



Annual report on student casework

<p>Outcome requested:</p>	<p>Council is asked to consider the annual report on student casework for 2020-21. This report provides assurance to Council that student complaints are handled in accordance with the requirements of the Office of the Independent Adjudicator for Higher Education, in line with Element 3 of the CUC's current <i>Higher Education Code of Governance</i>.</p> <p>The report is also relevant to Queen Mary's fulfilment of the conditions of registration with the Office for Students (conditions B1-B5 and C1-C3)</p>
<p>Executive Summary:</p>	<p>The report gives an overview of the student casework relating to the 2020-21 academic year and specifically those cases that have reached institutional level consideration and are managed at that level. The report covers appeals, assessment offences, student complaints and discipline cases.</p> <p>The full report (considered by Senate and available on request) covers each category of case in detail. The key points considered by Senate are as follows:</p> <ul style="list-style-type: none"> • the percentage of students submitting an academic appeal increased in 2020-21 (1.2%), following a decrease in the 2019-20 academic year. This is a return to an expected level of between one and two percent. The drop in 2019-20 can be attributed to the temporary regulatory amendments that were put in place to mitigate the impact of the Covid-19 pandemic; • that the process for informal and local resolution of cases should continue to be explored further to deliver better outcomes for students; • the percentage of students alleged to have committed academic misconduct has again risen substantially from 2.3% to 3.9%, following another sharp year-on-year increase (77% following 67% the year before) in the total number of cases reported centrally; • the serious nature of some cases considered under the Code of Discipline, including sexual misconduct and other serious breaches of the Code.
<p>QMUL Strategy: strategic aim reference and sub-strategies [e.g., SA1.1]</p>	<p>Excellence in Education Excellence in Student Engagement Excellence in Student Employability Excellence in Learning Environment</p>

Internal/External regulatory/statutory reference points:	Aligns with: Queen Mary Strategy 2030 Office for Students, <i>Conditions of Registration</i> Quality Assurance Agency, <i>UK Quality Code for Higher Education</i> Office of the Independent Adjudicator, <i>Good Practice Framework</i> Committee of University Chairs, <i>The Higher Education Code of Governance</i>
Strategic Risks:	1. Greater student satisfaction 7. Improved student progression 16. Compliance – v) Competition and Markets Authority vii) OFS
Equality Impact Assessment:	Monitoring data is requested from students submitting complaints and appeals and is recorded. Data is also recorded for students alleged to have committed assessment offences and those being investigated under the Code of Discipline.
Subject to prior and onward consideration by:	Considered by: Senate, 17 March 2022 Education Quality and Standards Board, 30 March 2022
Confidential paper under FOIA/DPA:	No
Timing:	n/a
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Date:	24 March 2022
Senior Management/External Sponsor:	Jonathan Morgan, Chief Governance Officer and Secretary

Introduction

1. Effective complaint handling, in accordance with consumer protection law, is a condition of registration with the Office for Students (C1). Further, the CUC's Higher Education Code of Governance (Element 3, Reputation, 3.7) states that governing bodies should seek assurance that student complaints are handled in accordance with the requirements of the Office of the Independent Adjudicator for Higher Education. This report gives an overview of student casework relating to the 2020-21 academic year, specifically those cases that have reached institutional level consideration and are managed at that level. The overview covers academic and non-academic appeals, student complaints, student discipline and academic misconduct.
2. Queen Mary adopts the following general principles for managing student casework:
 - informal and local resolution where possible;
 - timely resolution;
 - natural justice;
 - clearly defined processes and regulations.
3. Senate received detailed reports on each of these areas at its meeting on 17 March 2022. The key points identified were:
 - the percentage of students submitting an academic appeal increased in 2020-21 (1.2%), following a decrease in the 2019-20 academic year. This is a return to an expected level of between one and two percent. The drop in 2019-20 can be attributed to the temporary regulatory amendments that were put in place to mitigate the impact of the Covid-19 pandemic;
 - that the process for informal and local resolution of cases should continue to be explored further to deliver better outcomes for students;
 - the percentage of students alleged to have committed academic misconduct has again risen substantially from 2.3% to 3.9%, following another sharp year-on-year increase (77% following 67% the year before) in the total number of cases reported centrally;
 - the serious nature of some cases considered under the Code of Discipline, including sexual misconduct and other serious breaches of the Code.

