



### Student Casework Report 2015-16

<p><b>Outcome requested:</b></p>	<p>Council is asked to <b>consider</b> the report on student casework for 2015-16. This report provides assurance to Council that student complaints are effectively addressed and that the welfare and wellbeing of students is secured, in line with Element 4 of the CUC's <i>The Higher Education Code of Governance</i>.</p> <p>The report is also relevant to Council's annual report to HEFCE on academic assurance; it aligns with the assurances on the student experience and the academic standards of QMUL's awards. The report also maps to Part 1 of the <i>European Standards and Guidelines (2015)</i> which QMUL must demonstrate compliance with for the first time as part of the Annual Provider Review in 2017.</p>
<p><b>Executive Summary:</b></p>	<p>The paper provides a summary of the processes, themes and outcomes related to the main categories of student casework undertaken in 2015-16: academic appeals, complaints, assessment offences and other disciplinary issues.</p> <p>The paper is an updated summary of four more detailed reports on student casework that were considered by the Education Quality Board and by Senate. It also provides a summary of the Internal Audit on Student Complaints and Appeals; the report of this audit was considered by the Audit and Risk Committee on 7 February 2017.</p>
<p><b>QMUL Strategy: strategic aim reference and sub-strategies [e.g., SA1.1]</b></p>	<p>SA1.2, SA3.1</p>
<p><b>Internal/External regulatory/statutory reference points:</b></p>	<p>Aligns with:</p> <p>QMUL Strategy Quality Assurance Agency, <i>UK Quality Code for Higher Education</i> Office of the Independent Adjudicator, <i>Good Practice Framework for Handling Complaints and Academic Appeals</i> Committee of University Chairs, <i>The Higher Education Code of Governance</i></p>
<p><b>Strategic Risks:</b></p>	<p>2.01 Student experience 7.01 Design and delivery of high quality portfolio of programmes 9.01 Reputational development and external relations 10.01 Partnerships 13.01 Maintain effective and constructive governance</p>

<b>Equality Impact Assessment:</b>	No issues emerged from the equality impact assessment.
<b>Subject to prior and onward consideration by:</b>	Senate (9.3.16) Education Quality Board (16.3.16)
<b>Confidential paper under FOIA/DPA YES/NO*</b>  <b>If yes, please specify which section/ paragraph is confidential (whole document or part)</b>	n/a
<b>Timing:</b>	n/a
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<b>Date:</b>	2 May 2017
<b>Senior Management/External Sponsor</b>	Jonathan Morgan, Academic Registrar and Council Secretary

## Annual summary report on student casework (2015-16)

### Scope

1. This is the summary report to Council on academic appeals, complaints and other types of student casework handled by the Academic Registry and Council Secretariat during the 2015-16 academic year.

### Academic appeals

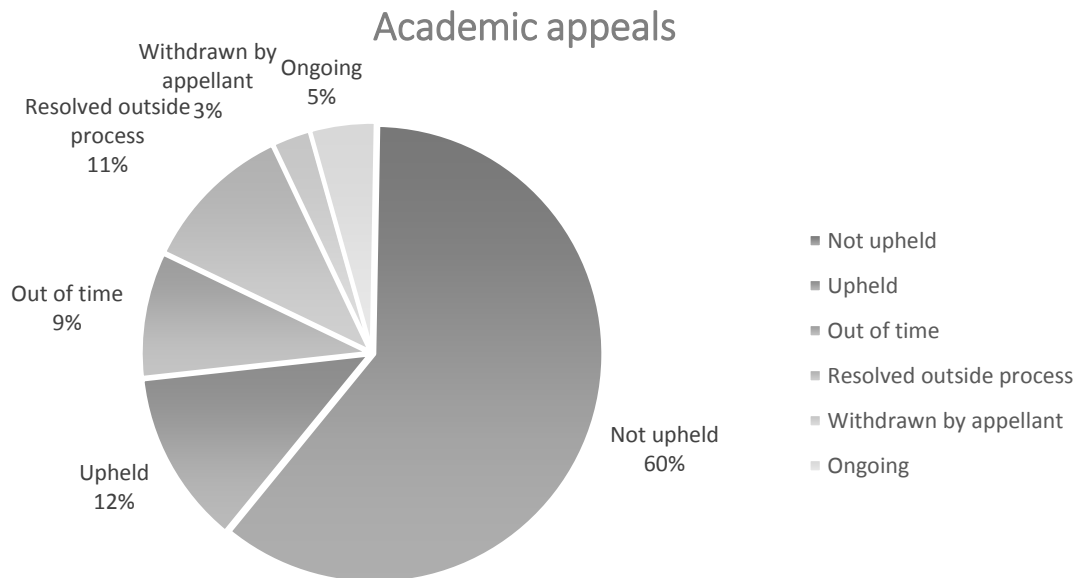
2. 'Academic appeals' is the term used for a student's request for a review of the decision of an examination board relating to their assessment, progression and/or award. The majority of academic appeal cases are received by ARCS after the main examination period from June to September each year. In total 259 academic appeals were received during 2015-16 (237 were received in 2014-15). The total number of appeals received compares with previous years as follows:

