

Senate: 30 April 2008

**Annual Report of Appeals, Complaints and Student Discipline Cases
2006-7**

Headline Report

Person Reporting

Dr Pat Sponder, Head of Student Support and Services

Enquiries To

Jenny Wragge, Student Experience Officer

Action

For information

Synopsis

The University regulations on student Appeals, Complaints and Discipline include 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 2006-7. 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, Fitness to Practice, 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 for 2006/7 and each year back to 2003/4 is available on the Student Experience website (www.manchester.ac.uk/studentexperience/appeals.htm) or from the Office of Student Support and Services (email jenny.wragge@manchester.ac.uk).

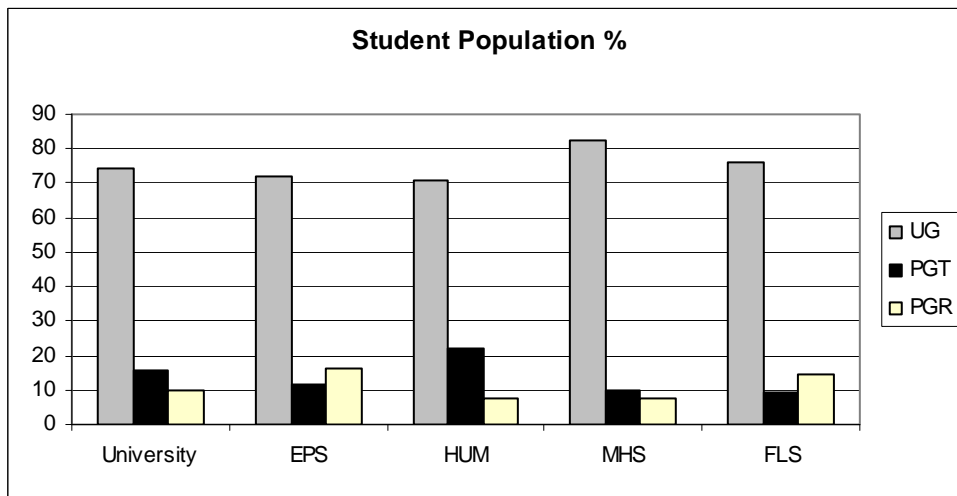
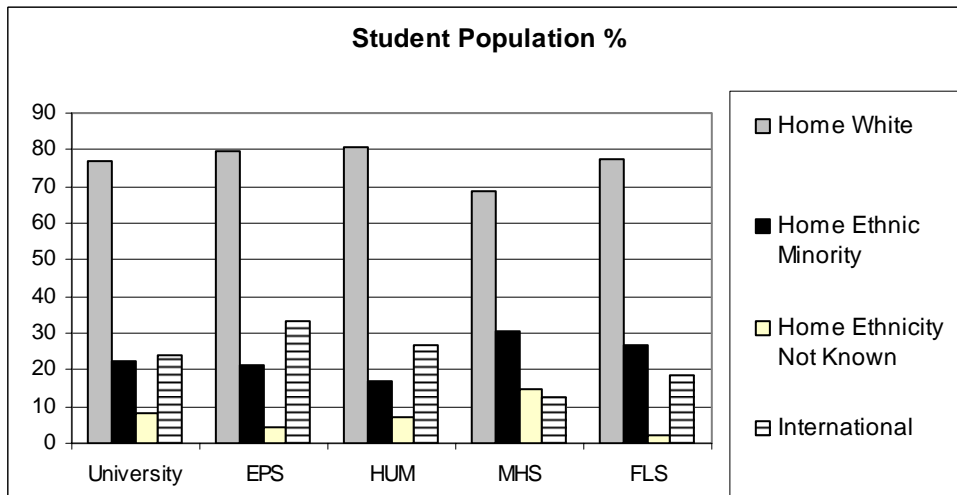
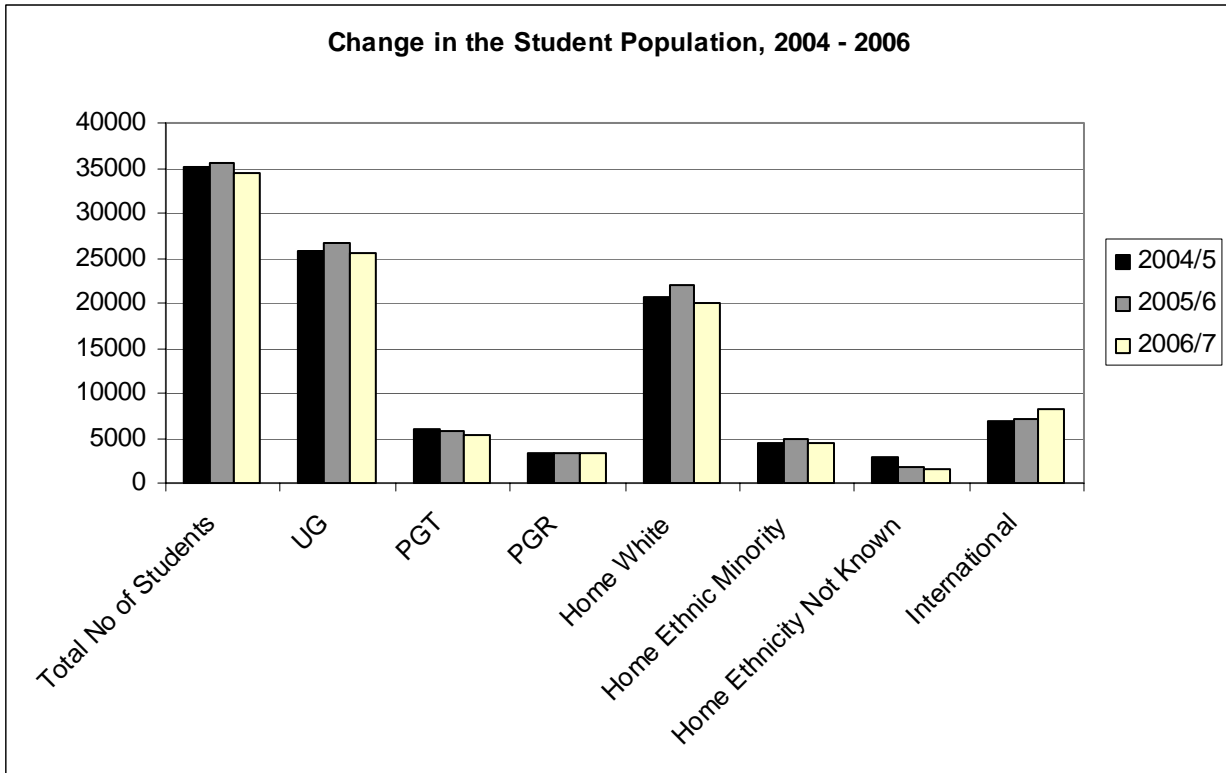
The following base data on the composition of the student population will be useful when looking at the tables in this report.

