

The University of Manchester

Annual Report of Student Appeals, Student Complaints and Student Discipline Cases 2017-18¹

Person reporting

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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.²

The overall number of cases across the different Regulations represents a small proportion of the total student population. However, in relation to academic appeals there has been an increase in the number of formal stage cases from 348 in the 2016/17 academic year to 409 in 2017/18. The number of cases in the Faculty of Humanities and the Faculty of Science and Engineering reduced but there was a rise in the Faculty of Biology, Medicine and Health.

The number of formal complaints received by Faculties has also seen a rise from 37 in 2016/17 to 88 in 2017/18, although it is worth noting that the latter figure has been affected by complaints relating to the UCU Industrial Action – 36 formal complaints received in the 2017/18 academic year related to this. These complaints centred on requests for a refund of tuition fees to compensate for the impact of the industrial action. However, the University considered that learning opportunities had been replaced or substituted and these complaints were dismissed.

There has also been an increase in the number of students progressing cases to the Office of the Independent Adjudicator (OIA): 48 cases in 2017/18 compared with 38 in 2016/17. The number of OIA cases relating to academic appeals has remained constant at 26 but other case types (complaints and discipline cases) have seen an increase. As in previous years, the OIA found the vast majority of complaints made to it about the University of Manchester to be Not Justified.

During the course of 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. Despite problems with data access, the project made a number of recommendations, such as the need to emphasise to international students the importance of registering with a GP and how the mitigating circumstances procedure operates. It also made suggestions for further research that could be undertaken, such as exploring good practice and support mechanisms for BME and International students elsewhere.

In June 2018 an updated version of Regulation XVIII (Student Complaints Procedure) was approved by Senate, for implementation from September 2018. Work on amendments to Regulation XVII (Conduct and Discipline of Students) and the development of associated procedures is ongoing, as is the review of the Dignity at Work and Study Policy and Procedures.

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

¹ Presented to Senate in February 2019

² 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 2017-18

	Academic Appeals	Complaints ³	Conduct and Discipline ⁴	Fitness to Practise	Total
Formal Stage Cases	409	88	161	14	672
Review Stage Cases	43	20	32	3	98
OIA complaints	27	16	5	0	48
					818⁵

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

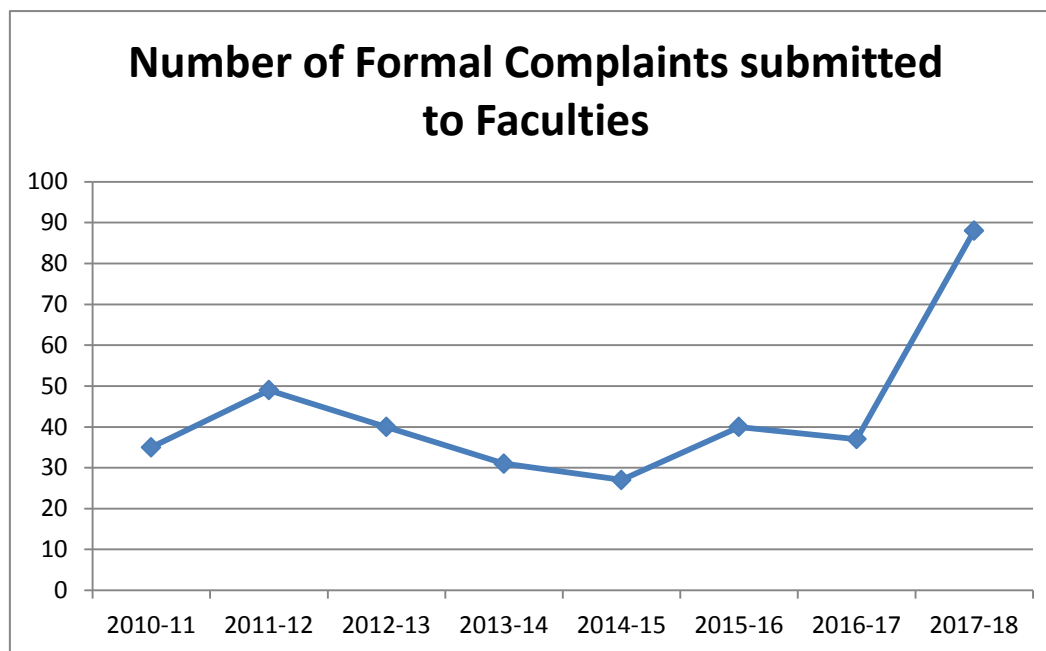
³ For reasons explained later in this report, the 'Formal Stage' case figures for complaints include Regulation XVIII and Dignity at Work and Study Complaints submitted to Faculties, but not complaints made directly to Residential Services.

