

Office of Student Conduct, Complaints and Appeals (OSCCA)

Annual Report 2021 - 2022



UNIVERSITY OF
CAMBRIDGE

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Introduction

This academic year has been particularly challenging with an increase in cases and a temporary decrease in resource following staff leave and the retirement of some decision-makers.

Notwithstanding these challenges, it was also a year of reflection and planning. For the first time, OSCCA clearly set out what the Collegiate University can expect in terms of response times and service, and in return what is expected from students and staff. A plan of procedure and process review for the next 3 years was formalised and additional resource for 2022-2023 and onwards was secured.

Each year we share our sincere thanks to those who volunteer for decision-making roles within OSCCA procedures and this

year is no exception. We have continued to lean heavily on a number of experienced decision-makers who have been very generous with their time. We are in the process of seeking further decision-makers so that the burden is lightened but in the meantime we have been very grateful for your unwavering enthusiasm to consider further cases.

Thanks are also owed to our colleagues in Colleges and Departments, who provide information to us in relation to cases and who support the individual students who, by choice or otherwise, become involved in OSCCA procedures. There is a significant difference in those cases where students are supported by others, which is why we are also grateful for the Student Advice Service, who also provide support to students, including those who do not feel able to turn to University or College services.

The year in numbers

323 

Internal formal cases handled by OSCCA

(30% increase since 2019-20)