The Student Population 2006-7¹

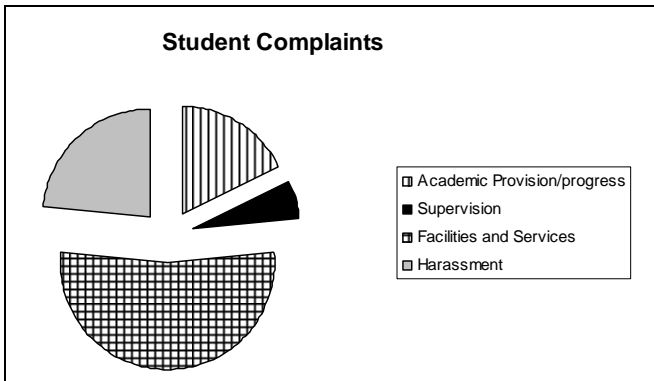
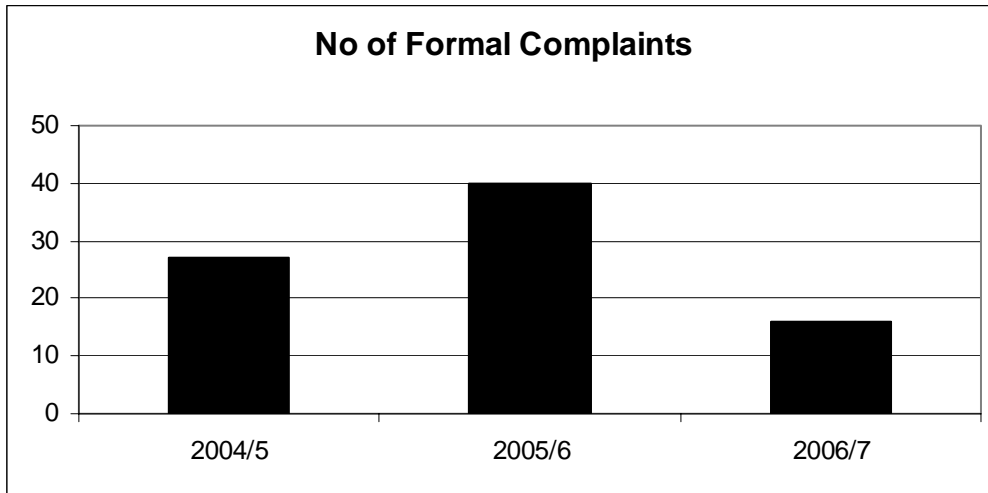
	UG		PGT		PGR		Total	Home		Home White		Home Ethnic Minority		Home Ethnicity Not Known		International (inc EU)	
	Count	%	Count	%	Count	%		Count	%	Count	%	Count	%	Count	%	Count	%
EPS	5683	72.2%	895	11.4%	1296	16.5%	7874	5268	66.9%	4184	79.4%	892	21.3%	192	4.6%	2606	33.1%
HUM	10927	70.8%	3365	21.8%	1139	7.4%	15431	11272	73.0%	9095	80.7%	1547	17.0%	630	6.9%	4159	27.0%
MHS	7353	82.3%	895	10.0%	687	7.7%	8935	7839	87.7%	5398	68.9%	1649	30.5%	792	14.7%	1096	12.3%
FLS	1693	76.3%	208	9.4%	317	14.3%	2218	1806	81.4%	1402	77.6%	371	26.5%	33	2.4%	412	18.6%
Univ	25656	74.5%	5363	15.6%	3439	10.0%	34458	26185	76.0%	20079	76.7%	4459	22.2%	1647	8.2%	8273	24.0%

Note: In the tables in this paper, EU students have been included with international 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 relevance than level of fees paid.

¹ 1 December 2006

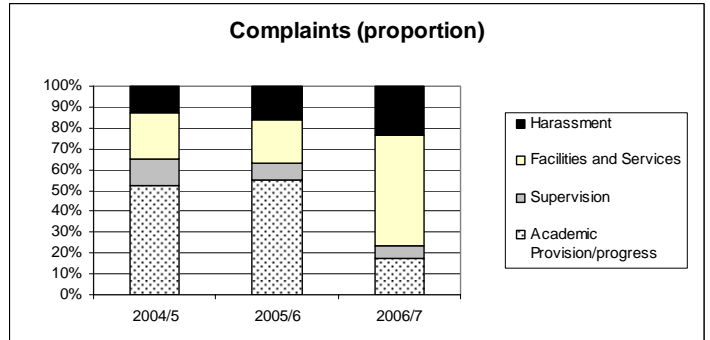
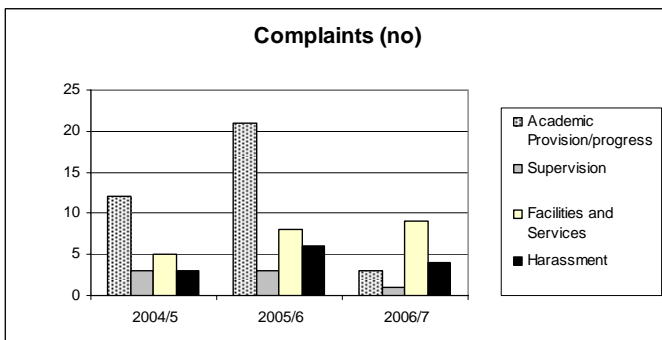


1. Student Complaints



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

	UG	PGT	PGR	Total	Home - White	Home - Ethnic Minority	Home - Ethnicity not known	International (inc EU)
Number of Formal Complaints Received (7F, 9M):								
Total	7	4	5	16	8	2	3	3
%	44	25	31	100	50	13	19	19
Nature of Complaint:								
Academic provision/progress (19%)	1	1	1	3	1	1		1
Supervision (6%)			1	1	1			
Facilities & Services (56%)	5	2	2	9	5		3	1
Harassment (25%)	1	1	2	4	2	1		1



	UG	PGT	PGR	Total	Home - White	Home - Ethnic Minority	Home - Ethnicity not known	International (inc EU)
Complaint outcomes:								
<i>Number justified (13%) *</i>	1		1	2			1	1
<i>Number dismissed (81%)</i>	5	4	4	13	7	2	2	2
<i>Number withdrawn (6%)</i>	1			1	1			

* One apology was given; in one case compensation of £1000 was paid.

