



Student Casework Report 2016-17

<p>Outcome requested:</p>	<p>Council is asked to consider the report on student casework for 2016-17. 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 Queen Mary's awards.</p>
<p>Executive Summary:</p>	<p>The paper provides a summary of the processes, themes and outcomes related to the main categories of student casework undertaken in 2016-17: 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.</p>
<p>QMUL Strategy: strategic aim reference and sub-strategies [e.g., SA1.1]</p>	<p>SA1.2, SA3.1</p>
<p>Internal/External regulatory/statutory reference points:</p>	<p>Aligns with:</p> <ul style="list-style-type: none"> • Queen Mary 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>Strategic Risks:</p>	<p>2.01 Student experience</p> <p>7.01 Design and delivery of high quality portfolio of programmes</p> <p>9.01 Reputational development and external relations</p>

	10.01 Partnerships 13.01 Maintain effective and constructive governance
Equality Impact Assessment:	No issues emerged from the equality impact assessment.
Subject to prior and onward consideration by:	Senate (15.3.17) Education Quality Board (21.2.17)
Confidential paper under FOIA/DPA	No
Timing:	n/a
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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 2016-17 academic year.

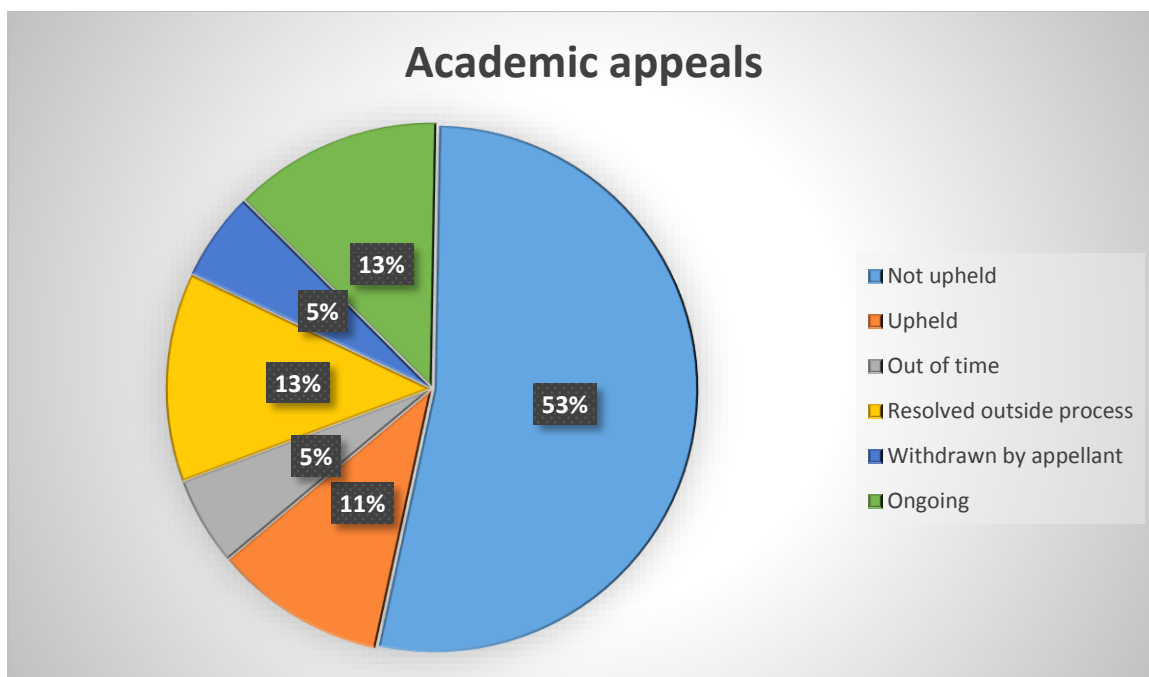
Academic appeals

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 periods from June to September each year. In total 352 academic appeals were received during 2016-17 (259 were received in 2015-16). The total number of appeals received compares with previous years as follows:

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	18, 768	1.1
2014-15	237	+17.9	18, 905	1.25
2015-16	259	+8.5	21, 187	1.22
2016-17	352	+35.9	23, 114	1.52