44 

Upheld complaint and appeal outcomes for students

211 

Formal investigations or reviews conducted by OSCCA

5 

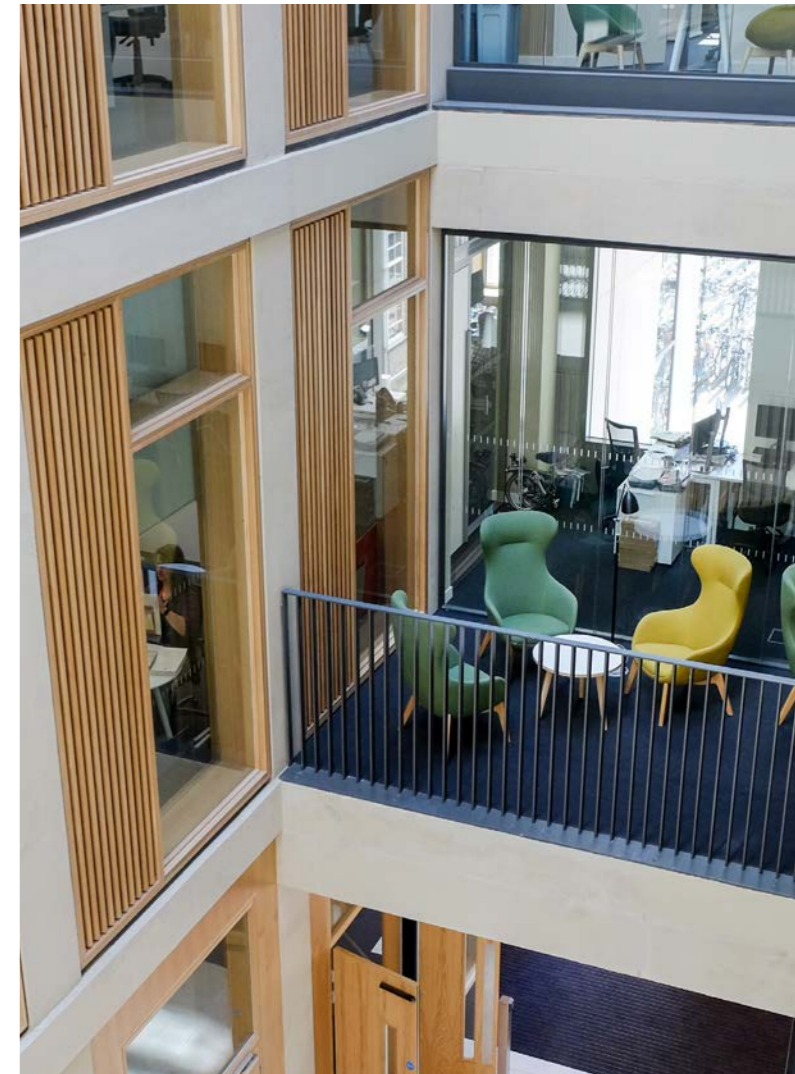
Equivalent of five FTE OSCCA Members

Policy and procedure work

This year has seen a continued significant caseload which has provided limited options for procedure review, as outlined in last year's annual report, a programme of procedure review has now been planned and is set to commence in 2022-23, beginning with the conduct procedures.

The full plan of works is available on the OSCCA website.

www.studentcomplaints.admin.cam.ac.uk



Student Complaint Procedure

Purpose of Procedure

Students can complain about any action or inaction of the University not covered by another procedure, including complaints relating to a course, facilities, services, or

staff members’ behaviour. Academic decision-makers determine whether: the policies and procedures have been followed; actions taken were reasonable; and if the student has been substantively disadvantaged by the action or inaction of the University.

Figure 1

Student Complaint case figures, equality and diversity data

GROUP	FORMAL COMPLAINT STAGE 2021-2022						REVIEW STAGE	
	RECEIVED			INVESTIGATED			PART UPHELD/UPHELD	
							REQUEST	UPHELD
Total	36			16			4**	2
COVID/Strike Action	6			4			3	
Staff Misconduct	7			4			1	
Quality of a decision	4			4				
supervision/Course	17			4				
College	2							
Course	UG: 10		PG: 26	UG: 3		PG: 13		
Gender	Female: 15	Other: 21	Male: 8	Female: 8	Other: 21	Male: 8		
Racial Identity/Fee Status	White students: 18 (11 home, 7 EU/overseas)			White students: 11 (7 home, 4 EU/overseas)				
	BAME students: 16 (7 home, 11 EU/overseas)			BAME students: 5 (1 home, 4 EU/overseas)				
	Info Refsed: 2			Info Refsed:				
Recorded Disability	Disability: 17			Disability: 9				
	No Known Disability: 19			No Known Disability: 7				

2021-2022	RECIEVED	INVESTIGATED
Average time to acknowledge	10 days	
% acknowledge in 7 days	44%	
Average time to investigate/dec		71 days
% investigated in 38 days		13%

Information below is relevant to Figure 1

* 1 complaint had 23 respondents, as a group COVID complaint – their EDI data has not been included.

** 1 complaint is ongoing, and not included in this column. EDI data is omitted to avoid identifying students.

***Grouping all ‘non-white’ students into a ‘BAME’ category avoids the potential identification of individuals.

GROUP	FORMAL COMPLAINT STAGE 2020-2021						REVIEW STAGE	
	RECEIVED			INVESTIGATED			PART UPHELD/UPHELD	
							REQUEST	UPHELD
Total	36			20			2**	1
COVID/Strike Action	14			3				
Staff Misconduct	4			4 (inc.3 HR investigations)				
Quality of a service	4			4				
Quality of a decision	6			2			1	
Quality of a information	2			2				
supervision/Course	5			5			1	
Course	UG: 14		PG: 21	UG: 6		PG: 13		
Gender	Female: 13	Other: 20	Male: 8	Female: 8	Other: 10	Male: 10		
Racial Identity/Fee Status	White students: 19 (11 home, 8 EU/overseas)			White students: 9 (6 home, 3 EU/overseas)				
	BAME students: 14 (9 home, 5 EU/overseas)			BAME students: 9 (6 home, 3 EU/overseas)				
	Info Refsed: 2			Info Refsed: 1				
Recorded Disability	Disability: 13			Disability: 6				
	No Known Disability: 22			No Known Disability: 13				