No of complaints submitted by students to the University for review of the Faculty decision:								
Total			1	1				1
Outcomes:								
<i>Number where Faculty decision upheld</i>			1	1				1
<i>Number where Faculty decision changed</i>								

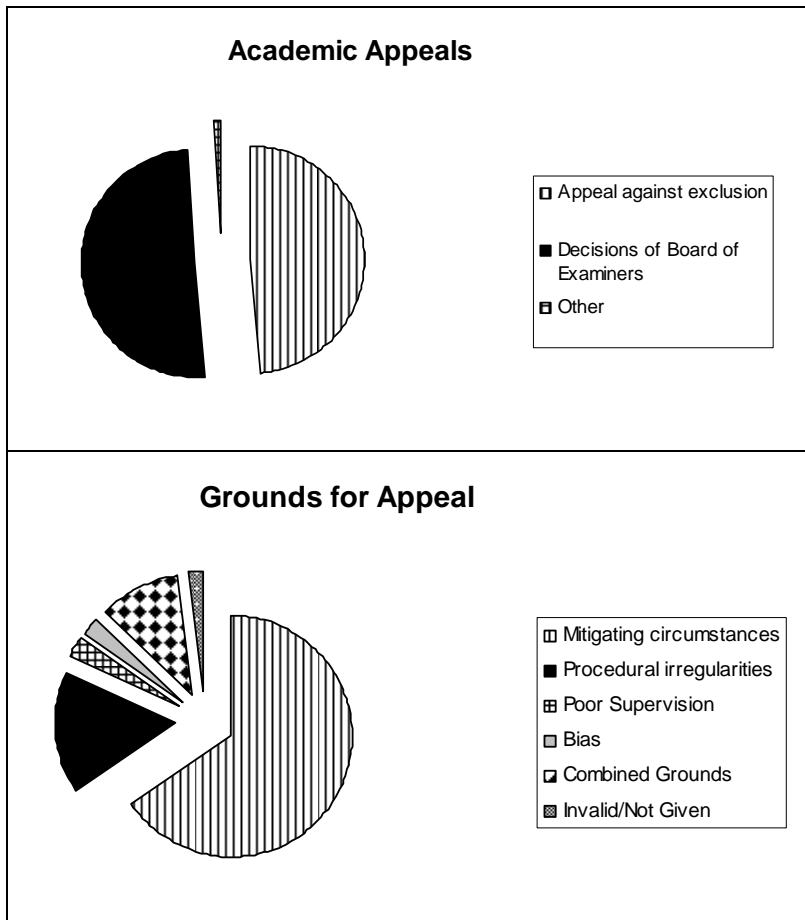
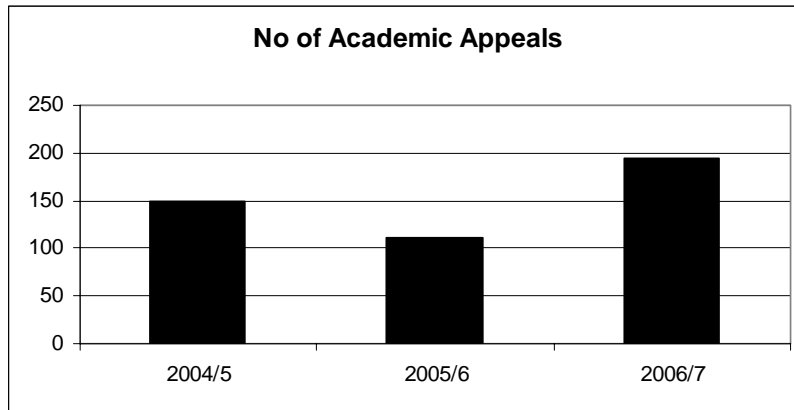
Average no of working days to handle case

	Average	No of Cases
	45	16

Comments

- There has been a significant reduction in the number of formal complaints, and a very marked decrease in the number of complaints regarding academic provision and progress.
- Proportionally, the number of complaints regarded as justified dropped to 13%, with a corresponding rise in the number of cases dismissed by Faculties, 81% (43% were dismissed in 2005/6, 30% in 2004/5).
- 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 paid in only one case, representing an improvement over 2005/6 when compensation to the value of £18,000 was made by the University.

2. Academic Appeals

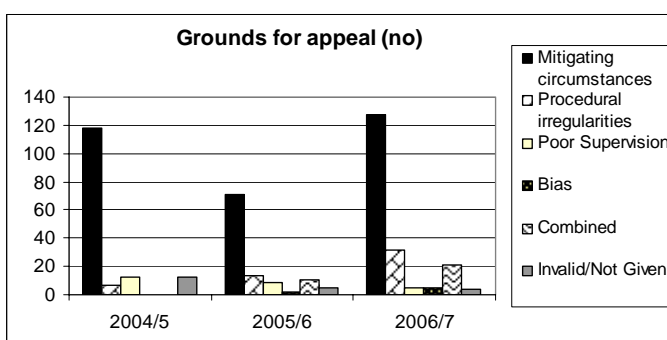
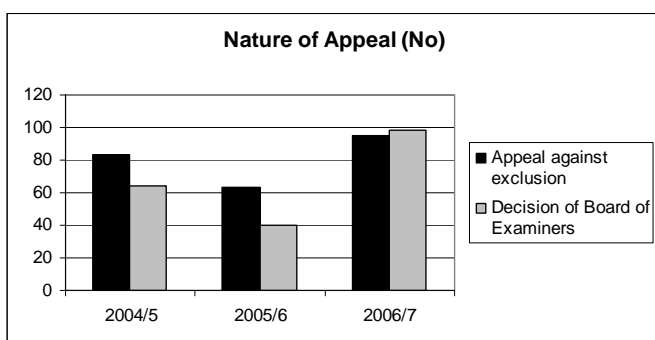


	EPS	HUM	MHS	FLS
Appeal against exclusion	1	3	78	13
Review of Decisions of Board of Examiners/PG Committee	21	35	19	23
Other		1		1

	EPS	HUM	MHS	FLS
Mitigating Circumstances	11	24	69	24
Procedural Irregularity	2	5	17	8
Poor Supervision	2	1	2	0
Bias		4	1	
Combined	6	2	8	5
Invalid/Not given	1	3		

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	International (inc EU)
Number of Appeals Received (116F, 79M):								
Total	170	21	4	195	88	68	14	25
%	87	11	2	100	45	35	7	13

Nature of Appeal:								
<i>Appeal against exclusion (49%)</i>	94	1		95	52	30	7	6
<i>Review of Decisions of Board of Examiners/PG Committee (50%)</i>	75	19	4	98	34	38	7	19
<i>Other (1%)</i>	1	1		2		2		



Grounds for Appeal:

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	International (inc EU)
<i>Mitigating circumstances not previously brought to the attention of the examiners (66%)</i>	118	10		128	56	49	9	14
<i>Procedural irregularities (16%)</i>	28	2	2	32	12	13	3	4
<i>Poor Supervision (3%)</i>	3	2		5	4		1	
<i>Bias (3%)</i>	2	3		5	2		1	2
<i>Combined Grounds (%)</i>	19	1	1	21	13	6	1	1
<i>Invalid Grounds/Grounds Not Given (2%)</i>		3	1	4	1			3

Outcomes:

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	International (inc EU)
<i>Number of mitigating circumstances appeals referred back to School for reconsideration in the light of new information (48%)</i>	59	3		62	37	14	3	8
<i>Number of mitigating circumstances appeals upheld and the decision changed or reconsidered at the Faculty level (13%)</i>	14	2		16	3	9	1	3
<i>Number of procedural irregularities appeals upheld/referred back (41%)</i>	12		1	13	6	6	1	1
<i>Number of poor supervision appeals upheld/referred back (20%)</i>		1		1				1
<i>Number of combined appeals upheld (in full or in part)/referred back (52%)</i>	10		1	11	7	1	2	1
<i>Number of appeals dismissed (no substance) (36%)</i>	59	11	1	71	24	31	8	8
<i>Appeal withdrawn/not pursued (2%)</i>	1	1	1	3	1	1		1
<i>Outcome pending (3%)</i>	4		1	5	3	1		1
<i>Invalid/Out of Time/Other (2%)</i>	2	1		3	2	1		
<i>Resolved Informally (5%)</i>	9	1		10	6	3	1	

Academic appeals submitted by students for review by the University:

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	International (inc EU)
	12	1	1	14	3	9	2	

In twelve cases, the Faculty's decision was unchanged by the University. One case is ongoing and one case was resolved informally.