⁴ 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 Student Disciplinary Panel or the Student Services Centre (in relation to Exam Misconduct) but not other areas of the University e.g. Residential Services.

⁵ In 2016/17 the total number of cases was 682.

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

Formal Complaints submitted to Faculties



Overall

Total 2017/18	88
Total 2016/17	37

Number of Complaints

Faculty	PGR	PGT	UG	CPD	F	M	White	BME	International	Not released	Total	%	% 2016/17
FSE	5	3	9		6	11	5	2	9	1	17	19	16
HUMS	3	24	24	1	27	25	34	7	11		52	59	54
BMH	4	6	9		10	9	12	7			19	22	30
Total	12	33	42	1	43	45	51	16	20	1	88		

Type of Complaint

Type of Complaint	PGR	PGT	UG	CPD	F	M	White	BME	International	Not released	Total	%	% 2016/17
Academic provision/progress	1	3	9		7	6	8	3	2		13	15	14
Facilities/services	3	22	16	1	20	22	26	7	9		42	48	30
Harassment, discrimination, bullying	4	2	6		10	2	6	2	3	1	12	14	32
Supervision	1	2	1		2	2	4				4	5	3
Other	3	4	10		4	13	7	4	6		17	19	22
Total	12	33	42	1	43	45	51	16	20	1	88		

There was a significant increase in formal complaint numbers during the 2017-18 academic year due to students submitting complaints in relation to the UCU Industrial Action. Of the 88 formal complaints recorded in total, 36 related to loss of teaching due to industrial action, and of these 30 were submitted by students in the Faculty of Humanities.

Outcome of Complaint

Outcome	PGR	PGT	UG	CPD	F	M	White	BME	International	Not released	Total	%	% 2016/17
Complaint upheld or partially upheld	3		8		6	5	6	3	2		11	13	22
Complaint dismissed	2	25	26	1	26	28	33	10	11		54	61	54
Ongoing at 1/10/2018	1	4	3		3	5	6	1		1	8	9	5
Withdrawn by student	3	1	2		5	1	3		3		6	7	5
Referred to another part of the University	2	2			3	1	1	1	2		4	5	14
Other	1	1	3			5	2	1	2		5	6	
Total	12	33	42	1	43	45	51	16	20	1	88		

Resolution of Upheld Complaints

Resolution	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%
Apology/Explanation	2		4	3	3	4	2			6	55
Compensation / financial redress										0	0
Other	1		4	3	2	2	1	2		5	45
Total	3		8	6	5	6	3	2		11	

In contrast to the 2016/17 academic year, during the 2017/18 academic year no upheld complaints were reported as having 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 (for example, in one case revised access arrangements were agreed within a research facility). Complaints relating to the impact of industrial action were addressed by explaining that Examination Boards would take action as necessary to mitigate impact to ensure that progression or graduation would not be affected, and by explaining how the University would be using funds from pay deductions due to strike action for the benefit of students.

Accommodation Complaints

Whilst many Regulation XVIII complaints are submitted via Faculties, complaints regarding University-owned or leased student accommodation are submitted directly to Residential Services. Complaints made via this route have not previously been included in the Senate Report and so, for the purposes of comparison with previous years, accommodation complaints are not included in the figures above. However, a total of 53 complaints were made regarding accommodation issues in the 2017/18 academic year.

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	%
Financial Complaints		1		1	2
Maintenance Issues	7	3	4	14	26
Safety and Security			1	1	2
Fallowfield Development			4	4	8
Reception Service	2			2	4
ResLife Service		1	1	2	4
Infestation		1	4	5	9
Other Domestic Issues	2	3	7	12	23
Multiple/Other Issues	1	11		12	23
Total	12	20	21	53	

A total of £2540 in compensation was paid in respect of accommodation complaints during the 2017/18 academic year (£1790 relating to University accommodation and £750 relating to leased halls).

Review of Faculty (or equivalent) decision⁶

15 students (compared with 13 in 2016/17) requested a review of their complaints by the Director of Teaching and Learning Support in accordance with Regulation XVIII, paragraphs 23-25. In addition, five students submitted a request for a review of complaints dealt with under the Dignity at Work and Study Procedure for Students.