Student Complaint Procedure - continued

GROUP	FORMAL COMPLAINT STAGE 2019-2020								REVIEW STAGE		
	RECEIVED			INVESTIGATED			PART UPHELD/UPHELD			REQUEST	UPHELD
Total	71			50			20			11	2
COVID/Strike Action	36			27			15				
Staff Misconduct	16			11			4				
Quality of a service	4			4			1				
Quality of a decision	7			3							
Quality of a information	1			1							
supervision/Course	7			4			1				
Course	UG: 21	PG: 50		UG: 16	PG: 34		UG: 2	PG: 18			
Gender	Female: 42	Other: -	Male: 29	Female: 32	Other: -	Male: 18	Female: 13	Other: -	Male: 7		
Racial Identity/Fee Status	White students: 35 (11 home, 8 EU/overseas)			White students: 24 (6 home, 3 EU/overseas)			White students: 11 (6 home, 3 EU/overseas)				
	BAME students: 33 (9 home, 5 EU/overseas)			BAME students: 23 (6 home, 3 EU/overseas)			White students: 9 (6 home, 3 EU/overseas)				
	Info Refsed: 3			Info Refsed: 3			Info Refsed: 0				
Recorded Disability	Disability: 21			Disability: 16			Disability: 7				
	No Known Disability: 50			No Known Disability: 34			No Known Disability: 13				

Trends in case statistics

There has been a rise in the number of complaints received relating to the quality of supervision or a course of study. However, when each complaint is considered in its context there does not appear to be any immediate risk of a drop in quality of provision. No particular Department was highlighted, the numbers of complaints raised account for less than 0.1% of all students of the University, and none were upheld.

We continue to see a small number of complaints linked to industrial action, and in some circumstances COVID. In cases of industrial action where the University has promised something that it has then been unable to deliver, it is right that we provide students with a remedy.

While none of the complaints were explicitly reporting racism, three referenced potentially different treatment as a result of race. Two of these cases were ineligible for further consideration and one is still ongoing.



Cases not investigated

The majority of complaints received by the University were not eligible for investigation. Two of these cases were withdrawn by students, two cases were referred back to the Department for local resolution, one was referred to an alternative OSCCA procedure and 15 were ineligible for investigation. Some of the 15 complained about matters that were out of scope, for example matters relating to a College, others were past the 28 day timeframe for submitting a complaint and without sufficient reason for delay. It is noted that where students raise complaints about staff behaviour, the normal timescales do not apply as a result of the emotional challenges that can be involved with making a complaint of this nature.