Average no of working days to handle case

	Average	Number of Cases
	28	195

Comments:

- After a reduction in 2005/6, the number of academic appeals rose by 76% in 2006/7, which also represents a 30% increase on the 2004/5 number of 149. There was an almost equal number of appeals against Decisions of Boards of Examiners and against Exclusion, accounting for 50% and 49% of cases respectively. The main source of the increase has been in appeals against Decisions of Boards of Examiners, up from 64 (43%) in 2005/6 to 98 (50%) in 2006/7. There were 83 appeals against exclusion in 2005/6 (56%) compared to 95 (49%) in 2006/7.
- The majority of appeals against exclusion emanate from the Faculty of Medical and Human Sciences. This is perhaps not surprising given the professional nature of the programmes and the greater demand on students in terms of attendance and Fitness to Practice.
- The proportion of appeals citing procedural irregularities as the grounds for appeal continues to increase steadily, from 5% in 2004-5 to 12% in 2005/6 and 16% in 2006/7.
- 87% of the academic appeals were from undergraduate students. The University's student population is 74.5% undergraduate. Whilst the proportion of undergraduates in the University remains constant, the proportion making an academic appeal has increased: (2005/6: 80% of appeals, 74% of the university population; 2004/5: 85% of appeals, 73% of the university population.)
- Home Ethnic Minority students are over-represented in bringing academic appeals: 35% of appeals are brought by Home Ethnic Minority students whilst the University population for this group is 22.2%. Of the 68 academic appeals brought by this group of students, 49 were on the grounds of mitigating circumstances, 13 concerned procedural irregularities, and 6 had a combination of grounds.

Grounds for Appeal put forward by Home Ethnic Minority and Home White students.

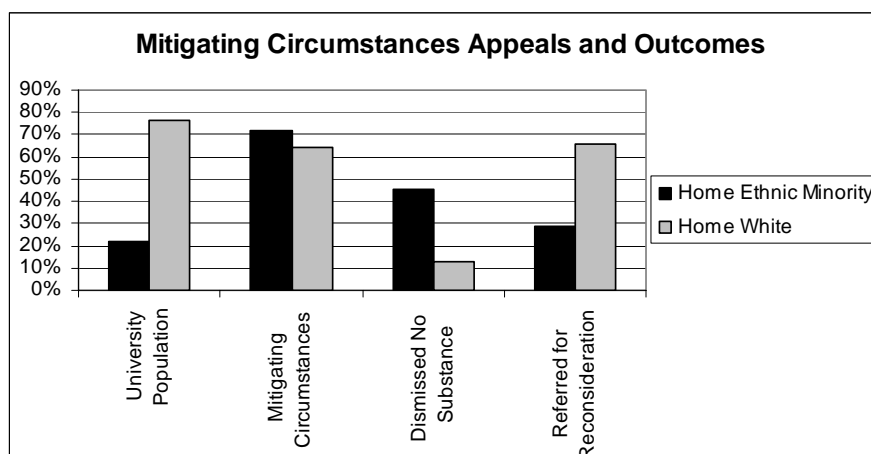
Grounds	Home Ethnic Minority (68)		Home White (88)	
Mitigating Circumstances	49	72%	56	64%
Combined	6	9%	13	15%
Procedural Irregularity	13	19%	12	14%
Bias			2	2%
Not Stated			1	1%
Poor Supervision			4	5%

- The statistics suggest that students from ethnic minority backgrounds are experiencing a different response to their academic appeals:

Outcomes of Appeals made on grounds of Mitigating Circumstances

Outcome	Home Ethnic Minority (49)		Home White (56)	
Dismissed No Substance	22	45%	7	13%
Dismissed Out of Time	1	2%		
Referred for Reconsideration	14	29%	37	66% *
Resolved Informally	3	6%	6	11%
Upheld	9	18%	3	5%
Not Pursued			1	2%
Ongoing			1	2%
Other			1	2%

- * NB whilst a greater proportion of cases from Home White Students is referred back for reconsideration, this does not necessarily mean that the appeals are upheld. The final decisions of Boards of Examiners are not reported.



- 66% of appeals were made on the grounds of mitigating circumstances. Although this represents a reduction since 2004/5, it is very similar to the proportion in 2005/6 (64%). 48% of cases were referred back to Schools for reconsideration in the light of the circumstances put forward, whilst 31% were dismissed as being of no substance. In the majority of cases there is no good reason why the mitigating circumstances brought forward in the appeals could not have been made known prior to Exam Board Meetings. The additional workload this causes at School and Faculty level is significant.
- 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. Further consideration will be given to extending the time limit within the procedure for informing students of the outcome of their appeals.
- In 2006/7 only 3% of academic appeals were made on the grounds of poor supervision. None were from PGR students.

3. Fitness to Practice

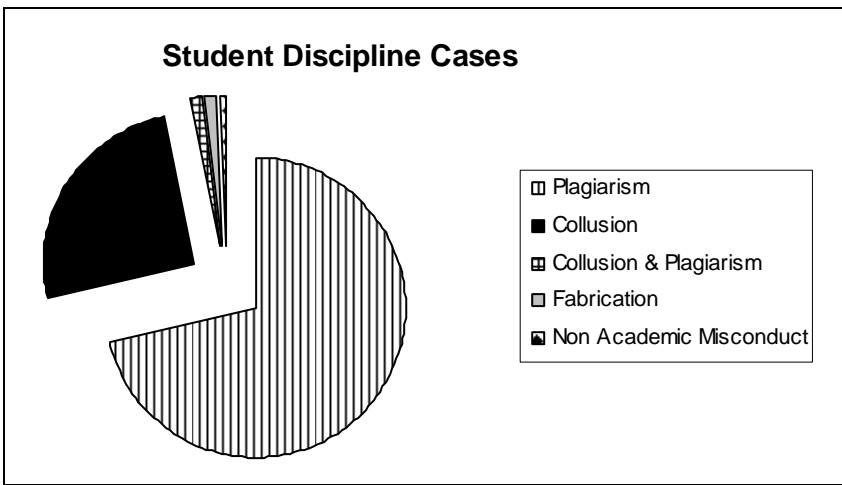
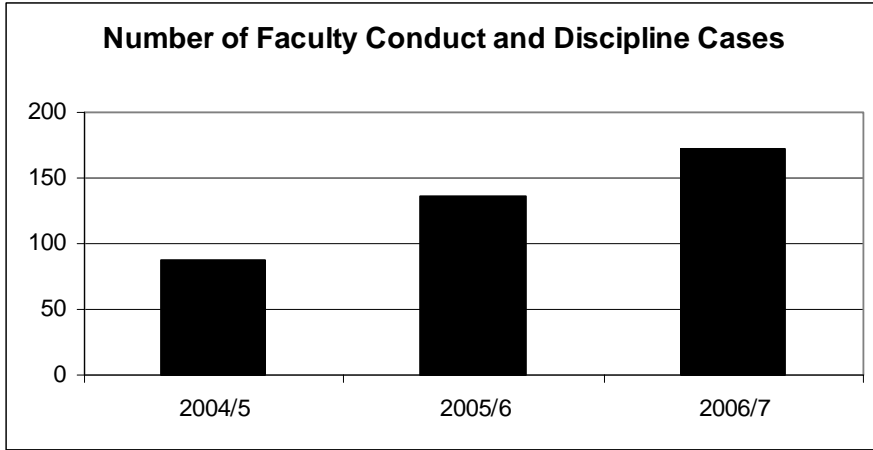
In previous years Fitness to Practice has been reported as a category within Conduct and Discipline.