Outcome of Review

Outcome	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%	% 2016/17
Decision upheld fully	4	7	6	8	9	8	6	3		17	85	77
Decision altered	1		2	1	2	1	2			3	15	23
Total	5	7	8	9	11	9	8	3		20		

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

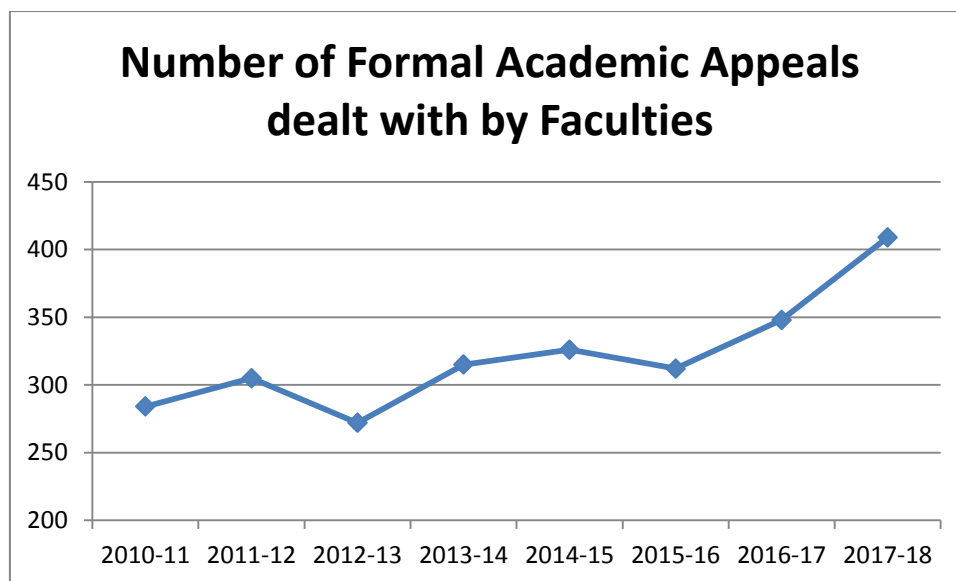
- An offer of £500 compensation.
- An offer of £300 compensation.
- An apology and recommendations to the Division of Campus Life to update the University's 'Guidance to Staff Providing References' and for the Faculty of Science and Engineering to keep students updated on complaint progress.

In addition to reviewing complaints dealt with under Regulation XVIII or the Dignity at Work and Study Procedure for Students, the Teaching and Learning Support Office also reviews complaints against the Students Union which have been dealt with under the Student's Union Code of Practice. However, no review requests in relation to such complaints were received during the 2017/18 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.

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

Section 4: Commentary on Academic Appeals (Regulation XIX)



Overall

Total 2017/18	409
Total 2016/17	348

Total Number of Academic Appeals

Faculty	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%	% 2016/17
FSE	9	19	55	23	60	17	22	43	1	83	20	27
HUMS	7	20	59	37	49	28	20	38		86	21	28
BMH	8	33	199	149	91	78	108	53	1	240	59	45
Total	24	72	313	209	200	123	150	134	2	409		

As can be seen from the data above, there has been an increase in the total number of formal academic appeals received by Faculties, from 348 in the 2016-17 academic year to 409 in the 2017-18 academic year. The number of formal appeals received by the Faculty of Biology, Medicine and Health (BMH) is particularly striking, with nearly three times as many as the other Faculties. However, this is likely to be due to the way in which cases are dealt with at the informal stage.

Regulation XIX states that ‘a student thinking of appealing should discuss the matter with his or her academic adviser, personal tutor, supervisor, programme director or other appropriate person in the School before doing so in order to better understand the reason for the result or decision against which they wish to appeal. A formal appeal should only be submitted if a student remains dissatisfied once informal avenues have been exhausted.’ Accordingly, students in BMH are encouraged to have an informal discussion with their School before making a formal appeal in order to clarify the reason for their results but, generally speaking, if a student from BMH wishes to have a decision reviewed they will need to make a formal appeal to the Faculty⁷. In contrast, some Schools in the other Faculties ask students to submit their appeal to the School in the first instance and, if the appeal is resolved at this level without Faculty involvement, it is not included in the formal Faculty figures. It is likely that this difference in approach accounts for much of the disparity in formal appeal numbers between Faculties. However, it does not explain the significant increase in BMH appeals between the 2016-17 academic year (158) and the 2017-18 academic year (240). The Teaching and Learning Support Office is working with the Faculty of Biology, Medicine and Health to understand what is driving this increase and whether any action can be taken in response.