Student Complaint Procedure - continued

Case Study

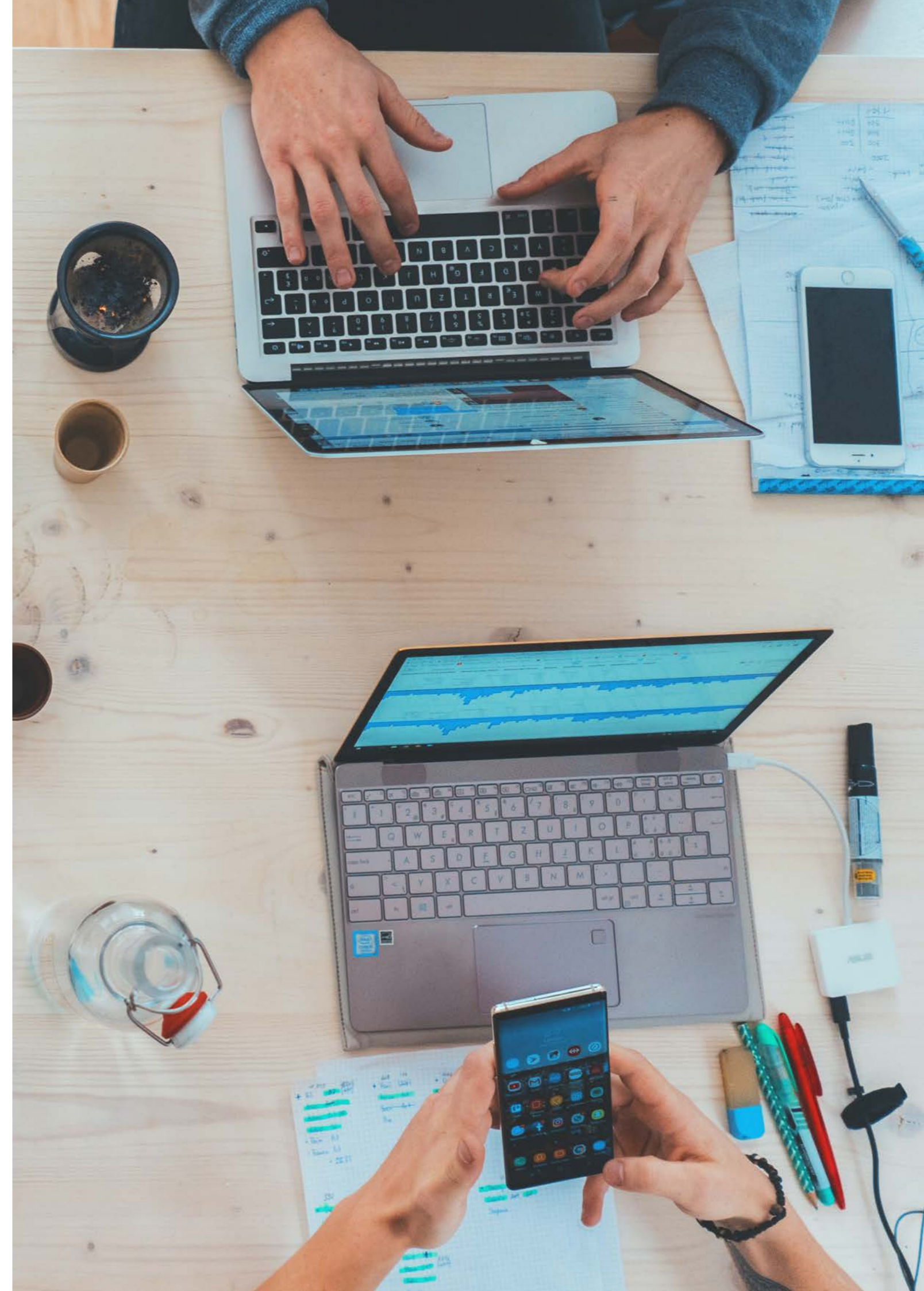
Student Complaint Procedure – partially upheld

Case: A postgraduate student raised a complaint about scholarships and funding. As the complaint related to matters that had taken place before the student had become a current student, this matter would usually be outside the scope of the Student Complaint Procedure.

The student had initially complained to the Faculty about the decision and despite it being out of time and out of scope the Faculty considered it would be helpful to the student to investigate the matter under the local resolution stage of the Student Complaint Procedure. The complaint was thoroughly investigated and dismissed.

However, the student remained dissatisfied and it was held by the external ombudsman, the OIA, that because the complaint had been considered under the local resolution stage of the Complaint Procedure it was necessary for the University to also consider it under the formal stage of the complaint procedure (and subsequently the review stage of the complaint procedure).

Learning: when considering whether to investigate something within the Local Resolution phase of the Student Complaint Procedure, if it would ordinarily be out of scope or time please discuss this with OSCCA when making a decision about whether to investigate. There are sometimes good reasons to go ahead with the investigation but these decisions should be made consistently across the University



Examination Review Procedure - statistics

Students can request reviews of formal (summative) examination results on the grounds of:

- a) procedural irregularities that have materially affected the results;

b) bias or reasonable perception of bias in the examination process;

c) withdrawal of academic provision in relation to industrial action or COVID-19;
- d) for postgraduate students ineligible for any examination allowance procedure, mitigating circumstances unknown to examiners for good reason.

