

The University of Manchester

Annual Report of Student Appeals, Student Complaints and Student Discipline Cases 2020-21¹

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 overall number of cases across the different Regulations represents a small proportion of the total student population (2.37% in 2020-21 rising from 1.44% in 2019-20).

The academic year 2020-21 has been an extraordinary year due to COVID-19 which resulted in a number of challenges for the whole sector. Early in the academic year, we saw the introduction of the national Tiers system and the legal limitations on the number of people allowed to meet together within prescribed groupings (bubbles). In addition, with a lot of teaching being delivered remotely, our students spent a lot of time in their accommodation. These restrictions resulted in a significant increase in the number of residences disciplinary cases from 313 in 2019-20 to 1404 in 2020-21. We also experienced a significant increase in the number of academic malpractice cases received in Faculties following the move to online assessment. These increased from 120 in 2019-20 to 440 in 2020-21. The significant increase in activity and no additional staffing resource to respond, meant that at times, despite their best efforts, case handlers were unable to meet the prescribed deadlines for providing a response.

In relation to academic appeals after three years of a continual decrease in the number of cases in 2020-21 we saw a marked increase from 262 to 383 but this is still lower than the peak of 409 received in 2017-18. The number of formal complaints also rose significantly from 113 in 2019-20 to 182 in 2020-21.

These rises in case numbers can be attributed to the impact on the student experience of the COVID-19 pandemic and also reflects the position in other institutions.

The number of formal appeals received by Faculties saw a change of distribution in 2020-21. For a number of years the Faculty of Biology, Medicine and Health (BMH) received the highest number of formal appeals at its highest receiving 59% of all appeals. In 2020-21 the Faculty of Science and Engineering (FSE) received the highest number of appeals with 38%. The percentage of appeals received in BMH continued to fall to 33% from 44% in 2019-20.

There has been a significant decrease in the number of students submitting cases to the Office of the Independent Adjudicator (OIA): 38 cases in 2020-21 compared with 104 cases in 2019-20 and 57 in 2018/19. The large increase in 2019-20 was chiefly due to a large number of students (44) attempting to take complaints to the OIA regarding the impact of industrial action and/or COVID-19 without first completing the University's internal procedures. In 2020-21 the OIA found all of the complaints they received about the University of Manchester to be Not Justified. However, of the 13 cases ongoing from 2019-20 they one case to be justified and four others to be Partly Justified.

In response to a number of the issues highlighted in the report, a number of actions should be noted.

- The Conduct and Discipline team have introduced a new 'fast-track' discipline route in part as a response to the large increase in academic malpractice cases.
- An 'Assessment for the Future' project has been established to review the academic malpractice increase and measures that could be adopted University wide to minimise this.
- The Faculty of Biology Medicine and Health have amended the Fitness to Practise Procedures so that cases can now be referred to both School and Faculty hearings, depending on their severity, with appeals now usually being a document-based review by a panel to prevent this stage of the process being a rehearing of the case.

¹ Presented to Senate in January 2022

- In 2021-22 the Academic Appeals Procedure will be reviewed to improve process flows and to promote consistency of handling across the University

Further updates on the impact of these 'lessons learnt' will be included in future reports to Senate,

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

Section 2: Summary of cases considered during 2020-21

	Academic Appeals	Complaints ²	Conduct and Discipline ³	Fitness to Practise	Failed to complete University Procedures	Total	2019/20
Formal Stage Cases	383	182	306	13	0	884	505
Review Stage Cases	31	16	84	1	0	132	87
OIA complaints	13	19	6	0	1	39	104
						1055 ⁴	696

	Complaints	Conduct and Discipline	Total	2019/20
Residences	55	1404	1459	370

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

The following table shows the Faculty specific data as a percentage breakdown of cases in relation to the total student population in each of the three Faculties. In all cases this relates to no more than 2.5 percent of the total student population in that area.

	Population	Formal complaints		Academic Appeals		Conduct & Discipline	
		Number	%	Number	%	Number	%
FSE	12249	38	0.31%	126	1.03%	306	2.50%
FHUMS	19466	111	0.57%	111	0.57%	67	0.34%
FBMH	12649	33	0.26%	146	1.15%	67	0.53%
Total	44364	182	0.41%	383	0.86%	440	0.99%

The largest percentage increase from 2019-20 is in FSE for Conduct & Discipline rising from 0.24% last year to 2.5% this year (as noted in the Executive Summary). This related to the increase in academic misconduct cases following the move to online assessment.

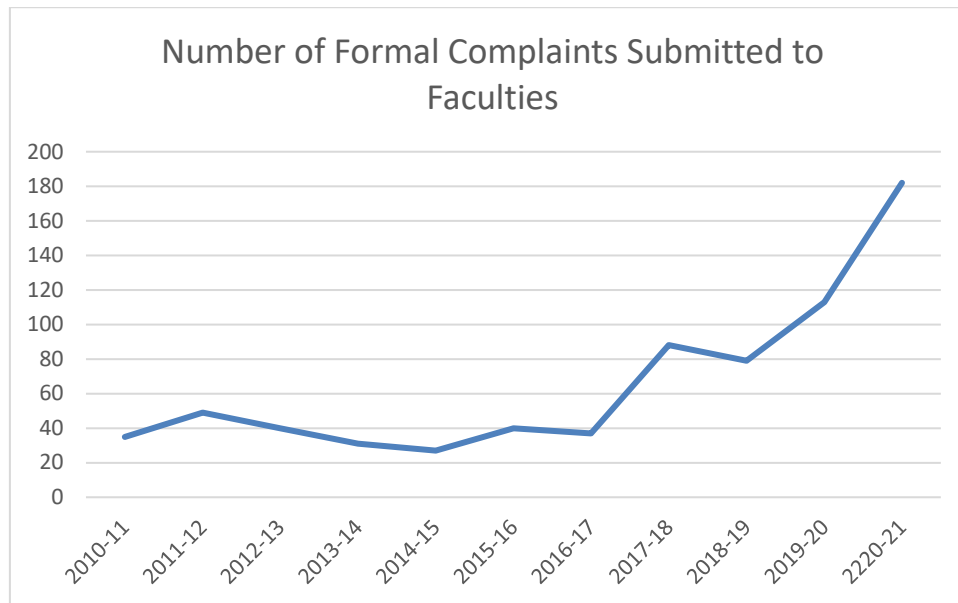
² The 'Formal Stage' case figures for complaints include Regulation XVIII Complaints submitted to Faculties, but not complaints made directly to Residential Services.