Black and Minority Ethnic students continue to be over-represented amongst appellants compared to the student population as a whole. BME students make up 16.9% of the student population but constitute 36.7% of appellants (although the latter figure may be affected by the high number of formal appeals recorded in BMH, where the

⁷ An exception might be when, for example, the School is able to correct a simple error (e.g. in the calculation of marks) without the need for a formal appeal

percentage of BME students is higher at 26.6%). The Differential Attainment Project attempted to explore the reasons for this disparity but was restricted by a lack of access to appeal files due to data protection considerations, as appellants had not given permission for their files to be used for research purposes. The Project did however make a number of recommendations, such as exploring good practice and support mechanisms elsewhere. Action in this respect is also being taken through the Diversity and Inclusion Student Ambassador Project, led by the University's Equality, Diversity and Inclusion Unit in collaboration with the University of Manchester Students' Union, Manchester Metropolitan University and Birmingham University.

It is worth noting that there is no significant difference in appeal outcomes between White and BME students – 33% of White students had their appeals upheld, and the figure was 34% for BME students.

Decision Appealed Against

	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%	% 2016/17
Degree Classification/Qualification Awarded	2	21	33	27	29	19	15	22		56	14	25
Exclusion due to academic failure	9	18	124	77	74	39	63	48	1	151	37	31
Exclusion due to work and attendance	1		2	1	2	1	1	1		3	<1	2
Other decision of Board of Examiners/Progress Committee or not recorded	12	33	154	104	95	64	71	63	1	199	49	42
Total	24	72	313	209	200	123	150	134	2	409		

Exclusion due to academic failure is 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	Not released	Total	%	% 2016/17
Mitigating Circumstances	16	51	246	165	148	92	122	98	1	313	68	73
Procedural Irregularity	9	12	55	32	44	25	31	19	1	76	16	16
Bias	5	7	29	21	20	12	14	15		41	9	6
Poor Supervision	11	8	14	17	16	13	9	11		33	7	5
Total	41	78	344	235	228	142	176	143	2	463		

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 (the percentage of 'mitigating circumstances' appeals has declined only marginally, from 73% in the 2016-17 academic year, to 68% in the 2017-18 academic year).

Outcome of Appeal

	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%	% 2016/17
Dismissed - invalid grounds	4	19	91	55	59	34	38	42		114	28	14
Dismissed - no substance	9	26	75	52	58	29	39	42		110	27	45
Ongoing at 01/10/2018	2	2	26	12	18	8	9	13		30	7	3
Upheld/Upheld and referred back to School for review of decision	7	19	96	72	50	41	51	30		122	30	34
Withdrawn/Not Pursued	2	6	25	18	15	11	13	7	2	33	8	5
Total	24	72	313	209	200	123	150	134	2	409		

An increasing number of appeals are being dismissed on the basis that they are invalid, as allowed for by paragraph 5 of Regulation XIX (28% of appeals were dismissed under this paragraph in 2017-18 compared to 14% in 2016-17). 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, a 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.

Where an appeal has not been rejected from the outset, it may ultimately be dismissed as being without substance or it may be upheld, either by the School substituting an alternative outcome when asked for comment by the Faculty or by the Faculty making recommendations to the School. 100 out of the 122 upheld appeals (82%) were made on the ground of mitigating circumstances in respect of which, for a credible and compelling reason, the student did not make a mitigating circumstances application. 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

43 students requested a review of their academic appeal by the Director of Teaching and Learning Support during the 2017-18 academic year (Regulation XIX, paragraph 10). This is consistent with the number of review requests made the previous year (42). Two of the review requests were made by a student of Spurgeon's College, a partner institution of the University.