Cases	Grounds	2020-2021	2019-2020
2021-2022 85	Procedural irregularities that have materially affected the results	73	59
2021-2022 43	Bias or reasonable perception of bias in the examination process	30	35
2021-2022 15	Withdrawal of academic provision in relation to industrial action or COVID-19	19	22
2021-2022 14	For postgraduate students ineligible for any examination allowance procedure, mitigating circumstances unknown to examiners for good reason.	12	8

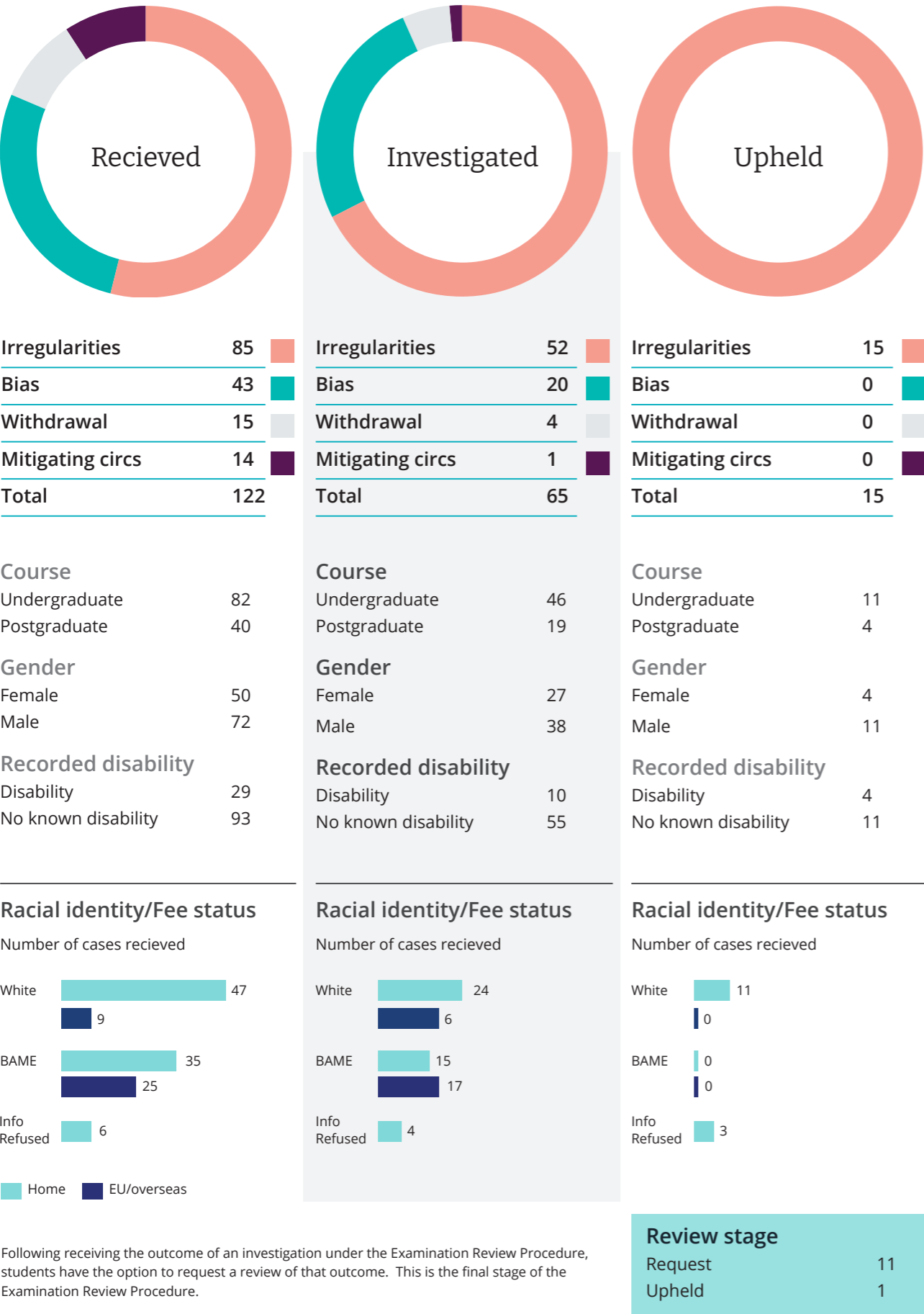
2021-2022	Received	Investigated	Review Stage
Average time to acknowledge	6 days		
% acknowledge in 7 days	80%		
Average time to investigate		44 days	
% investigated in 38 days		60%	
Average time to review			49 days
% reviewed in 28 days			42%