³ The 'Formal Stage' case figures for conduct and discipline include Regulation XVII cases dealt with by Faculties, the University Disciplinary Panel or the Exams Team, but not other areas of the University e.g. Residential Services.

⁴ In 2019-20 the number of cases was 696, in 2018-19 the number was 662 and in 2017-18 the total number of cases was 818

Section 3: Commentary on Student Complaints (Regulation XVIII)

Formal Complaints submitted to Faculties



Overall

Total 2020/21	182
Total 2019/20	113
Total 2018/19	79
Total 2017/18	88
Total 2016/17	37

Number of Complaints

Faculty	PGR	PGT	UG	F	M	U	White	BME	Not Known	Total	%	%	%
												19/20	18/19
FSE	7	2	24	9	24	0	18	15	0	38	21	20	32
FHUMS	6	39	66	64	46	1	83	27	1	111	61	51	30
FBMH	4	15	19	20	18	0	12	26	0	33	18	29	38
Total	17	56	109	93	88	1	113	68	1	182			

Type of Complaint

	PGR	PGT	UG	F	M	U	White	BME	Not known	Total	%	%	%
												19/20	18/19
Academic provision/progress	2	8	27	22	15	0	24	13	0	37	20	25	4
Facilities/services	2	7	7	7	8	1	10	5	1	16	9	49	35
Harassment, discrimination, bullying	6	12	8	10	16	0	6	20	0	26	14	17	35
Supervision	2	1	1	2	2	0	2	2	0	4	2	3	9
COVID-19	0	18	38	36	20	0	40	16	0	56	31	0	0
Industrial Action	0	5	6	4	7	0	11	0	0	11	6	0	0
Other	5	5	22	12	20	0	20	12	0	32	18	6	17
Total	17	56	109	93	88	1	113	68	1	182			

There had been an increase in formal complaint numbers during the 2019-20 academic year due to Industrial Action and COVID-19. This continued into the 2020-21 academic year in respect of COVID-19.

Outcome of Complaint

Outcome	PGR	PGT	UG	F	M	U	White	BME	Not known	Total	%	% 19/20	% 18/19
Complaint upheld or partially upheld	4	7	11	12	10	0	13	9	0	22	12	16	19
Complaint dismissed	9	38	74	60	61	0	83	38	0	121	66	66	59
Ongoing at 1/10/2020	3	6	16	14	10	1	12	12	1	25	14	6	17
Withdrawn by student	0	3	3	2	4	0	1	5	0	6	3	6	0
Referred to another part of the University	1	2	5	5	3	0	4	4	0	8	4	4	5
Other	0	0	0	0	0	0	0	0	0	0	0	2	0
Total	17	56	109	93	88	1	113	68	1	182			

Resolution of Complaints

Resolution	PGR	PGT	UG	F	M	U	White	BME	Not known	Total	%	% 19/20	% 18/19
Apology/Explanation	0	0	4	1	3	0	3	1	0	4	2	15	20
Compensation/financial redress	2	4	4	5	5	0	6	4	0	10	5	4	7
Other	15	52	101	87	80	1	104	63	1	168	92	81	73
Total	17	56	109	93	88	1	113	68	1	182			

In 2020-21 academic year, ten cases resulted in compensation at the Faculty stage, an increase from four cases the previous year.

Accommodation Complaints

Whilst many Regulation XVIII complaints are submitted via Faculties, complaints regarding accommodation are submitted directly to Residential Services. In 2020-21 complaints to Residential Services decreased from 57 to 54.

Total 2020/21	54
Total 2019/20	57
Total 2018/19	46
Total 2017/18	53

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	% 2020/21	% 2019/20	% 2018/19
Financial Complaints	1	0	0	1	2	2	2
Maintenance Issues	2	11	20	33	61	31	24
Safety and Security	0	0	0	0	0	0	2
Fallowfield Development	0	0	0	0	0	2	0
Reception Service	0	0	0	0	0	0	4
ResLife Service	0	0	0	0	0	2	2
Infestation	0	2	3	5	9	9	16
Other Domestic Issues	1	3	5	9	17	4	11
Multiple/Other Issues	0	0	2	2	4	39	39
COVID-19	1	0	3	4	7	11	0
Total	5	16	33	54			

A total of £678 was paid as compensation in respect of accommodation complaints during the 2020-21 academic year. Other upheld complaints resulted in a variety of maintenance issues being resolved.

Total 2020/21	£678
Total 2019/20	£623
Total 2018/19	£1,272
Total 2017/18	£2,540

Review of Faculty (or equivalent) decision⁵

16 students (compared with 13 in 2019-20) requested a review of their complaints by the Director of Teaching, Learning and Student Development, in accordance with Regulation XVIII, Section E.