#### Number of academic appeals received

Year	Number of appeals	% change	Student population	Number of appeals as % of student population
2011-12	178	-16.8	17,226	1.03
2012-13	163	-9.0	17,840	0.91
2013-14	201	+18.9	18768	1.1
2014-15	237	+17.9	18905	1.25
<b>2015-16</b>	<b>259</b>	<b>+8.5</b>	<b>21187</b>	<b>1.22</b>

3. The table and chart below show the outcome for appeals received in 2015-16.

Outcome	Number of cases (2014-15 figures in brackets)
Not upheld	<b>157</b> (158)
Upheld	30 (41)
Resolved outside process	28 (16)
Out of time	23 (18)
Ongoing at time of report	12 (1)
Withdrawn by appellant	7 (3)
<b>TOTAL</b>	<b>259</b>



The percentage of cases upheld in 2015-16 was 12% of the total received. This compares with 17% of cases upheld in 2014-15. However, there was an increase in cases resolved outside the process compared with previous years. Schools, Institutes and Professional Services colleagues are committed to resolving cases outside of the appeals process where this is feasible, and where an expedient solution would be of benefit to the student. The Office of the Independent Adjudicator (OIA) is keen for institutions to promote alternative dispute resolution in line with its *Good Practice Framework* so it is encouraging to see the swift resolution of more cases without the need for a formal appeal. The type of case resolved in this way usually involves the acknowledgement of a procedural error, for example an error in recording a student's mark in the student records system.

#### Grounds for an academic appeal

4. In accordance with the 2015-16 Academic Regulations there are two grounds upon which an appeal may be based:
  - i. Procedural error where the process leading to the decision being appealed against was not conducted in accordance with QMUL's procedure, such that there is reasonable doubt as to whether the outcome might have been different had the error not occurred. Procedural error includes alleged administrative/clerical error and bias in the operation of the procedure.
  - ii. That exceptional circumstances, illness or other relevant factors had, for good reason, not been made known at the time or had not been taken into account properly.

*QMUL Academic Regulations 2015-16, 2.149*

5. Of the 259 appeals received in the 2015-16 academic year, 69 (66 in 2014-15) were submitted on the grounds of i. procedural error; 159 (130 in 2014-15) were submitted on the grounds of ii. exceptional circumstances; 28 cases (41 in 2014-15) were submitted on both grounds; three appeals submitted in 2015-16 did not specify the grounds of appeal.

## Academic appeals submitted under i) procedural error

6. Of the 69 appeals submitted under procedural error, 11 were upheld, 42 were not upheld, nine were resolved outside the process, one was withdrawn, and four were deemed out of time<sup>1</sup>. One case is pending an outcome a time of the report. One case was closed owing to a suspicion of fraud.
7. Where students submitted requests on the grounds of i. procedural error, the key themes of the appeals were:
  - A challenge to the mark awarded for particular modules/examinations, based on the appellant's belief that these had been miscalculated;
  - A challenge to the degree classification, based on the appellant's belief that they should have been awarded a higher classification.
8. The procedural errors that led to the appeals being upheld, or cases resolved included:
  - Insufficient evidence of a marking trail - QMUL policy outlined in section 5.28 of the Assessment Handbook (2016-17) requires that *'examination boards must ensure that there is a clear marking trail of comments and notes that can be followed by readers (notably external examiners).'* The majority of Schools and Institutes are able to evidence an appropriate marking trail for the appeal process which enables this type of case to be investigated and concluded quickly. Senate discussed this issue at its meeting on 9<sup>th</sup> March 2017, when it considered the casework reports, and requested that members should communicate the importance of providing clear marking trails within their schools and institutes.

