in 2003-4 and 5 in 2004-5.
- There has been a reduction in the proportion of cases involving plagiarism, from 62% in 2004-5 to 44% in 2005-6. The fact remains that half of these cases involved overseas students.
- Whilst there has been a pleasing reduction in the proportion of plagiarism cases, SDC data confirms the trend in the rise in collusion cases. These accounted for 10% of the cases seen by SDC in 2004-5 but 22% in 2005-6.

**5. Other University Level Reviews of Student Cases****Appeals Against Non-Faculty Disciplinary Decisions:**

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	Overseas (inc EU)
<b>Number of Cases (1F, 1M):</b>								
Total			2	2	1			1
%			100	100	50			50

The above disciplinary decisions were revised following further review.

**6. 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)
<b>Number of Cases (3F, 9M):</b>								
Total	7	5		12	2	5	2	3
%	58	42		100	17	42	17	25

**Outcomes:**

<i>Number Upheld/University Changed Decision (25%)</i>	2	1		3	1	1		1
<i>Number Dismissed (42%)</i>	3	2		5	1	2	1	1
<i>Number Awaiting Decision (33%)</i>	2	2		4	1	1	1	1

## 7. 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 complete an impact assessment of the University's policies and 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 mitigating circumstances until the situation becomes very serious.

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. During 2005-6 the International Development Office and the Office of Student Support and Services conducted a review of the support needs of international students. One of its findings was that closer attention needs to be paid to the transition of international students into the UK educational culture. It also recommended that there should be consideration given to the development needs of all staff with respect to cultural awareness issues, given the increasing diversity of the student population and the emphasis on the recruitment of international students.

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.' In addition, the Office of Student Support and Services has facilitated a working group of colleagues from across the University (Schools, Faculties and Central Administration) to review the plagiarism guidelines currently issued with a view to making recommendations intended to increase their clarity and utility. This group is expected to report in the near future. Separately from this, it is recommended that the University gives further attention to the education of students in the meaning and avoidance of academic misconduct.

### *Mitigating Circumstances*

The number of appeals on grounds of mitigating circumstances has reduced, reflecting efforts by Faculties and Schools to explain and emphasise to candidates the need to bring relevant circumstances forward at the appropriate time.

### *Collusion*

The number of discipline cases involving instances of collusion among students has risen sharply and is a cause for concern. It is suggested that Schools and Faculties review the advice and guidelines given to students in respect of collaborative working and in the preparation of material for assessment.

### *Student Complaints*

The significant rise in the number of complaints made to the University by students is a matter of concern. While this rise might be explained in terms of improved transparency in terms of highlighting and publicising the complaints procedure, and students' inclination to make more use of the complaints procedure as increases in tuition fees are publicised and students' expectations raised, it remains the case that a number of complaints have been upheld, resulting in Schools and Faculties paying a total of £18,000 in compensation. It is important that lessons are learned from such cases to avoid a further increase in the number of complaints.