Outcome of Review

Outcome	PGR	PGT	UG	F	M	White	BME	Not known	Total	%	% 2019/20	% 2018/19
Decision upheld fully	1	5	7	5	8	8	4	1	13	81	69	82
Decision altered	1	1	1	3	0	1	2	0	3	19	31	18
Total	2	6	8	8	8	9	6	1	16			

Total 2020/21	16
Total 2019/20	13
Total 2018/19	22
Total 2017/18	20

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

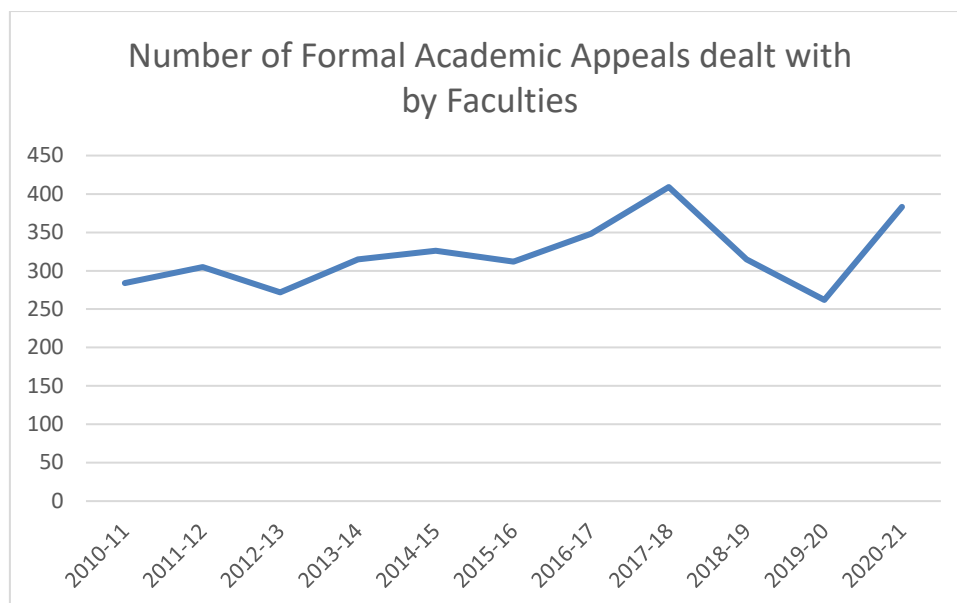
- Compensation of £3,250 and a requirement for DASS to work with the School and Doctoral Academy on procedural improvements
- Compensation of £1250 with an option to audit units during semester two
- Compensation of £3,000 for the cancelation of clinics.

The Division of Teaching, Learning and Student Development also reviews complaints against the Students' Union which have been dealt with under the Students' Union Code of Practice. One review requests in relation to such complaints was received during the 2020-21 academic year, of which the original decision was fully upheld.

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.

⁵ The review figures include reviews of all formal complaints, including those dealt with initially by Residential Services.

Section 4: Commentary on Academic Appeals (Regulation XIX)



Overall

Total 2020/21	383
Total 2019/20	262
Total 2018/19	315
Total 2017/18	409
Total 2016/17	348

Total Number of Academic Appeals

Faculty	PGR	PGT	UG	F	M	White	BME	Not known	Total	%	% 19/20	% 18/19
FSE	11	25	90	33	93	37	88	1	146	38	74	74
FHUMS	4	49	58	49	62	32	60	19	111	29	74	83
FBMH	3	21	122	89	57	51	95	0	126	33	114	158
Total	18	95	270	171	212	120	243	20	383		262	315

2020-21 saw an increase in the total number of formal appeals received by Faculties after two years of steadily decreasing numbers, which may be in part as a result of the introduction of the Assessment Pledge in response to COVID-19. For a number of years the Faculty of Biology, Medicine and Health (BMH) received the highest number of formal appeals at its highest receiving 59% of all appeals. In 2020-21 the Faculty of Science and Engineering (FSE) received the highest number of appeals with 38%. The percentage of appeals received in BMH continued to fall to 33% from 44% in 2019-20.

In previous years the above data has been reported as White, UK-BME and International students. In 2019-20 we reported that UK BME students made up 17.6% of the student population but constituted 27% of appellants whilst International students make up 39.5% of the student population but constituted 33% of appellants. The comparison for 2020-21 is below.

Faculty	UK Students		International (all ethnic groups)
	White	BME	
FSE	27	26	73
FHUMS	24	12	57
FBMH	40	51	54
Total	91	89	184
% appeals	25.0%	24.5%	50.5%
% all students ⁶	35.7%	35.3%	29.0%

⁶ See Appendix 1

In 2020-21 all international students regardless of ethnicity made up 29% of the student population but constituted 50.5% of appellants – a significant increase on 2019-20. Whereas the split between UK White and BME students showed no difference in the likelihood to appeal based on population size.

We have previously reported on the difference in appeal outcomes between white and BME home students and International students. The position for 2020-21 continues to show the changes first identified last year. The following table shows the comparator data for 2018-19 to 2020-21.