Number of Faculty Appeals Reviewed

Faculty	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%	% 2016/17
BMH	1	4	6	5	6	3	8			11	26	29
FSE	5	2	5	4	8	1	4	7		12	28	38
HUM	4	2	12	3	15	6	5	7		18	42	33
Spurgeon's			2		2				2	2	5	
Total	10	8	25	12	31	10	17	14	2	43		

Outcome of Review

	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%	% 2016/17
Decision upheld fully	9	7	17	11	22	6	13	13	1	33	77	90
Decision altered	1	1	8	1	9	4	4	1	1	10	23	10
Total	10	8	25	12	31	10	17	14	2	43		

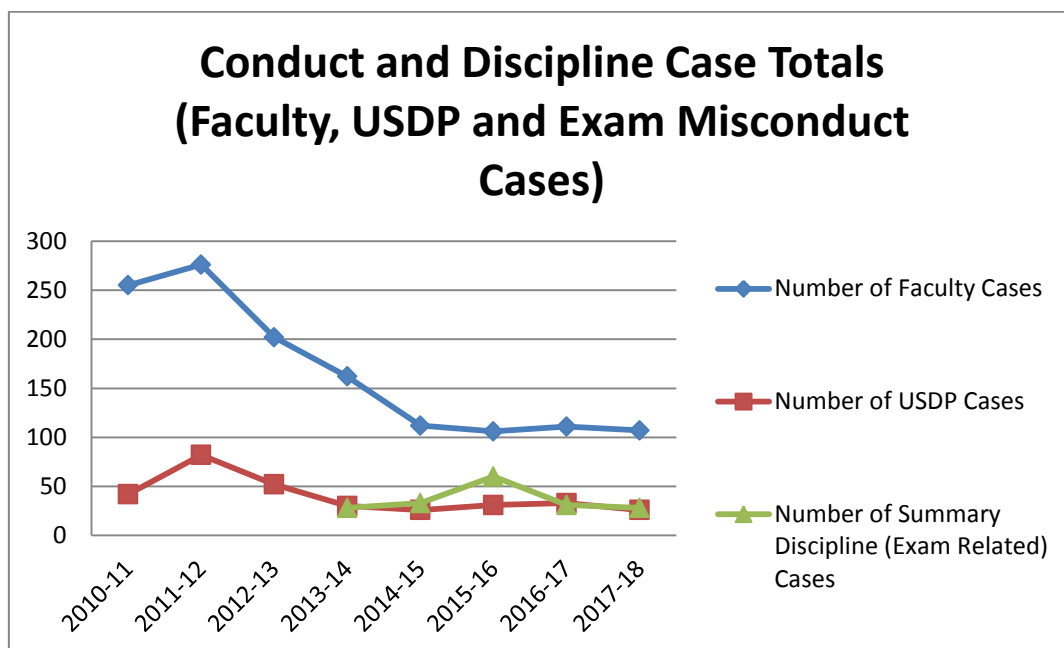
Somewhat more cases that were taken to review stage in 2017-18 resulted in the previous decision being altered in some way than in the previous academic year (23% compared to 10% in 2016-17). Most commonly, the alteration took the form of a recommendation that mitigating circumstances be (re)considered by a School Mitigating Circumstances Panel. In addition, compensation was paid in a small number of review cases, even if the overall decision remained unchanged (for example, in some cases compensation was paid for a delay in the Faculty's handling of an appeal).

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 Student 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, including some not previously reported in the Senate Report.

A review of Regulation XVII and associated procedures, including the Academic Malpractice Procedure, is currently ongoing. It is planned that the revised Academic Malpractice Procedure, which incorporates recommendations from the Differential Attainment Project Group, will provide clearer guidance on the topics of academic integrity, poor academic practice and academic malpractice. Further guidance will also be released to students.



Overall

	2017/18	2016/17
Faculties	107	111
University Student Disciplinary Panel (USDP)	26	33
Summary Disciplinary Panel (Exam Misconduct)	28	31
Total	161	175

Faculty Cases

Total Number

Faculty	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%	% 2016/17
FSE		20	19	13	26	6	3	30		39	36	46
HUMS		11	37	27	21	15	10	23		48	45	33
BMH		7	13	11	9	6	5	9		20	19	21
Total		38	69	51	56	27	18	62		107		

Type of Misconduct

	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%	% 2016/17
Collusion		2	12	4	10	3	2	9		14	13	19
Plagiarism		35	56	45	46	24	16	51		91	85	80
Fabrication/Falsification		1	1	2				2		2	2	<1
Total		38	69	51	56	27	18	62		107		

Plagiarism remains the largest proportion of cases dealt with at Faculty level. The number of Faculty academic malpractice cases has remained relatively stable in recent academic years (112 in 2014-15, 106 in 2015-16, 111 in 2016-17 and 107 in 2017-18) suggesting that these cases may have reached a plateau.