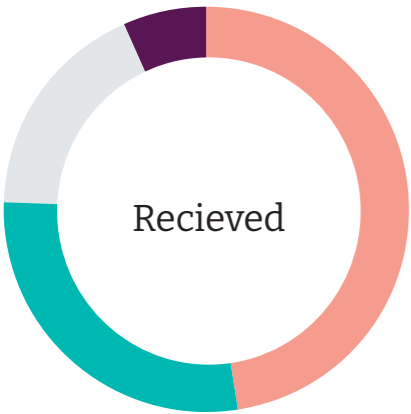
Information below is relevant to Figure 2

- * 2 cases are ongoing and therefore the outcomes are not recorded.
- ** some requests include multiple grounds and therefore this figure is greater than the number of requests.
- ***Grouping all ‘non-white’ students into a ‘BAME’ category avoids the potential identification of individuals.

Figure 2

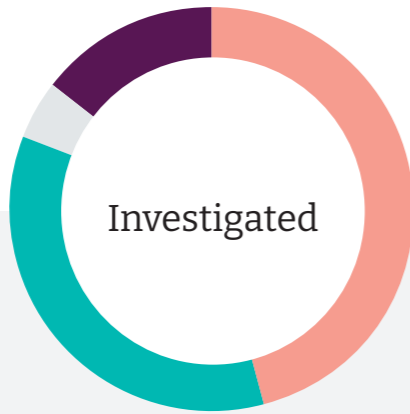
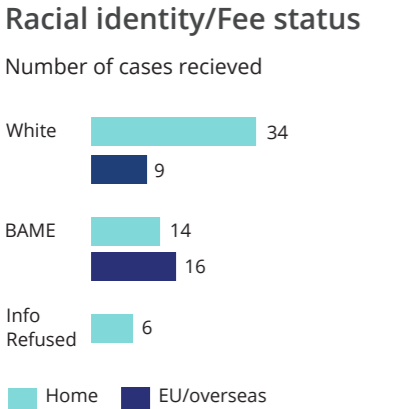
Examination Review cases 2021-2022





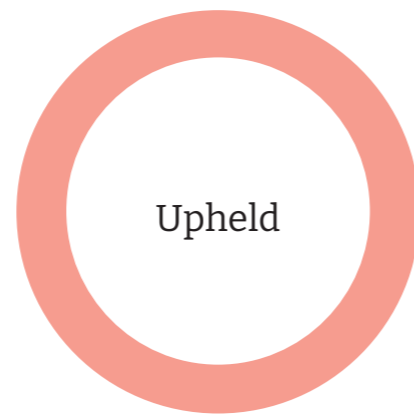
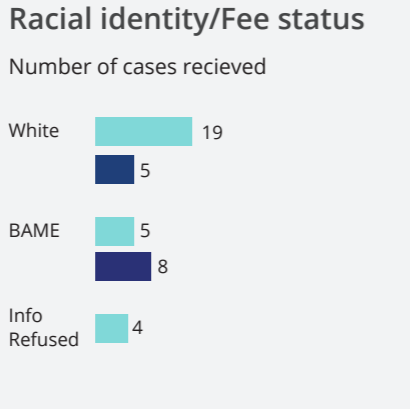
Irregularities	59
Bias	35
Withdrawal	22
Mitigating circs	8
Total	77

Course	
Undergraduate	48
Postgraduate	29
Gender	
Female	38
Male	39
Recorded disability	
Disability	15
No known disability	62