A great many of Fitness to Practice cases emerge from circumstances which are medical in nature rather than being strictly conduct and discipline (although the manifestation may be very similar). For this reason, Fitness to Practice cases are now reported as a separate section.

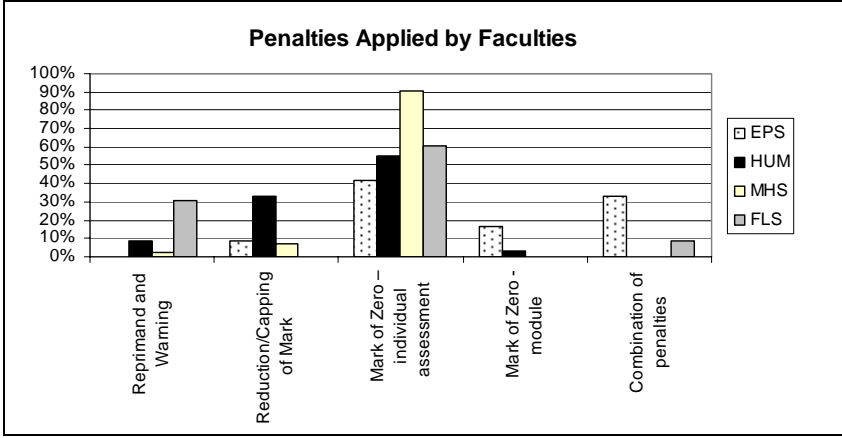
Fitness to Practice cases are normally a feature of the case load of the Faculty of Medical and Human Sciences rather than of the other Faculties.

	UG	PGT	PGR	Total	Home - White British	Home – Ethnic Minority	Home - Ethnicity not known	International (inc EU)
Number of Cases (6F, 6M,):								
Total	12			12	5	5		2
%	100			100	42	42		17
Outcomes:								
<i>Continue on programme with conditions</i>	3			3	2	1		
<i>Deemed not fit to practise and excluded</i>	1			1	1			
<i>Return to programme subject to medical confirmation</i>	4			4	1	2		1
<i>Pending</i>	4			4	1	2		1

4. Conduct and Discipline - Cases dealt with by Faculties



	EPS	HUM	MHS	FLS
Plagiarism	9	56	37	12
Collusion	6	13	11	11
Fabrication		2		



	EPS	HUM	MHS	FLS
Reprimand and Warning		5	1	7
Reduction/Capping of Mark	1	20	3	
Mark of Zero - individual assessment	5	33	39	14
Mark of Zero - module	2	2		
Combination of penalties	4			2

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	International (inc EU)
Number of Cases (82F, 90M.):								
Total	78	92	2	172	48	32	9	83
%	45	53	1	100	28	19	5	48
<i>Plagiarism (66%)</i>	41	71	2	114	30	23	5	56
<i>Collusion (24%)</i>	22	19		41	12	2	4	23
<i>Collusion & Plagiarism (1%)</i>		2		2	1		1	
<i>Fabrication (1%)</i>	2			2		1		1

<i>Non Academic Misconduct (1%)</i>	1			1				1
Outcomes:								
<i>Not Guilty/Not proven (12%)</i>	11	10		21	8	2		11
<i>In Breach of Regulations (80%)</i>	55	81	2	138	35	25	8	70
Penalties Imposed:								
<i>Reprimand and Warning</i>	1	11	1	13		1		12
<i>Reduction/Capping of Mark</i>	10	14		24	5	5	2	12
<i>Mark of Zero – individual assessment</i>	38	53		91	23	20	7	41
<i>Mark of Zero – module</i>	1	3		4	1			3
<i>Combination of penalties</i>	5	1		6	1	1	2	2

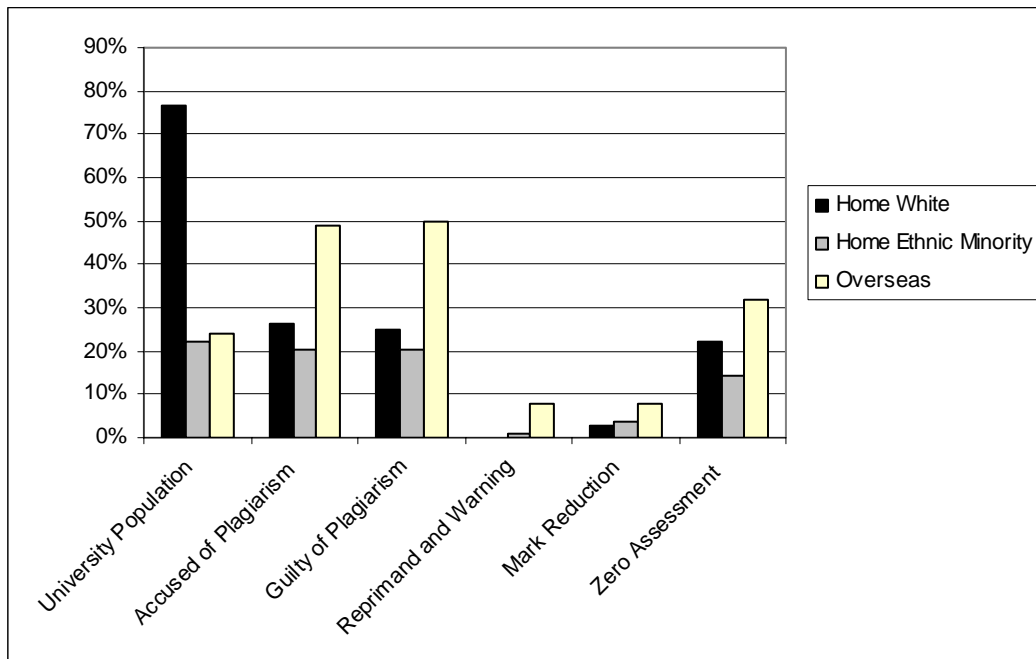
3 cases were reviewed at University level. In all 3 cases, the decision of the Faculty was upheld.