Outcome of Faculty Misconduct Cases

Outcome	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%	% 2016/17
Accusation withdrawn		1	2	1	2	2		1		3	3	2
Guilty		35	55	46	44	19	15	56		90	84	83
Not Guilty			4		4		3	1		4	4	13
Other e.g. ongoing at 1/10/2018, outcome not reported		2	8	4	6	6		4		10	9	2
Total		38	69	51	56	27	18	62		107		

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

	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%
Reprimand & Warning				5	1	4	3	1	1	5	6
Mark Reduction			3	16	12	7	9	4	6	19	21
Mark of Zero for Specific Piece of Work or Unit			17	28	22	23	6	9	30	45	50
No reassessment or substitution			9		6	3		1	8	9	10
Penalty not reported			6	6	5	7	1		11	12	13
Total			35	55	46	44	19	15	56	90	

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. However, it is less common for a panel to deny a student a further attempt at the work or unit (usually for a capped mark) if they would normally be eligible for this under the degree regulations.

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	Not released	Total	%	% 2016/17
FSE	1	1	4	1	5	1		5		6	23	42
HUM	2	4	12	5	13	5	4	9		18	69	55
BMH	1		1		2	1		1		2	8	3
Total	4	5	17	6	20	7	4	15		26		

Type of Misconduct

Type of Misconduct	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%	% 2016/17
Academic malpractice	3	1	7	5	6	1	1	9		11	42	67
Non-academic misconduct (or both academic and non-academic)	1	4	10	1	14	6	3	6		15	58	33
Total	4	5	17	6	20	7	4	15		26		

Outcome of USDP cases

Outcome	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%	% 2016/17
Guilty	2	5	13	6	14	3	4	13		20	77	85
Not guilty	2		4		6	4		2		6	23	15
Total	4	5	17	6	20	7	4	15		26		

Where a student is found guilty by the USDP, penalties tend to be more severe than for cases dealt with at a lower level. Two students were expelled during 2017-18 following a USDP, one was suspended for 12 months, and three were excluded from specific areas of the University or University facilities.

Of the 11 USDP cases relating solely to academic malpractice, eight concerned plagiarism. The USDP saw a greater proportion of cases relating to non-academic misconduct in 2017-18 than in the previous academic year (58% compared to 33% in 2016-17) although there does tend to be year on year variation in these proportions (in 2015-16 the proportion of non-academic cases was 52%). There was a decrease in the overall number of USDP cases to 26, from 33 the previous year.

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 Student Services Centre.

	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	Total 2016/17
Possession of unauthorised material		10	18	24	4	2	1	25		28	31

In all but one of the 28 cases the student was found guilty, with the most common penalty being a mark of zero for either the exam or the course unit as a whole.

Summary Discipline (Off Campus Misconduct) Cases

This is a new dataset not previously included in the Senate Report. Due to a previously approved change to Regulation XVII, the Division of Campus Life now arranges formal Summary Disciplinary Panels to deal with cases of off-campus misconduct. These mainly relate to breaches of paragraph 8g of Regulation XVII, namely misconduct which 'damages the University's relationship or reputation with its local communities, as evidenced by substantiated complaints from residents, residents' groups, local authority representatives or the police'. 96 cases were dealt with by a Summary Disciplinary Panel managed by the Division of Campus Life during the 2017-18 academic year. All the cases involved Undergraduate students; a further breakdown by gender/ethnicity is given below.

	F	M	White	BME	International	Not released	Total
Off Campus Misconduct	47	49	81	7	8		96

83 of the 96 students (86%) were found to be in breach of the Regulation, with all receiving a warning and/or being required to give an undertaking as to future good behaviour. In addition, two students were required to pay a fine/compensation.

The intention in future is to also report on discipline cases handled by Residential Services, for example in respect of misconduct occurring in halls. The Division of Campus Life will work with Residential Services so that this data can be captured for inclusion in future Senate Reports.