There were a number of cases where Schools and Institutes were unable to provide a clear marking trail upon request. These appeal cases were upheld and the relevant School or Institute was required to reassess the work and provide the appropriate summary of the marking process. Student frustration with a perceived lack of feedback, particularly following examinations, is a common theme and Senate has recommended that all schools and institutes should hold 'results surgeries' (or equivalent) at the end of the main assessment process to enable students to have an informal discussion about the mark they have received for a particular piece of assessment. The assessment under discussion will usually be an examination paper but there may be other work that a student wishes to discuss. The aim of this process is not to re-mark the piece of assessment, but to help students understand why they have been awarded a particular mark. This process is most effective when it is undertaken within the student's home department, rather than through a formal appeal process which distances the student from the feedback and support that they are seeking.

- Incomplete or erroneous data in a student's record

## Academic appeals submitted under ii) Exceptional circumstances

9. Of the 159 appeals submitted on the grounds of exceptional circumstances, 100 cases were not upheld, 16 cases were upheld, 13 cases were resolved outside the

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<sup>1</sup> An appeal is deemed 'out of time' if it is not received within 14 days of the formal notification of the decision being appealed against.

process, 15 cases were deemed out of time, and five cases were withdrawn by the student, nine cases were open at the time of the report.

10. Where students submitted appeals on the grounds of ii) exceptional circumstances, the common themes of the appeals were as follows:
  - Assessments that were affected by a health condition that the student had not made known at the time – in a number of cases mental health conditions such as anxiety and/or depression;
  - The diagnosis of a specific learning difficulty during or shortly after the exam period or after deregistration.
11. The majority of cases submitted on the grounds of exceptional circumstances related to claims that examinations had been affected by ill health. If a student sits an examination or completes an assessment then they have declared themselves fit to sit, in accordance with the 'fit to sit' policy, which states: *"in attending an examination, students declare themselves 'fit to sit'. Any subsequent claim for extenuating circumstances shall not normally be considered"*. In the majority of cases appellants did not provide evidence of a good reason why they had not disclosed these circumstances to the examination board at the appropriate time.
12. There has been an increase in recent years in the number of cases that involve the late diagnosis of a mental health condition. The Student Services Directorate provides excellent support to students and works closely with ARCS in supporting these complex and sensitive cases. QMSU is also able to provide support to students regarding their appeal, and any additional steps regarding their fitness to study.

## **Complaints**

13. There were ten complaints submitted at Stage Two (institutional level) of the Student Complaints Policy during 2015-16. This compares with 17 cases received in 2014-15 and 13 cases in 2013-14.
14. Seven of the complaints received in 2015-16 related to academic matters and the remaining three related to issues in QMUL's student residences. The complaints that related to academic matters comprised: three cases related to the complainants' programmes of study, including teaching and learning; one complaint about a complainant's student status and their eligibility for an internship; one complaint concerning a delay relating to the processing of an assessment offence allegation; and one complaint about the academic and pastoral support made available by the complainant's school.
15. Seven of the ten complaints were not upheld. One case was resolved when the assessment offence panel was convened and the case regarding student status was resolved when an extension was granted to the complainant's registration as a student. The remaining case was upheld by a Vice-Principal at Stage Three of the Student Complaints Policy. The student was awarded financial compensation for issues related to the delivery of the programme and the case was re-referred to the examination board for further clarity on the student's mark profile and award classification.

## **Final Review and Office of the Independent Adjudicator for Higher Education (OIA)**

16. From 2015-16, QMUL re-introduced the 'final review' or third stage in the academic appeal process. Students who are dissatisfied with the outcome of their appeal may

submit a request for a Final Review to the Principal's Nominee, this is usually the Academic Registrar, or the Vice-Principal (Student Experience, Teaching & Learning).

17. There were 53 final review requests in 2015-16. This means that 27% of eligible appeals requested a final review (out of time cases, withdrawn cases and on-going cases are not eligible for final review).
18. Eight out of 53 final reviews were upheld. Two cases were referred back for further review under the appeal regulations after which one of the cases was upheld and the other will be considered at a full appeal panel hearing. Six cases were referred back to examination boards for consideration.
19. If a student is dissatisfied with this final stage of the appeal process they may submit a complaint to the OIA. The OIA reports on cases it receives by calendar year: 27 students referred their case to the OIA in 2016, a slight reduction from the 39 cases referred to the OIA in 2015. The OIA's annual letter to QMUL, in which it provides a breakdown of cases received, should be available for the June 2017 meeting of Council.