% appeals upheld	2018-19	2019-20	2020-21
UK - White	51%	34%	26%
UK - BME	37%	41%	32%
International -all	26%	38%	41%

Decision Appealed Against

	PGR	PGT	UG	F	M	White	BME	Not known	Total	%	% 19/20	% 18/19
Degree Classification/ Qualification Awarded	2	16	56	28	46	31	40	3	74	19	31	24
Exclusion due to academic failure	4	11	39	25	29	18	32	4	54	14	23	30
Exclusion due to work and attendance	0	1	3	2	2	0	3	1	4	1	<1	1
Other decision of Board of Examiners/Progress Committee or not recorded	12	68	172	116	135	71	168	13	252	66	46	45
Total	18	95	270	171	212	120	243	20	383			

Appealing against a degree classification or the qualification awarded continues to be 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	Not known	Total	%	% 19/20	% 18/19
Mitigating Circumstances	11	73	216	138	162	88	197	15	300	78	82	84
Procedural Irregularity	5	16	38	24	35	22	33	4	59	15	11	10
Bias	1	2	13	6	10	8	7	1	16	4	4	3
Poor Supervision	1	4	3	3	5	2	6	0	8	2	3	3
Total	18	95	270	171	212	120	243	20	383			

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'.

Outcome of Appeal

	PGR	PGT	UG	F	M	White	BME	Not known	Total	%	% 19/20	% 18/19
Dismissed - invalid grounds	1	17	48	31	35	19	46	1	66	17	15	18
Dismissed - no substance	5	18	78	30	71	28	70	3	101	26	30	32
Ongoing at 01/10/2020	2	22	26	25	25	17	27	6	50	13	13	9
Upheld/Upheld and referred back to School for review of decision	8	28	101	72	65	46	89	2	137	36	36	33
Withdrawn/Not Pursued	2	10	17	13	16	10	11	8	29	8	6	8
Total	18	95	270	171	212	120	243	20	383			

The number of appeals dismissed on the basis that they are invalid, as allowed for by paragraph 5 of Regulation XIX, saw a small increase in 2020-21 to 17% following a steady decrease from a high of 28% in 2017-18. 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, the 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).

114 out of the 137 upheld appeals (83%) were made on the ground of mitigating circumstances. 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 the evidence had been made available earlier.

Review of Faculty Decision

31 students requested a review of their academic appeal (Regulation XIX, paragraph 10) by the Director of Teaching, Learning and Student Development during the 2020-21 academic year.

Total 2020/21	31
Total 2019/20	39
Total 2018/19	31
Total 2017/18	41
Total 2016/17	42

Number of Faculty Appeals Reviewed

Faculty	PGR	PGT	UG	F	M	White	BME	Not known	Total	%	% 19/20	% 18/19
FBMH	0	1	2	3	0	3	0	0	3	10	13	23
FSE	1	2	12	2	13	6	9	0	15	48	62	29
FHUM	2	7	4	5	8	0	8	5	13	42	25	45
Cliff College	0	0	0	0	0	0	0	0	0	0	0	3
Total	3	10	18	10	21	9	17	5	31			

Outcome of Review

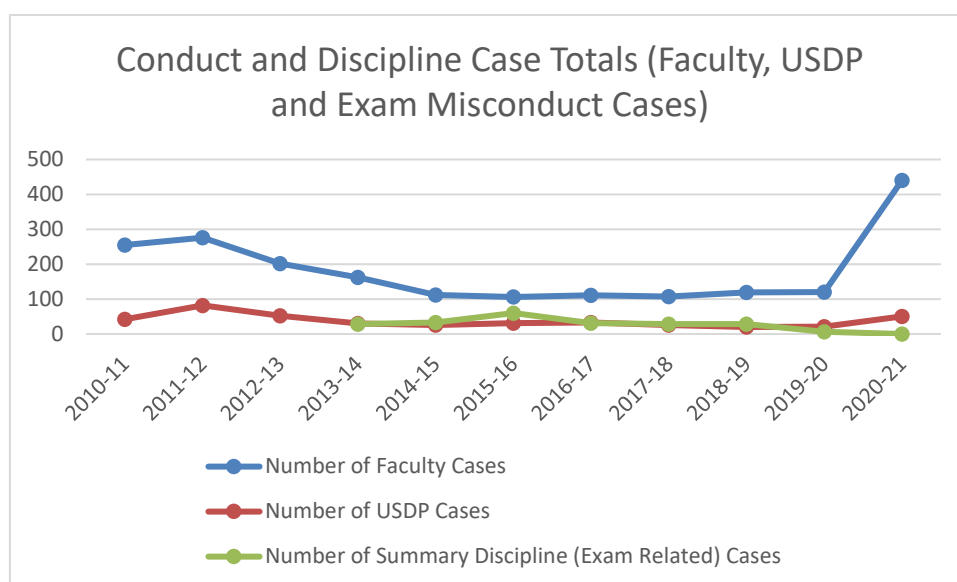
	PGR	PGT	UG	F	M	White	BME	Not Known	Total	%	% 19/20	% 18/19
Decision upheld fully	3	9	15	8	19	7	16	4	27	87	74	84
Decision altered	0	1	2	2	2	2	1	1	4	13	26	16
Total												

There was a decrease in the number of cases that were taken to review stage in 2020-21. The percentage of claims that resulted in the previous decision being altered in some way, reduced from 26% in 2019-20 to 13% in 2020-21. In all four cases, the alteration took the form of a recommendation that Schools were asked to reconsider the case.

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 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. The Student Conduct and Discipline Committee, chaired by the Vice-President for Teaching, Learning and Students, maintains an overview of training for panel chairs, diversity of panel members, and issues arising from cases.