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 Teaching and Learning Support Office requests data from Schools on the cases heard by them for inclusion in this report. The data collected from the Schools that responded is detailed below; two Schools did not respond and so the figures represent only a partial picture.⁸

Type of Misconduct

	Study Abroad/CPD/PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%
Collusion		18	36	20	34	16	5	33		54	16
Plagiarism	1	129	101	128	103	38	22	171		231	70
Non-specified academic misconduct	3	4	23	27	3	14	8	8		30	9
Non-academic misconduct	1	1	6	2	6	3	3	2		8	2
Other/not specified		6		3	3			6		6	2
Total	5	158	166	180	149	71	38	220		329	

Outcome of School misconduct cases

Outcome	Study Abroad/CPD/PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%
Guilty	5	150	142	162	135	62	34	201		297	90
Not Guilty		3	24	16	11	9	4	14		27	8
Other e.g. ongoing at 1/10/2018		5		2	3			5		5	2
Total	5	158	166	180	149	71	38	220		329	

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

	Study Abroad/CPD/PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%
Reprimand & Warning	1	14	16	12	19	6	4	21		31	10
Mark Reduction	2	44	53	65	34	30	11	58		99	33
Mark of Zero for Specific Piece of Work or Unit	2	91	73	85	81	25	19	122		166	56
Requirement to undertake a piece of work connected to the offence		1			1	1				1	<1
Total	5	150	142	162	135	62	34	201		297	

Appeals against conduct and discipline decisions

Students may appeal decisions relating to conduct and discipline in accordance with Regulation XVII, paragraphs 32-38. 32 students submitted disciplinary appeals during 2017-18, an increase from the figure of 18 in 2016-17.

The person or body dealing with an appeal varies depending on where the original case was heard. The ongoing review of Regulation XVII and its associated procedures will be looking at rationalising the routes of appeal, but the data below represents all disciplinary appeals dealt with during the 2017-18 academic year, irrespective of where the original case was heard.

Outcome of Disciplinary Appeals

	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%	% 2016/17
Original decision upheld	2	11	13	10	16	7	4	15		26	81	89
Original decision altered		4	2	2	4	1		5		6	19	11
Total	2	15	15	12	20	8	4	20		32		

Where the original decision was altered at appeal stage, four cases were referred back for reconsideration, one was settled without the appeal needing to proceed as the student was given a further assessment attempt by the Examination Board, and one was dismissed entirely as it transpired that the individual involved was not a registered student at the time the incident occurred (he was on interruption of studies, although this was applied retrospectively which is why action was initially taken against him).

⁸ Data is outstanding from the School of Arts, Languages and Cultures, and the School of Chemical Engineering and Analytical Science.

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 Practise⁹

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 2017/18 academic year.

Number of Fitness to Practise Cases

School (Division)	UG	PGT	F	M	White	BME	International	Not released	Total 2017/18	Total 2016/17
Medical Sciences (Medical Education)	11		3	8	1	6	4		11	9
Health Sciences (Nursing, Midwifery and Social Work)		1		1			1		1	1
Health Sciences (Pharmacy and Optometry)	2		1	1		2			2	
Total	13	1	4	10	1	8	5		14	10

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	Not released	Total 2017/18	Total 2016/17
Case dismissed		1		1			1		1	1
Continue with advice and guidance	5		2	3		5			5	6
Continue under close supervision	2		1	1			2		2	
Expulsion	3			3	1	2			3	1
Undertake further study e.g. repeat/bespoke year	3		1	2		1	2		3	2
Total	13	1	4	10	1	8	5		14	10

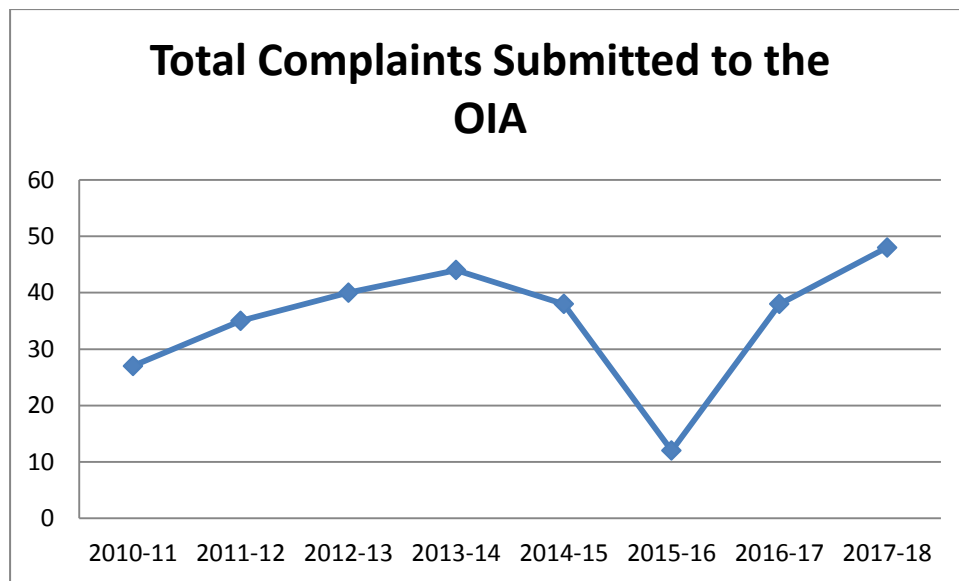
Appeals against a decision of a Fitness to Practise Committee can be made on the grounds of disproportionate outcome, procedural irregularity and/or the availability of new evidence. During the 2017-18 academic year, appeals were submitted to the Teaching and Learning Support Office by the three students who had been expelled, although only one case had been concluded by the end of the academic year. In that case, the Fitness to Practise Appeals Committee upheld the student's expulsion.