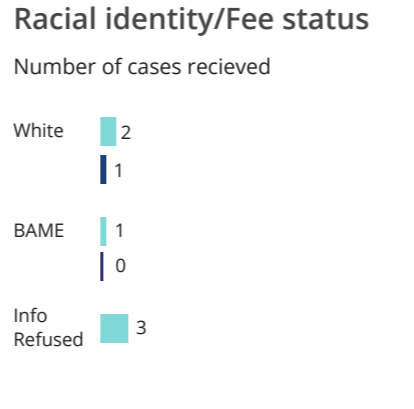
Irregularities	29
Bias	22
Withdrawal	3
Mitigating circs	9
Total	37

Course	
Undergraduate	24
Postgraduate	13
Gender	
Female	15
Male	21
Recorded disability	
Disability	8
No known disability	29



Irregularities	4
Bias	0
Withdrawal	0
Mitigating circs	0
Total	4

Course	
Undergraduate	2
Postgraduate	2
Gender	
Female	1
Male	3
Recorded disability	
Disability	0
No known disability	4



Review stage	
Request	8
Upheld	1

Examination Review Procedure - continued

Trends in case statistics

This year has continued to see an upward trend in formal examination reviews, and a proportionate increase in upheld examination reviews. It is noticeable that the only successful ground for examination reviews was procedural irregularities, which has been mirrored in the outcomes for the previous two years.

Cases not investigated

Nearly 50% of submitted examination reviews submitted were not investigated. One of the key reasons for this is the (purposeful) limited grounds of the Procedure. Further work will take place on the website to educate students as to the purpose of the grounds to try and limit the number of unsuccessful examination reviews, particularly in relation to academic judgment and bias. The OIA have recently produced some new guidance and wording for universities to use for this purpose.

Case Study

Examination Review Procedure

Case: A student received an adjusted mark from examiners, following minor academic misconduct. However, due to the progression criteria, the impact of the single amended mark resulted in the student being withdrawn from the course of study. This was not the outcome the Chair of Examiners had wanted from their actions, although it was foreseeable.

The Examination Review Officer, noting support from the Chair of Examiners, found that there had been no irregularity in the process followed, except that due to the disproportionate nature of the outcome that this would have been grounds to refer the matter to OSCCA for consideration by the Discipline Committee.

Learning: Chairs of Examiners should consider the practical outcomes when assessing the relevant outcome for academic misconduct. This is also a matter that will be taken into account when revising the Student Discipline Procedure during the 2022-23 academic year.



Procedure for the Review of Decisions of University Bodies



The types of decision that can be subject to review include:

- Examination allowances and disregarding terms/intermission made by Examination Access and Mitigation Committee/ Applications Committee (EAMC/Apps Cttee) and Board of Graduate Students (BGS)/ Postgraduate Committee (PGC)
- Faculty Board decisions about progression onto Part III additional attempts (FB Prog)
- Faculty Board decisions for professional exam re-sits (FB re-sit)
- Decisions by the Student Discipline Officer (SDO)
- Decisions by the Study Capability Committee (Stud Cap) about fitness to study

A single stage review procedure for decisions made about individual students where the decisions do not relate to admissions or examination results.

The permitted grounds for review are:

- New evidence not previously disclosed for good reason (NE);
- Procedural irregularities (PI); and
- Unreasonable decisions (UD).