3. The table and chart below show the outcome for appeals received in 2016-17.

Outcome	Number of cases (2015-16 figures in brackets)
Not upheld	187 (157)
Upheld	37 (30)
Resolved outside process	45 (28)
Out of time	19 (23)
Ongoing at time of report	45 (12)
Withdrawn by appellant	19 (7)
TOTAL	352



Grounds for appeal

4. In accordance with the 2016-17 Appeal 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.
5. Of the 352 appeals received in the 2016-17 academic year, 122 (69 in 2015-16) were submitted on the grounds of i. procedural error; 185 (159 in 2015-16) were submitted on the grounds of ii. exceptional circumstances; 45 cases (28 in 2015-16) were submitted on both grounds.

Appeals submitted under i) procedural error

6. Of the 122 appeals submitted under procedural error, nine were upheld, 47 were not upheld, 13 were resolved outside the process, 11 were withdrawn, and six were deemed out of time. 36 cases were pending an outcome at the time of the report.
7. Where students submitted requests on the grounds of i. procedural error, the key themes of the appeals were:
 - Challenging marks awarded for particular modules/examinations based on the appellant's belief that these had been miscalculated;
 - Challenging degree classifications 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:

- A lack 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).'

There were a number of cases where schools and institutes were unable to provide a clear marking trail of second marking/moderation in accordance with approved assessment policy. In some cases the school or institute had confirmed that work had been second-marked/moderated but that this process had not been recorded as the marker had agreed with the first marker. However, without a clear audit trail there is no way to evidence how marks have been derived. In such cases appeals were upheld and referred back to the relevant school or institute for fresh marking, which resulted in additional work for academic colleagues. In a handful of cases there were some substantial changes to marks following this process.

Most schools and institutes were able to provide a clear marking trail and in these cases the appeal was concluded quickly as the marking process is clearly evidenced, removing uncertainty for the student and eliminating the issue as a ground for review.

Appeals submitted under ii) Exceptional circumstances

9. Of the 185 appeals submitted on the grounds of exceptional circumstances, 67 cases were not upheld, 13 cases were upheld, 21 cases were resolved outside the process, nine cases were deemed out of time, and six cases were withdrawn by the student. 69 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 affected by a health condition that the student had not made known at the time.
- Student claiming their degree classification was affected by circumstances that had existed for a prolonged period of time, often relating to previous years as well as their final year.

Appeals submitted under both i) Procedural error *and* ii) Exceptional circumstances

11. Of the 45 cases submitted under both grounds, 17 were not upheld, three were upheld, and three cases were deemed out of time. Two cases were withdrawn and five cases were resolved outside of the process. 15 cases were pending an outcome at the time of the report.

12. Appeals submitted on both grounds are combinations of the factors listed above under the individual grounds and do not have any specific features that distinguish them. These cases can be more complex as they may involve more factors than appeals submitted on a single ground.

Complaints

13. There were 14 complaints submitted at Stage Two (institutional level) of the Student Complaints Policy during 2016-17. This compares to 10 cases received in the 2015-16 year and 17 cases in 2014-15.
14. 10 of the complaints received in 2016-17 related to academic matters (7 in 2015-16) and four of the complaints related to non-academic matters (three in 2015-16).
15. The 10 complaints received about academic matters comprised the following:

Four complaints about programme delivery; two complaints about PhD supervision; one complaint about inadequate space facilities for PhD study; one case in regards to the referral of assignments for investigation under the Assessment Offence Regulations; one complaint about exam registration; and one complaint about a restriction on the number of students who could take a module.
16. The four complaints received regarding non-academic matters during 2016-17 related to the following: one complaint about the security of campus following the theft of a bike; one complaint about a fee refund following interruption; one complaint about damage to a laptop; and one complaint about the time taken to convene an assessment offence panel
17. Of the 14 complaints considered at Stage Two of the Complaints Policy: 10 cases were not upheld; one case was upheld and the student was offered a small amount of compensation; one case was partly upheld and the student was offered an extension for their masters dissertation; one case was resolved following agreement to backdate interruption and not charge fees; and one case was deemed not eligible for consideration under the complaints policy.