Overall

	2020/21	2019/20	2018/19	2017/18	2016/17
Faculties	440	120	119	107	111
University Disciplinary Panel (UDP)	50	21	20	26	33
Summary Disciplinary Panel (On campus Exam Misconduct)	0	6	28	28	31
Total	490	147	167	161	175

Faculty Cases

Total Number

Faculty	PGR	PGT	UG	F	M	White	BME	Not Known	Total	%	% 19/20	% 18/19
FSE	2	70	234	101	205	42	264	0	306	70	29	36
HUMS	3	17	47	30	37	14	53	0	67	15	45	24
BMH	0	5	62	45	22	27	40	0	67	15	46	40
Total	5	92	316	176	264	83	357	0	440			

Type of Misconduct

	PGR	PGT	UG	F	M	White	BME	Not Known	Total	%	% 19/20	% 18/19
Collusion	1	41	199	92	149	31	210	0	241	55	15	13
Plagiarism	4	50	144	83	115	52	146	0	198	45	84	87
Fabrication/Falsification	0	0	0	0	0	0	0	0	0	0	1	0
Non Academic Malpractice	0	1	0	1	0	0	1	0	1	0	0	0
Total	5	92	343	176	264	83	357	0	440			

In 2020-21 the number of Faculty cases rose significantly from 120 to 440. The move to online delivery and assessment in response to COVID-19 contributed to the considerable increase in malpractice cases. Whilst plagiarism remains the largest proportion of cases dealt with at Faculty level, the number of collusion cases also rose significantly.

There has also been a significant change across the demographics, where last year white students were the slightly more likely demographic of students to be involved in instances of academic malpractice, in 2020-21 81% of students accused of academic misconduct were BME students.

Outcome of Faculty Misconduct Cases

Outcome	PGR	PGT	UG	F	M	White	BME	Not known	Total	%	% 19/20	% 18/19
Accusation withdrawn	0	1	3	2	2	1	3	0	4	1	2	2
Guilty	3	53	271	131	196	68	259	0	327	74	108	88
Not Guilty	1	38	52	35	56	9	82	0	91	21	8	6
Other e.g. ongoing at 1/10/2019, outcome not reported	1	0	15	7	9	4	12	0	16	4	2	4
Referred to School or UDP	0	0	2	1	1	1	1	0	2	0	0	0
Total	5	92	343	176	264	83	357	0	440			

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

	PGR	PGT	UG	F	M	White	BME	Not known	Total	%	% 19/20
Reprimand & Warning	0	8	40	19	29	4	44	0	48	15	48
Mark Reduction	1	18	91	51	59	38	72	0	110	34	28
Mark of Zero for Specific Piece of Work or Unit	2	25	139	61	105	26	140	0	166	51	33
Other	0	2	0	0	2	0	2	0	2	1	0
Penalty not reported	0	0	1	0	1	0	1	0	1	<1	11
Total	3	53	251	131	196	68	259	0	327		

74% of students whose academic malpractice cases were referred to a Faculty were found guilty, and most of these were either given a mark of zero for the specific piece of work or course unit in which the unfair practice occurred or had their original mark reduced.

University 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 Disciplinary Panel. These panels are organised by the Division of Campus Life. The membership of each panel is drawn from a list of colleagues nominated by each Faculty and approved by the Student Conduct and Discipline Committee. Faculties are asked to ensure diversity in the nominations put forward.

Total Number

Faculty	PGR	PGT	UG	F	M	White	BME	Not known	Total	%	% 19/20	% 18/19
FSE	1	0	17	2	16	7	11	0	18	36	7	10
FHUMS	1	0	16	8	9	7	10	0	17	34	11	60
FBMH	0	5	10	10	5	2	13	0	15	30	3	30
Total	2	5	43	20	30	16	34	0	50			

Type of Misconduct

Type of Misconduct	PGR	PGT	UG	F	M	White	BME	Not known	Total	%	% 19/20	% 18/19
Academic malpractice	0	5	25	15	15	3	27	0	30	60	67	70
Non-academic misconduct (or both academic and non-academic)	2	0	18	5	15	13	7	0	20	40	33	30
Total	2	5	43	20	30	16	34	0	50			

Outcome of UDP cases

Outcome	PGR	PGT	UG	F	M	White	BME	Not known	Total	%	% 19/20	% 18/19
Guilty	2	0	34	15	21	10	26	0	36	72	13	100
Not guilty	0	0	2	0	2	1	1	0	2	4	3	0
Student withdrew	0	1	1	0	2	1	1	0	2	4	2	0
Ongoing	0	4	6	5	5	4	6	0	10	20	3	0
Total	2	5	43	20	30	16	34	0	50			

Where a student is found guilty by the UDP, penalties tend to be more severe than for cases dealt with at a lower level. Two students were expelled during 2020-21 following a UDP.

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 Exams Team in the Division of Student Admissions and Administration.

There were no cases reported in 2020-21 as all examinations took place online as a consequence of COVID-19.

Summary Discipline (Non Exam Misconduct) Cases

In 2020-21 a number of Summary Disciplinary Panels were organised by the Division of Campus Life.