The other two appeal cases took longer to reach a conclusion partly due to the engagement by the students of legal assistance. There are plans to review the appeals stage of the Fitness to Practise Procedure with the aim of ensuring that cases are brought to a swifter conclusion, and that there is equity between students who can afford to engage legal assistance and those who cannot.

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.

⁹ 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 by the Office for Students 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 Director of Teaching and Learning Support is the University's point of contact for the OIA.

The number of complaints made by students to the OIA rose from 38 in 2016-17 to 48 in 2017-18. The anomaly seen during the 2015-16 academic year can be attributed to the OIA changing its timeframe for complaint submission from three months to twelve months.

2017/18 OIA Complaints

	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	2016/17
Total	5	16	27	22	26	16	14	18		48	38
Percentage	10	33	56	46	54	33	29	38			

Outcome

	PGR	PGT	UG	F	M	White	BME	International	Not released	Total	%	% 2016/17
Justified										0	0	0
Partly Justified		1	1	1	1	2				2	4	5
Not Justified	3	11	12	13	13	9	7	10		26	54	71
Not Eligible	1		6	2	5	4	1	2		7	15	8
Withdrawn/settled			6	1	5	1	3	2		6	13	11
Ongoing as at 01/01/2019	1	4	2	5	2		3	4		7	15	5
Total	5	16	27	22	26	16	14	18		48		

None of the cases submitted to the OIA during the 2017/18 academic year were found to be Justified, although two were found to be Partly Justified. In the first of these cases, the OIA recommended £500 compensation for distress and inconvenience caused by the University's handling of the student's complaint and that the University takes action to ensure that adequate records of complaints meetings are kept. In the second case, the OIA recommended a £300 refund of tuition fees due to the non-delivery of classes and £400 for distress and inconvenience caused by the University's handling of the student's complaint. Failings identified included communication issues during the consideration of the complaint, for example the OIA considered that the student had not been appropriately signposted to the formal complaints procedure or the OIA scheme.

During 2017/18 the OIA ran a consultation, to which the University contributed, on a proposed new chapter of its 'Good Practice Framework for Handling Complaints and Academic Appeals'. The new chapter concerns disciplinary procedures and was published in October 2018. It will inform the way that the OIA considers complaints relating to disciplinary matters from the 2019/20 academic year and has been taken into account in the ongoing review of Regulation XVII (Conduct and Discipline of Students).

Profile of Student Population

2017-18

Total number of students 1/12/2017

	Grand Total	Home Students													
		UGRD		PGDT		PGDR		International (incl. EU)		White		Ethnic Minority		Ethnicity Not Known	
			%		%		%		%		%		%		%
Faculty of Science and Engineering	12193	8270	67.8	2182	17.9	1741	14.3	6341	52.0	4282	35.1	1551	12.7	19	0.2
Faculty of Humanities	16545	11158	67.4	4378	26.5	1009	6.1	6110	36.9	8232	49.8	2181	13.2	22	0.1
Faculty of Biology, Medicine and Health	11611	8080	69.6	2383	20.5	1148	9.9	2035	17.5	6467	55.7	3085	26.6	24	0.2
Grand Total	40349	27508	68.2	8943	22.2	3898	9.7	14486	35.9	18981	47.0	6817	16.9	65	0.2