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

18. The final internal stage of an appeal or complaint is known as a 'Final Review'. Students who are dissatisfied with the outcome of their case may submit a request for a Final Review to the Principal's Nominee who may be the Academic Registrar or a Vice-Principal.

There were 56 final review requests in 2016-17. This means that 25% of eligible appeals requested a final review (out of time cases¹, withdrawn cases and on-going cases are not eligible for final review). Five out of 14 complaints proceeded to the final stage.

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: 24 students referred their case to the OIA in 2017, a slight reduction from the 27 cases referred to the OIA in 2016. The OIA's [Annual Statement 2017](#) for Queen Mary provides a breakdown of cases received.

Discipline

20. There were 10 allegations of disciplinary offences investigated by the Academic

¹ 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.

Secretariat under the Code of Student Discipline during the 2016-17 academic year, which corresponds to 16 cases in the 2015-16 academic year.

21. Despite the fall in the number of cases from the previous year, some of the allegations submitted during 2016-17 were of a more serious nature.
22. The 10 allegations can be categorised as follows: one allegation of assault motivated by homophobia; three allegations of sexual assault; one allegation of assault and abusive language which included alleged racial language; one allegation of offensive online postings of a sexual and racist nature; one allegation of the misuse of QMUL IT facilities and offensive postings about QMUL staff; one allegation of harassment; one allegation of a student misusing QMUL facilities; one allegation of a student directing written abuse towards QMUL staff.
23. All disciplinary allegations were investigated with students invited to attend an interview and evidence was gathered from relevant sources. Following investigation the following penalties were applied:

One student was not permitted to enrol at QMUL; two students were suspended from QMUL for a period of less than one year; two students received warnings and were required to write apologies to members of staff; two students were excluded from QMUL facilities for a period of less than 6 months.

Fitness to Practise

24. There were two referrals to Fitness to Practise for medical students during the 2016-17 academic year (0 in 2015-16).
25. In both cases the student was found not fit to practise and had their registration terminated.

Assessment offences

26. A total of 260 assessment offence allegations were submitted to ARCS during 2016-17, compared to a total of 208 during 2015-16 and 155 during 2014-15. The increase was noted across each category of offence: plagiarism, examination offences and other offences, e.g. ghost writing.
27. There were 84 allegations of plagiarism for undergraduate students (64 in 2015-16) and 51 (57 in 2015-16) for postgraduate students. For undergraduate students it was determined that plagiarism had occurred in 69 of the 84 cases, and for 46 of the 51 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.
28. There were 87 allegations of breaches of the Academic Regulations during invigilated examinations during 2016-17, with offences determined in 82 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 warnings at the start of each examination and students are given clear plastic bags in which they are instructed to place any personal items before storing these under their desks.
29. Other breaches of the Academic Regulations with regard to assessment included alleged collusion (27 cases) and the use of a 'ghost-writing' service (11 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.

30. 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.
31. The Quality Assurance Agency (QAA) published a report, *Contracting to Cheat in Higher Education - How to Address Contract Cheating, the Use of Third-Party Services and Essay Mills* in October 2017 following increased concerns across the sector about the use of such services. Queen Mary uses the term 'ghost-writing' for assessment offences of this nature and while ghost-writing represents only a small proportion of the total assessment offences, detection is notoriously difficult, as identified by the QAA, so there may be cases that are undetected.
32. Queen Mary convened a Task and Finish Group to consider the issues raised in the QAA report on contract cheating, and to make recommendations for the identification and deterrence of the use of 'essay mills'. The Group reported to Education Quality and Standards Board (EQSB) in May 2018 and made the following recommendations: work on curriculum development to make it harder to use ghost writing services; training for academic staff; and work with the Students' Union to raise student awareness of the issues around this type of assessment offence. The work will be led by Academic Development and ARCS. ARCS will focus on a review of the assessment offences regulations, particularly for those offences handled at school or institute level, and the provision of additional support and guidance to schools and institutes to assist with the identification and investigation of cases of contract cheating.

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May 2018