Appeals

4. Queen Mary received 431 appeals in 2020-21, an increase of 52% on 2019-20 (283 appeals). This is a return to an expected level following the immediate impact of Covid-19; between 400 and 500 appeals were received in each academic year from 2016-17 to 2018-19. Senate noted that 28% of completed 2020-21 appeals had been successfully resolved outside of the process; staff in the Appeals, Complaints and Conduct team had negotiated the informal resolution of these cases with the relevant school or institute without the need for a formal appeal. While these cases are almost always resolved with a positive outcome, the need for a more robust informal stage at local level will help resolve cases more quickly, while providing a greater level of student support.
5. Common reasons cited by students in their appeals included concern that:
 - an assessment mark was incorrect, because it did not accord with the student's view of their own performance, or a mark was incorrect because it was out of line with the student's other results;
 - marking was not conducted in line with the published procedures;
 - poor feedback or supervision led to a lower mark than the student felt they

- should have achieved;
 - there were administrative errors in the calculation or recording of marks;
 - the student had experienced health issues, and in particular those relating to mental health, that they had not made known at the appropriate time;
 - there was an alleged good reason for the non-payment of fees which had led to deregistration.
6. Challenging academic judgement is not a valid ground for appeal and a significant number of appeals were not upheld on this basis. Queen Mary also has well-defined and published procedures for students who wish extenuating circumstances to be taken into consideration.
7. Reasons for upholding appeals included inadequate marking trails and other administrative issues related to processing and recording marks and, in a few cases, clear evidence demonstrating a student had 'good reason' for not having been able to disclose their extenuating circumstances earlier.

Complaints

8. If students have concerns about a service or other issue, they are advised to raise them with local managers in the first instance. The formal complaints process in 2020-21 was made up of three formal stages; for the 2021-22 academic year onwards, this has been reduced to two formal stages. In 2020-21, many concerns were dealt with and resolved at a local level, either informally or formally (Stage 1). Where an informal resolution was not possible, students were able to raise a complaint at institutional level (Stage 2). During the 2020-21 academic year, 29 complaints were received at institutional level compared to 21 cases in 2019-20, and 23 in 2018-19.

Code of student discipline

9. 19 disciplinary cases were investigated in 2020-21, compared to nine cases in 2019-20, 24 in 2018-19, and 11 in 2017-18. In general terms, cases continue to increase in severity and complexity, and this has proved challenging for all involved in the disciplinary process. Of the 19 cases referred for investigation in 2020-21, three were dismissed and no further action was taken in five, although the latter may have included some manner of informal requirement. Of the remaining 11 cases, six were partially or fully proven by the Student Disciplinary Committee, two are ongoing, and three were closed due to the responding student leaving Queen Mary.

Academic misconduct

10. 1,112 allegations of academic misconduct were investigated under the Academic Misconduct Policy in 2020-21 (628 in 2019-20). This is another sharp year-on-year increase of 77%, following an increase of 67% the year before. The number of allegations of academic misconduct investigated centrally has essentially tripled in just two academic years (375 in 2018-19). At the time of writing, 980 of the 1,112 cases had been resolved, and the allegations had been proven in 88.7% of cases. The number of allegations of academic misconduct relative to the total student body remains low in absolute terms (3.9%), but is not insignificant and continues to increase year-on-year. The increase in academic misconduct may be partly explained by improved detection methods, but will be monitored closely, particularly in those schools with higher incidents of academic misconduct. It is noted that the Queen Mary Academy is currently developing an online 'academic integrity module' that is planned

for implementation at the beginning of the 2022-23 academic year; all students will be asked to engage with this module.

11. In its discussion, Senate noted the rule that all alleged misconduct in assessments counting for more than 30% of a module mark had to be referred for central Queen Mary investigation (rather than being investigated at school/institute level). The Senate considered whether this longstanding rule remained appropriate for all types of assessment and suggested that a more granular approach might be better to allow for some cases to be considered locally; this issue would be explored further with the aim of making amendments to the policy for 2022-23.

Challenges

Time taken to resolve cases

12. The increase in both volume and complexity of student casework continues to lead to delays in providing casework outcomes to students. There has been a further increase in the staff resource of the central casework team; however, the effective resolution of some cases at local level – appeals and complaints, in particular – will have a positive impact on the need for students to escalate their case to a formal process, enabling the casework team to focus on the most complex and serious cases at the institutional level. The Education Quality and Standards Board has endorsed the introduction of a compulsory local stage of the appeal process, and it will be possible to implement this stage through the use of an essential electronic casework management system which is required to streamline casework processes for students and staff. This system is in the final stages of development and is planned for implementation at the beginning of the 2022-23 academic year.

Student conduct

13. Cases involving an alleged breach of the Code of Student Discipline continue to be increasingly complex in nature, including allegations of serious sexual misconduct. Incidences of disciplinary misconduct involving social media or in other online contexts are becoming a feature of those cases reported. Queen Mary has retained the services an expert external investigator to assist with serious allegations of sexual misconduct, and this service will be kept under review.
14. Following an increase in the 2019-20 academic year, we continue to see an increase in low-level behavioural issues where a targeted approach would be more effective in tackling issues such as poor behaviour in lectures, or minor breaches of the Queen Mary Covid Code. A system of misconduct warnings was introduced in 2019-20 to try to resolve minor behavioural issues at an early stage, thereby signalling that the behaviour was not appropriate through the provision of an initial warning. This system will be kept under review alongside additional support for Heads of School and Directors of Institute to assist with the resolution of disciplinary matters at local level.

Academic Registry and Council Secretariat
March 2022