<i>Appeal Against Faculty Discipline Decision</i>	3			3	1	1	1	
---	---	--	--	---	---	---	---	--

Comments

- The number of discipline cases handled by Faculties continues to rise. The 2006/7 total of 172 cases represents a 26% increase over the previous year, whilst the student population has decreased by 3.4%.
- 48% (49% 2005/06, 37% 2004/5, 41% 2003/4) of the conduct and discipline cases dealt with by the Faculties involved international students (who account for 24% of the University student population).
- The majority of conduct and discipline cases handled by Faculties concerned plagiarism. Plagiarism accounted for 66% of cases in 2006/7 (67% in 2005/6, 70% in 2003-4 and 74% in 2004-5). The reduction in cases seen in 2005/6 has been sustained, but plagiarism remains the main problem for student discipline.

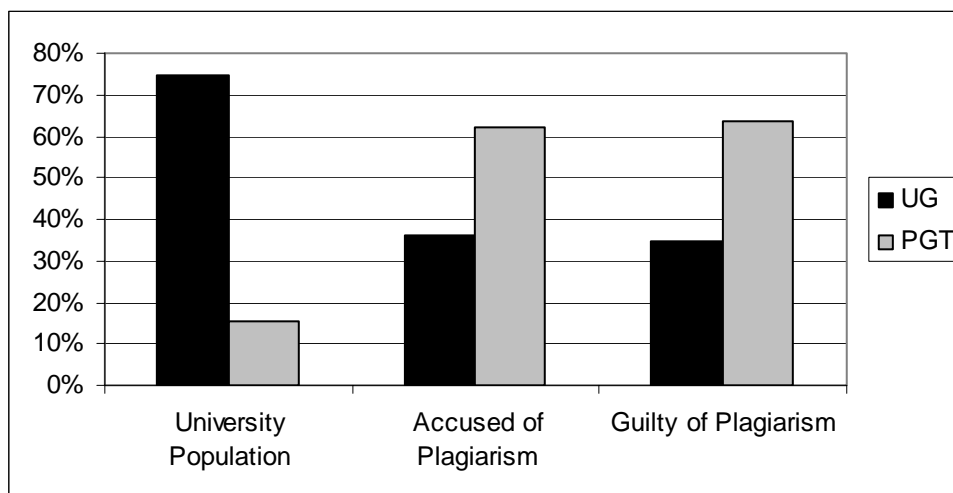
Plagiarism Cases 2006/7



- The statistics show that international students are over-represented in comparison with their part of the overall student population. More international students are accused of plagiarism than any other group of students. When cases are assessed, the pattern of students being found guilty is the same as those being accused – i.e. the majority of students who are accused of plagiarism are found guilty. When penalties are applied, international students appear to be more likely than others to receive the more lenient penalty of a reprimand and warning (under 10% of guilty students receive this penalty). The most common penalty for plagiarism is a mark of zero for the particular piece of assessment in which the offence occurred. Again, the pattern of this penalty follows fairly closely the pattern of those students being found guilty, although the statistics suggest that

home ethnic minority students are slightly less likely to receive this penalty, but slightly more likely than other home students to receive a mark reduction.

- The reasons why international students are more likely to be accused of plagiarism need fully exploring and understanding so as to inform strategies to address this issue.
- The proportion of plagiarism cases involving taught postgraduate students continues to increase and is now 62% (26% in 2004/5, 43% in 2005/6), whilst taught postgraduates account for 15.6% of the University student population.



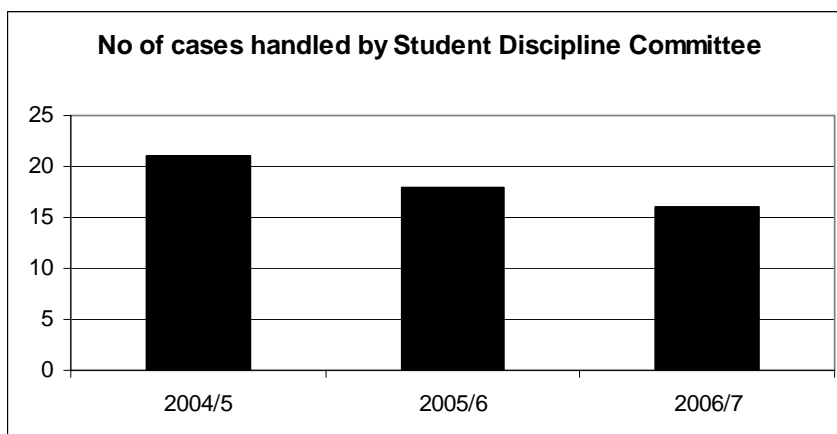
- In 2006/7 24% (41) of cases involved collusion, which is comparable with 2005/6 (23%, 31) and suggests that the growth in collusion cases, noted in 2005/6, has not continued.
- There is some variance between Faculties on the way that penalties are applied:

Penalties applied by Faculties

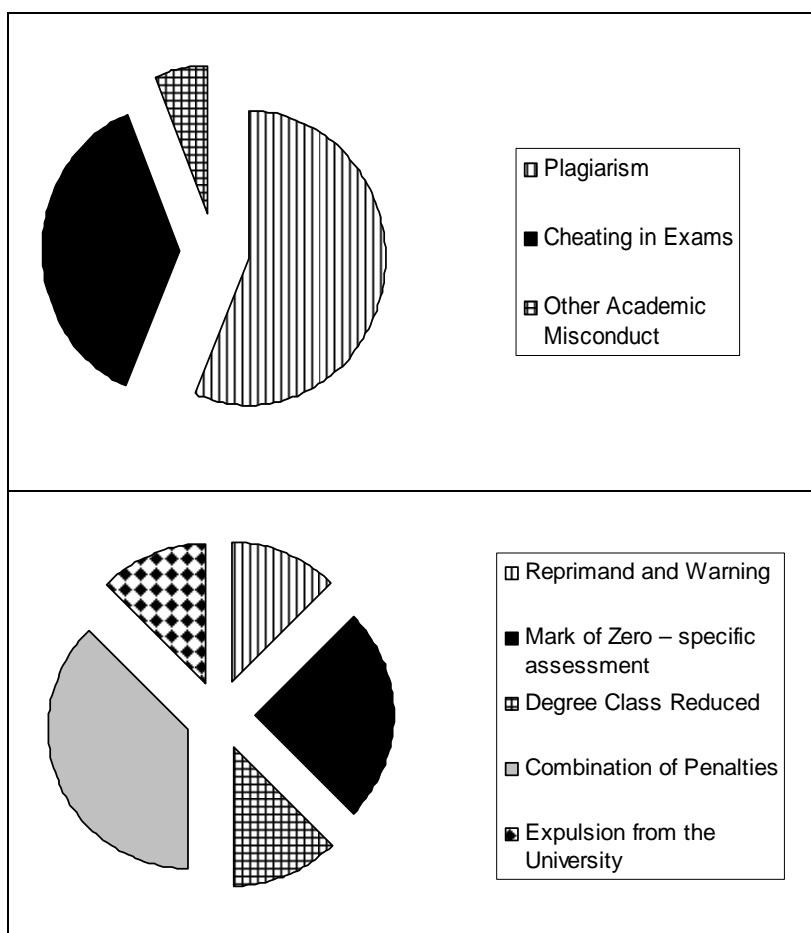
	EPS		HUM		MHS		FLS	
Reprimand and Warning		0%	5	8%	1	2%	7	30%
Reduction/Capping of Mark	1	8%	20	33%	3	7%		0%
Mark of Zero – individual assessment	5	42%	33	55%	39	91%	14	61%
Mark of Zero - module	2	17%	2	3%		0%		0%
Combination of penalties	4	33%		0%		0%	2	9%
Total	12	100%	60	100%	43	100%	23	100%

- The Faculty of Life Sciences is a single school Faculty, which means that some of the cases reported would be handled by Schools in other Faculties – this might explain the relatively high proportion of reprimands and warnings from FLS.