### **Internal audit**

20. KPMG undertook an audit of the processes for managing academic appeals and complaints during December 2016. The audit concluded that QMUL's Student Complaints Policy and Academic Appeal Regulations were robust and took account of the OIA's good practice framework. The internal audit report noted that in the sample cases tested, the correct processes were followed for each sample and that the cases were concluded within the published timeframes. It is acknowledged that some cases may take longer to conclude than the specified timeframes; in these cases the student is always kept informed on the progress of their case together with reasons for the delay.
21. It is evident from the relatively low number of complaints that reach Stage Two (central level) of the Student Complaints Policy that complaints are being resolved effectively at the informal or Stage One levels. It is encouraging in that Schools, Institutes and Professional Services are resolving issues at a local level where possible. However, the internal audit report recommended that an effective mechanism for reporting on informal and Stage One complaints should be implemented to provide more detailed insights into emerging themes and issues of concern that might impact on the student experience. Colleagues in ARCS will work with schools and institutes in order to develop a recording mechanism for complaints resolved at the informal or first stage of the Student Complaints Policy. The Audit and Risk Committee discussed the report at its meeting on 7 February 2017, noting that the aim of resolving complaints at an early stage was working well while recognising the benefits of monitoring even minor issues that were addressed at a local level.
22. The internal audit report also recommended that QMUL could consider reducing the three formal stages in the Student Complaints Policy to avoid possible delays, suggesting that the removal of a stage or combination of two stages might achieve this aim. The stages in the process map against the aims of the Student Complaints Policy in that QMUL would prefer complaints to be resolved locally where possible, without the need for an institutional level complaint. Further, the final stage (three) of the process exists to give the students the opportunity to raise any final concerns. ARCS will continue to explore the possibility of streamlining the Student Complaints

Process, recognising that a recommendation for this purpose was previously rejected by the Education Quality Board.

### **Assessment offences**

23. A total of 208 assessment offence allegations were submitted to ARCS during 2015-16, compared to a total of 155 during 2014-15. The increase was noted across each category of offence: plagiarism, examination offences and other offences e.g. ghost writing.
24. There were 64 allegations of plagiarism for undergraduate students (53 in 2014-15) and 57 (33 in 2014-15) for postgraduate students. For undergraduate students it was determined that plagiarism had occurred in 60 of the 64 cases, and for 54 of the 57 postgraduate cases. A small number of cases were dismissed after investigation or following a determination that there was insufficient evidence to progress the case further.
25. There were 57 allegations of breaches of the Academic Regulations during invigilated examinations during 2015-16, with offences determined in 52 of these cases. The majority of these cases related to the possession of unauthorised material during an examination, including paper notes and mobile phones. Invigilators provide final warnings at the start of each examination but despite these, 30% of cases concluded with a formal warning for the possession of a mobile phone during an invigilated examination.
26. Other breaches of the Academic Regulations with regard to assessment included alleged collusion (18 cases) and the use of a 'ghost-writing' service (ten cases). Cases involving collusion between students or the use of an 'essay mill' can be difficult to investigate. For collusion cases, both students will be interviewed and supported by ARCS in determining whether an offence occurred. Where it is suspected that an external third party may have completed an assessment on the student's behalf, the student who is alleged to have committed the offence will have a formal discussion of the work with the module leader in order to determine if the work submitted was their own.
27. Students are informed about plagiarism and other assessment offences during induction. Students who are found to have committed plagiarism are advised to seek further support from their school or institute, and to attend sessions on academic practice offered by Learning Development. Some difficulties were experienced with an on-line examination during 2015-16 and ARCS has made recommendations that these examinations should take place only when systems are sufficiently secure to prevent students from accessing unauthorised material.

### **Code of Discipline**

28. ARCS investigated 16 allegations of disciplinary offences during 2015-16, compared with 9 cases for 2014-15. The 16 cases included the following issues: four allegations relating to a fight on QMUL premises; four allegations of student to student harassment; two allegations of students sending offensive emails to QMUL staff; one allegation of physical assault; two allegations of inappropriate behaviour on QMUL premises; and three allegations of inappropriate use of/forgery of QMUL documentation.



## **Fitness to Practise**

29. There was one referral to the Fitness to Practise Committee during 2015-16. The hearing was deferred until the start of 2016-17 at the student's request.