Total Number

Faculty	PGR	PGT	UG	F	M	White	BME	Not known	Total	%
FSE	1	9	16	9	17	22	4	0	26	15
FHUMS	0	11	101	59	53	86	26	0	112	65
FBMH	0	5	28	21	12	26	7	0	33	19
Total	1	25	145	89	82	134	37	0	171	

Type of Misconduct

Type of Misconduct	PGR	PGT	UG	F	M	White	BME	Not known	Total	%
Behaviour	0	2	10	3	9	7	5	0	12	7
COVID Breach	0	23	117	81	59	114	26	0	140	82
Criminal Offence/Damage	0	0	9	0	9	7	2	0	9	5
Theft/Dishonesty	1	0	2	0	2	1	1	0	2	1
Other	0	0	8	5	3	5	3	0	8	5
Total	1	25	145	89	82	134	37	0	171	

Outcome of SDP cases

Outcome	PGR	PGT	UG	F	M	White	BME	Not known	Total	%
Guilty	1	7	49	17	40	42	15	0	57	34
Not guilty	0	0	0	0	0	0	0	0	0	0
Cancelled	0	0	2	2	0	1	1	0	2	1
Referred to UDP	0	4	24	23	5	23	5	0	28	16
No action required	0	0	3	1	2	2	1	0	3	2
Warning Letter	0	14	65	46	33	65	14	0	79	46
Ongoing	0	0	2	0	2	1	1	0	2	1
Total	1	25	145	89	82	134	37	0	171	

Discipline (Residential Services) Cases

This is the third year this dataset has been included in the Senate Report. The Division of Residential Services undertakes discipline cases in respect of misconduct in halls. There has been a significant increase in the number of cases due to the COVID-19 pandemic and student behaviour in halls whilst restrictions were in place. Data for 2020-21 is detailed below.

	PGT	UG	F	M	White	BME	Total 20/21	%	% 19/20	% 18/19
Antisocial behaviour	5	252	125	132	190	67	257	18	20	14
Damage to premises	0	43	20	23	28	15	43	3	3	1
Drugs or use of banned substances	1	107	38	70	85	23	108	8	29	39
Physical/verbal aggression to staff or students	0	13	5	8	7	6	13	1	2	3
Prohibited items (pets, candle, incense, cooking, multiple occupancy)	2	8	7	3	4	6	10	1	3	4
Racist/offensive behaviour	0	0	0	0	0	0	0	0	0	1
Smoking/fire alarm activation/tampering	7	324	148	183	237	94	331	24	43	38
Breaching COVID-19 regulations	1	400	209	192	311	90	401	29	0	0
Behaviour endangering others	12	213	114	111	170	55	225	16	0	0
Subletting/Occupying vacant building	5	11	6	10	8	8	16	1	0	0
Total	33	1371	672	732	1040	364	1404			

Total 2020/21	1404
Total 2019/20	313
Total 2018/19	404

Of the 1404 cases 569 (41%) were found not to have breached the regulations following the disciplinary hearing compared with 6% of all hearings in 2019-20. Of those found to be in breach 1 student was expelled from their accommodation compared to none in 2019-20 and 2 in 2018-19.

Fines totalling £70,350 were issued during 2020-21 compared to £23,610 in 2019-20 and £44,365 in 2018-19 – £22,425 of which related to drug related offenses, £19,225 related to smoking or tampering with a fire alarm and £22,500 related to breaching COVID-19 regulations. All fines are reinvested to support student life in our halls or to provide additional hardship funds.

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 TLSD requests data from Schools on the cases heard by them for inclusion in this report. The data collected from Schools is detailed below.⁷

Type of Misconduct	Study Abroad/CPD/PGR	PGT	UG	F	M	White	BME	Not known	Total	%	% 19/20	% 18/19
Collusion	0	61	240	115	186	72	229	0	301	37	12	9
Plagiarism	1	217	244	300	162	96	364	2	462	57	82	73
Non-specified academic misconduct	0	9	2	7	4	2	9	0	11	1	1	15
Non-academic misconduct	0	3	17	1	19	11	9	0	20	2	1	1
Other/not specified	0	3	7	8	2	1	9	0	10	1	4	2
Contract Cheating	0	1	1	1	1	0	2	0	2	<1	0	0

⁷ It should be noted that only formal cases are included in these figures – where a student has received an informal warning or feedback without the need for the case to proceed to a full hearing, then this has not been captured.

Total	1	294	511	432	374	182	622	2	806			
Total 2020/21	806											
Total 2019/20	417											
Total 2018/19	421											

Outcome of School misconduct cases

Outcome	Study Abroad/CPD/PGR	PGT	UG	F	M	White	BME	Not known	Total	%	% 19/20	% 18/19
Guilty	1	225	403	342	287	153	474	2	629	79	85	86
Not Guilty	0	69	104	87	86	26	147	0	173	21	12	12
Other e.g. ongoing at 1/10/2020	0	0	4	3	1	3	1	0	4	<1	3	2
Total	1	294	511	432	374	182	622	2	806			

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

	Study Abroad/CPD/PGR	PGT	UG	F	M	White	BME	NK	Total	%	% 19/20	% 18/19
Reprimand & Warning	0	11	41	25	27	16	36	0	52	8	30	31
Mark Reduction	0	72	81	99	54	36	115	2	153	24	18	22
Mark of Zero for Specific Piece of Work or Unit	1	142	276	215	204	100	319	0	419	67	50	44
Requirement to undertake a piece of work connected to the offence	0	0	0	0	0	0	0	0	0	0	0	2
Suspension	0	0	0	0	0	0	0	0	0	0	<1	<1
Other/ Not recorded	0	0	3	3	0	1	2	0	3	<1	2	1
Total	1	225	401	342	285	153	472	2	627			

Appeals against conduct and discipline decisions

Students may appeal decisions relating to conduct and discipline in accordance with Regulation XVII. 84 students submitted disciplinary appeals during 2020-21 compared to 33 students in 2019-20.

The person or body dealing with an appeal varies depending on where the original case was heard. The data below represents all disciplinary appeals dealt with during the 2020-21 academic year, irrespective of where the original case was heard.