5. 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.
- SDC handles all cases of examination cheating.
- Since approximately April 2007, cases of academic malpractice involving postgraduate research students have been referred automatically to SDC to reflect the potential seriousness of misconduct at that level.



	EPS	HUM	MHS	FLS
Plagiarism	2	7		
Exam Cheating	5	1		
Other Academic Misconduct		1		

	EPS	HUM	MHS	FLS
Reprimand and Warning	1	1		
Mark of Zero – individual assessment	3	1		
Degree Class Reduced	1	1		
Combination	2	4		
Expulsion		2		

	UG	PGT	PGR	Total	Home - White British	Home - Ethnic Minority	Home - Ethnicity not known	International (inc EU)
Number of Cases (5F, 11M):								
Total	11	4	1	16	3	2		11
%	69	25	6	100	19	13		69

Nature of Cases:								
<i>Plagiarism (56%)</i>	4	4	1	9	1	1		7
<i>Cheating in Exams (%)</i>	6			6	2			4
<i>Other Academic Misconduct (%)</i>	1			1		1		
Outcomes:								
<i>Not guilty (%)</i>								
<i>Breached regulations (100%)</i>	11	4	1	16	3	2		11
Penalties Imposed:								
<i>Reprimand and Warning</i>	1		1	2	1			1
<i>Mark of Zero – specific assessment</i>	4			4				3
<i>Degree Class Reduced</i>	2			2	1			1
<i>Combination of Penalties</i>	4	2		6	1	2		3
<i>Expulsion from the University</i>		2		2				2

One case was subsequently reviewed at the University level, at the request of the student. The appeal was upheld in part.

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 2006-7 compared with 21 in 2004/5.
- As has been observed in previous years, the bulk of the cases before the SDC – 61% - concern international students (47.6% in 2004-5 and 50% in 2003-4). International students constitute 24% of the overall university population.
- Two students were excluded from the University by SDC, both international taught postgraduate students. The overall number of exclusions has reduced from 5 in 2004/5 and 4 in 2005/6.
- 56% of cases seen by SDC involve plagiarism, showing a continued reduction from 62% in 2004/5 and 44% in 2005/6. The fact remains that 78% of these cases involved international students.

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	International (inc EU)
Number of Cases (F, M):								
Total	6	2	5	13	7	3		3
%	46	15	38	100	54	23		23

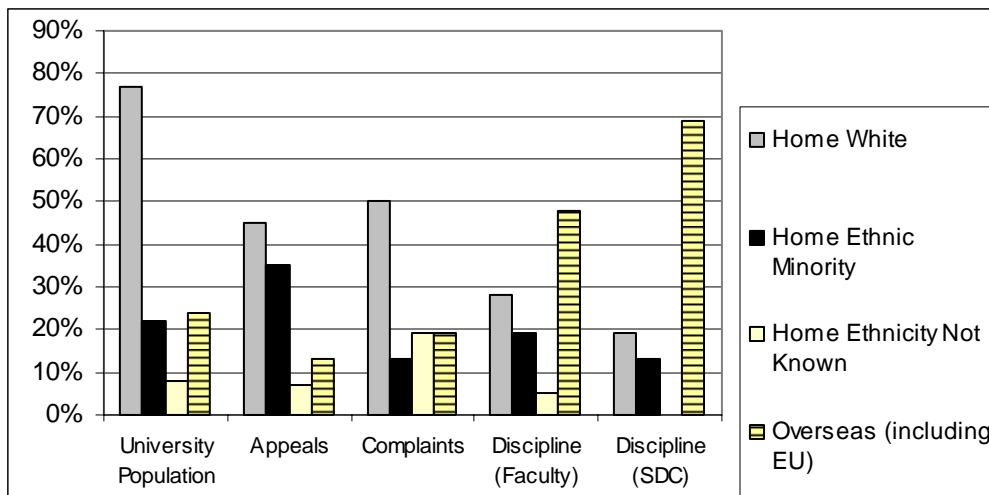
Outcomes:								
<i>Number Upheld/University Changed Decision (15%)</i>			2	2	2			
<i>Number Not Justified (31%)</i>	2	1	1	4	1	2		1
<i>Number Awaiting Decision (31%)</i>	3		1	4	2		1	1
<i>Number Deemed Not Eligible (31%)</i>	2	1	1	4	2	1		1

7. Concluding comments

A number of concerns emerge from these statistics. These can be discussed under the headings of Equality and Diversity, Mitigating Circumstances, Taught Postgraduate Students and Workload.

Equality and Diversity

Table 1 – The profile of the student population involved in cases



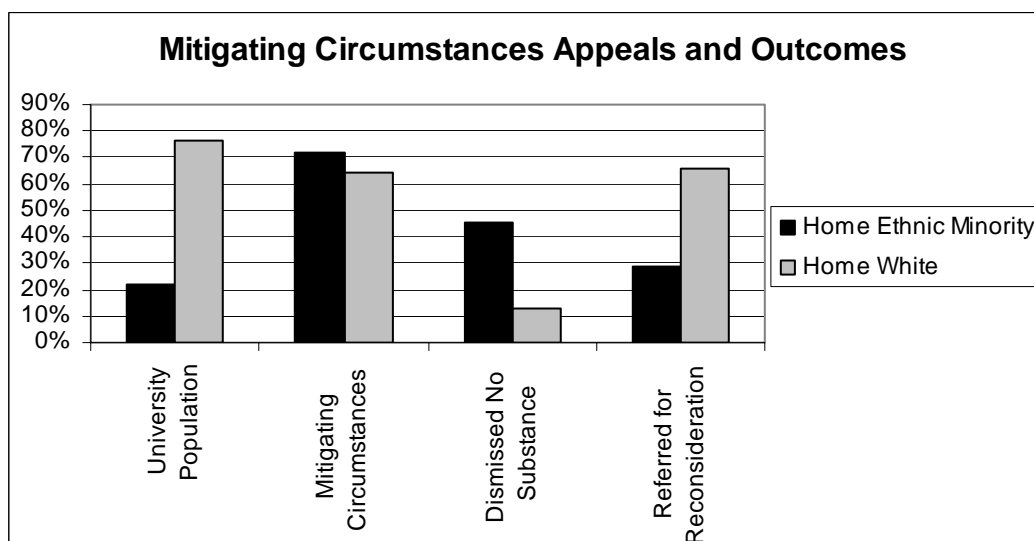
There are two areas where matters relating to equality and diversity are of particular concern.