Outcome of Disciplinary Appeals

	PGR	PGT	UG	F	M	White	BME	Not known	Total	%	Total	% 19/20	% 18/19
Original decision upheld	1	8	60	22	47	27	42	0	69	82	29	88	64
Original decision altered	0	4	10	5	9	8	6	0	14	17	4	12	36
Ongoing	0	0	1	1	0	0	1	0	1	1	0	0	0
Total	1	12	71	28	56	35	49	0	84		33		

Total 2020/21	84
Total 2019/20	33
Total 2018/19	22
Total 2017/18	32

Of the 84 cases, 34 cases related to appeals against accommodation decisions – of which seven had their original decision altered. 42 cases related to appeals against Summary Disciplinary Committees relating to academic malpractice six of which had their original decision altered. The remaining eight cases relating to appeals against a University Disciplinary Committee one of which had the original decision partly altered.

Where the original decision was altered at appeal stage, five cases were referred back for reconsideration.

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 Practise⁸

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. Cases can arise for a variety of reasons, which often relate to matters of health and professional conduct. The Fitness to Practise procedure was amended in 2020/21 which allowed for a BMH School Concern Review Panel the power to refer a student to a Fitness to Practise Committee at either School or Faculty level. Details of the School level panels are reported in a separate table below.

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 2020-21 academic year.

Number of Faculty held Fitness to Practise Cases

School (Division)	UG	PGT	F	M	White	BME	Not known	Total 20/21	Total 19/20	Total 18/19
Medical Sciences (Medical Education)	10	0	3	7	3	7	0	10	4	10
Medical Sciences (Dentistry)	0	0	0	0	0	0	0	0	2	0
Health Sciences (Nursing, Midwifery and Social Work)	1	0	0	1	1	0	0	1	3	8
Health Sciences (Pharmacy and Optometry)	2	0	0	2	0	2	0	2	1	0
Total	13	0	3	10	4	9	0	13	10	18

Total 2020/21	13
Total 2019/20	10
Total 2018/19	18
Total 2017/18	14
Total 2016/17	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	Not known	Total 20/21	Total 19/20	Total 18/19
Case dismissed	4	0	1	3	2	2	0	4	2	1
Continue with advice and guidance	1	0	1	0	0	1	0	1	1	6
Continue under close supervision									2	0
Expulsion	2	0	0	2	2	0	0	2	0	4
Undertake further study e.g. repeat/bespoke year	4	0	1	3	0	4	0	4	4	0
Interim findings/referred to further meeting									0	3
Suspended but allowed to continue at a later date	1	0	0	1	0	1	0	1	0	4
Student Withdrew	1	0	0	1	0	1	0	1	1	0
Total	13	0	3	10	4	9	0	13	10	18

⁸ Cases dealt with under the Procedure for a Committee on Fitness to Practise

Number of School held Fitness to Practise Cases

School (Division)	UG	PGT	F	M	White	BME	Not known	Total 20/21
Medical Sciences	20	3	8	15	10	13	0	23
Health Sciences	1	0	0	1	0	1	0	1
Total	21	3	8	16	10	14	0	24

Total 2020/21	24
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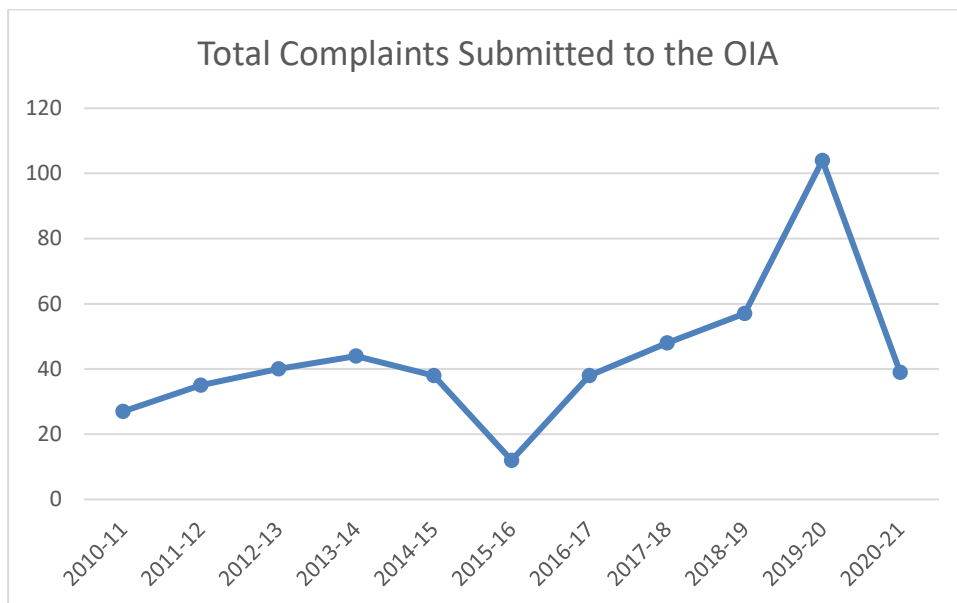
Outcome of Cases

Outcome	UG	PGT	F	M	White	BME	Not known	Total 20/21
Case dismissed	2	0	2	0	0	2	0	2
Continue with advice and guidance	13	3	6	10	8	8	0	16
Refer to Faculty PTPC	4	0	0	4	1	3	0	4
Expulsion	2	0	0	2	1	1	0	2
Total	21	3	8	16	10	14	0	24

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 2020-21 academic year, one appeal was submitted to the Division of Teaching, Learning and Student Development. The original decision of the Fitness to Practice panel was upheld at review. One appeal was referred to the Faculty of BMH following a School Fitness to Practice Panel. The original decision of the School FtP panel was upheld

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.