The experience of home ethnic minority students in relation to appeals on the grounds of mitigating circumstances.

Table 1 shows that, although forming around 22% of the University's population, approximately 35% of appeals are submitted by home ethnic minority students. The majority of these appeals cite mitigating circumstances. This gives rise to questions such as: How do the mitigating circumstances procedures operate and impact on home ethnic minority students? Are there particular factors operating which makes this group of students reluctant to bring forward cases at the appropriate time?

When cases are considered, the differences continue. Over 40% of the claims of home ethnic minority students are found to have no substance, compared with about 12% of the claims of home white students. Conversely, 30% of home ethnic minority students' cases are referred back to their School for the case to be reconsidered, but for home white students this rises to 65% of cases². This is very clearly illustrated in Table 2.

Table 2

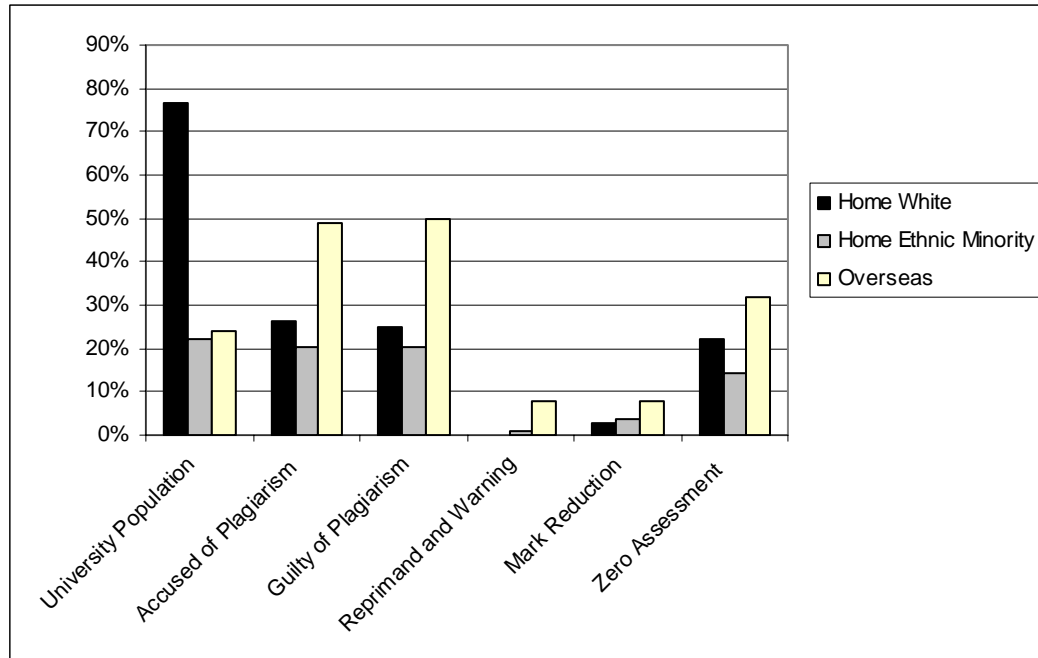


² NB. While a greater proportion of cases from home white students are referred back for reconsideration, this does not necessarily mean that the appeals are upheld. The final decisions of Boards of Examiners are not reported.

The over-representation of international students in conduct and discipline cases.

International students form 24% of the student population, but are involved in 48% of conduct and discipline cases. The majority of these cases concern plagiarism. The statistics suggest that the difference in experience/behaviour occurs during the production of the assessment in question. Once a student has been accused of plagiarism, the pattern of those found guilty and of the penalties applied is generally similar, except that international students are more likely than others to have their offence concluded with the more lenient reprimand and warning. This is shown in Table 3.

Table 3 – Plagiarism Cases 2006/7



A greater understanding is needed of the underlying reasons for the high number of international students being accused of plagiarism. These may include any of the following: different educational cultures; that it's easier to spot plagiarism in the work of someone for whom English is not the first language, the pressure to justify the expense of studying in Manchester, and the sacrifices made by family; discrimination.

Mitigating Circumstances

Aside from the equality and diversity issue highlighted already, the significantly increasing number of academic appeals being made on the grounds of mitigating circumstances remains of concern, and suggests that the systems and processes operated by the University in respect of mitigating circumstances should be reviewed. According to the University's regulations, mitigating circumstances should normally be considered in advance of assessment, and can only be considered after decisions of Boards of Examiners (etc) have been announced if there was a good reason why they could not have been made known in advance. The extent to which this is being enforced is questionable. This then also raises the possibility of inconsistent treatment if the regulation is being enforced in some areas but not in others.

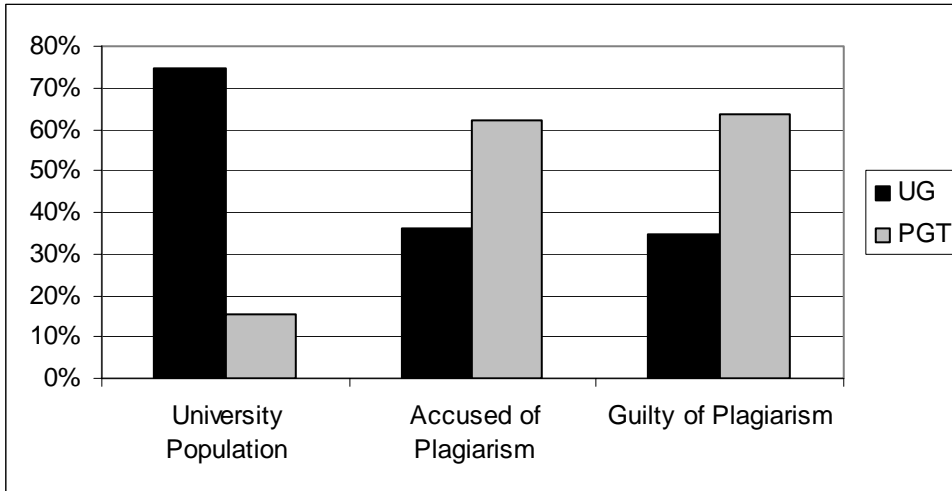
A substantial proportion of appeals brought on grounds of mitigating circumstances have no substance (29%), suggesting that students do not have a good understanding of what constitutes mitigating circumstances.

Further investigation of the way in which mitigating circumstances procedures are explained to students, and the extent to which the regulations are adhered to, is needed, with the possibility that a radically different approach is necessary in the interests of those students who have genuine mitigating circumstances.

Taught Postgraduate Students

The concern about the number of international students being accused of plagiarism has already been highlighted. In addition, the statistics show that the majority of students being accused of plagiarism are taught postgraduates.

Table 4



Workload

The University is experiencing a high level of growth in Academic Appeals and Conduct and Discipline cases year on year, whilst the size of the student population is fairly constant. This is placing a significant burden on staff charged with handling these cases; the University's ability to handle these cases fairly and promptly may be at risk of being compromised by the volume.