Section 7: Commentary on cases taken by students to the Office of the Independent Adjudicator (OIA)



The OIA is appointed 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 Division of Teaching, Learning and Student Development acts as the University's point of contact for the OIA.

The number of complaints made by students to the OIA saw a significant fall in 2020-21 from 104 to 39, however we should note that 44 of the cases submitted in 2019-20 were students attempting to take their case to the OIA about industrial action and/or COVID-19 before completing the University's procedures. It does however appear so show a reversal on the steady increase in cases considered by the OIA since 2016-17. The anomaly seen during the 2015-16 academic year can be attributed to the OIA changing its timeframe for complaint submission from 3 months to 12 months.

2020-21 OIA Complaints

	PGR	PGT	UG	F	M	White	BME	Not Known	Total	2019/20	2018/19	2017/18
Total	5	8	25	16	22	23	14	1	38 ⁹	104	57	48
%	13	21	66	42	58	60	37	3				

Outcome

	PGR	PGT	UG	F	M	White	BME	NK	Total	%	% 19/20	% 18/19	% 17/18
Justified	0	0	0	0	0	0	0	0	0	0	4	0	0
Partly Justified	0	0	0	0	0	0	0	0	0	0	2	7	4
Not Justified	1	3	5	4	5	5	4	0	9		24	40	54
Not Eligible	0	2	3	2	3	2	3	0	5		20	35	15
Withdrawn/settled	0	1	8	4	5	6	3	0	9	0	19	18	14
Ongoing as at 01/10/2021	4	2	9	6	9	10	5	0	15		12	10	15
Closed/terminated	0	0	0	0	0	0	0	0	0	0	19	0	0
Total	5	8	25	16	22	23	15	0	38				

None of the cases submitted to the OIA during the 2020-21 academic year were found to be either justified or partly justified.

In four of the cases where the University agreed to settle, we made the following offers to students as a result:

⁹ The OIA received one case from an applicant which is included in the 39. It was not eligible for consideration so is excluded from the above analysis.

- Two students had their £50 fine waived as an apology for the delay in considering their cases
- £1,165 refunded in respect of accommodation charges
- £1,500 compensation for the changes to the student's programme.

In the last report to Senate we reported that 13 cases were outstanding at the end of the 2019-20 academic year the OIA found on the cases as follows: -

	PGR	PGT	UG	F	M	White	BME	NK	Total	%
Justified	0	1	0	0	1	0	1	0	1	
Partly Justified	0	0	4	3	1	4	0	0	4	
Not Justified	2	1	3	3	3	3	3	0	6	
Not Eligible	0	0	0	0	0	0	0	0	0	
Withdrawn/settled	1	0	1	0	2	1	1	0	2	
Total	3	2	8	6	7	8	5	0	13	

One of the outstanding cases from academic year 2019-20 was found to be Justified, with a further four cases found to be Partly Justified.

In the Justified case the OIA made the following recommendations:

- Offer £24,003.84 to compensate for loss of earnings for one year. The OIA concluded that the University's delays in the appeals process ultimately led to the student losing a job opportunity, due to have started in Autumn 2020 (see case summary below)
- Offer £300 for the distress and inconvenience caused by the delay in the appeals process

In the Partly Justified cases the OIA made the following recommendations:

- Offer £714.77 tuition fee refund (returned to SFE) for lost teaching hours due to strike action
- Two offers of £202.35 tuition fee refund (returned to SFE) for lost teaching hours due to strike action
- Offer £244.85 tuition fee refund (returned to SFE) for lost teaching hours due to strike action

Case Summary

January 2019	Student Mitigating Circumstances application upheld
June 2019	Student Mitigating Circumstances application rejected and student exited from programme
July 2019	Student submitted informal appeal to School – rejected
September 2019	Student submitted formal appeal to Faculty
March 2020	Faculty issues interim findings letter with an offer of £300 for the delays
April 2020	Faculty issues a Completion of Procedure letter offering £1750 for the delays
September 2020	Student submits case to the OIA
August 2021	OIA complaint outcome deemed to be justified

The OIA noted that "the time taken to deal with the appeal far exceeded the timescales indicated in the Regulations, and we think that this delay ultimately led to [the student] losing [their] job offer. As such, we believe that the settlement offered by the University to [the student] (£1750) did not adequately take account of the impact of the lost job opportunity, in terms of lost earnings and career progression." The OIA recommended that the University should offer a total sum of £24,303.84, which comprised of £24,003.84 to compensate for the loss of earnings for one year, and £300 for the distress and inconvenience caused by the delay in the appeals process. The student accepted this offer.

**Profile of Student Population
2020-21**

Total number of students 1/12/2020

	Grand Total	UGRD		PGDT		PGDR		International (incl. EU)		UK Students					
			%		%		%	White		Ethnic Minority		Ethnicity Not Known			
									%		%		%		
Faculty of Biology, Medicine and Health	12249	8088	66.0	2944	24.0	1217	9.9	2403	19.6	6852	55.9	5380	43.9	17	0.1
Faculty of Humanities	19466	11820	60.7	6821	35.0	825	4.2	8556	44.0	10157	52.2	9271	47.6	38	0.2
Faculty of Science and Engineering	12649	8821	69.7	2041	16.1	1787	14.1	7140	56.4	5244	41.5	7374	58.3	31	0.2
Grand Total	44364	28729	64.8	11806	26.6	3829	8.6	18099	40.8	22253	50.2	22025	49.6	86	0.2