Procedure for the Review of Decisions of University Bodies - continued

Figure 3

Reviews of Decisions of University Bodies cases

Year	Group	Formal complaint stage		
		Received	Investigated	Upheld
2021 - 2022	Total	(56 NE, 13 PI, 63 UD) 91 % ack'd within 7 days: 69%	77 % Investigate within 21 days: 75%	23*
	Decision body and grounds*	EAMC: (49 NE, 8 PI, 45 UD) 71 PGC: (6 NE, 5 PI, 7 UD) 9 FB Prog: (1 NE, 7 UD) 7 FB Re-sit: (3 UD) 3 SDO: (1 UD) 1	EAMC: (37 NE, 8 PI, 41 UD) 57 PGC: (5 NE, 3 PI, 7 UD) 7 FB Prog: (1 NE, 7 UD) 7 FB Re-sit: (3 UD) 3 SDO: (1 UD) 1	EAMC: (9 NE, 2 PI, 9 UD) 16 PGC: (2 NE, 2 PI, 3 UD) 3 FB Prog: (1 NE, 1 UD) 2 FB Re-sit: (2 UD) 2
	Gender	Female 43 Male 48	Female 36 Male 41	Female 11 Male 12
	Racial identity***/ Fee status	White: 37 (31 home, 6 EU/overseas) BAME: 52 (26 home, 26 EU/overseas) Info refused: 2	White: 28 (23 home, 5 EU/overseas) BAME: 47 (23 home, 24 EU/overseas) Info refused: 2	White: 9 (6 home, 3 EU/overseas) BAME: 13 (8 home, 5 EU/overseas) Info refused: 1
	Recorded disability	Disability: 23 No known disability: 58	Disability: 27 No known disability: 50	Disability: 13 No known disability: 10
		Avg time (days) to acknowledge: 7 days	Avg time (days) to investigate: 18 days	
		% ack'd within 7 days: 69%	% Investigate within 21 days: 75%	

* cases can include multiple grounds and therefore the grounds will not equal the number of cases.

** 1 case remains ongoing and therefore the outcome is unrecorded

***Grouping all 'non-white' students into a 'BAME' category avoids the potential identification of individuals.

Year	Group	Formal complaint stage		
		Received	Investigated	Upheld
2020 - 2021	Total	(56 NE, 15 PI, 54 UD) 74 Avg time to ack: 9 days % ack'd within 7 days: 68%	56 Avg time to ack: 41 days % ack'd within 21 days: 46%	28
	Decision body and grounds*	EAMC: (40 NE, 6 PI, 43 UD) 61 PGC: (1 NE, 3 PI, 3 UD) 3 FB Prog: (4 NE, 3 PI, 3 UD) 5 FB Re-sit: (1 UD) 1 Stud Cap: (1 NE, 1 PI, 1 UD) 1 SDO: (1 NE, 1 PI, 2 UD) 2	EAMC: (28 NE, 5 PI, 41 UD) 48 FB Prog: (4 NE, 2 PI, 3 UD) 4 FB Re-sit: (1 UD) 1 Stud Cap: (1 NE, 1 PI, 1 UD) 1	EAMC: (13 NE, 16 UD) 26 FB Prog: (2 NE, 1 UD) 2
	Course	UG 53 PG 21	UG 41 PG 15	UG 24 PG 4
	Gender	Female 34 Male 40	Female 25 Male 30	Female 14 Male 13
	Racial identity***/ Fee status	White: 37 (31 home, 6 EU/overseas) BAME: 32 (26 home, 26 EU/overseas) Info refused: 5	White: 30 (23 home, 5 EU/overseas) BAME: 21 (23 home, 24 EU/overseas) Info refused: 5	White: 18 (6 home, 3 EU/overseas) BAME: 8 (8 home, 5 EU/overseas) Info refused: 2
	Recorded disability	Disability: 35 No known disability: 39	Disability: 31 No known disability: 25	Disability: 18 No known disability: 10
2019 - 2020	Total	(32 NE, 17 PI, 26 UD) 48 Avg time to ack: 9 days % ack'd within 7 days: 68%	35 Avg time to ack: 41 days % ack'd within 21 days: 46%	15
	Decision body and grounds*	EAMC: (27 NE, 8 PI, 15 UD) 32 BGS/PGC:(2 NE, 6 PI, 7 UD) 8 FB Prog: (1 NE, 1 PI, 3 UD) 4 FB Re-sit: (2 NE, 2 PI, 1 UD) 4	EAMC: (18 NE, 8 PI, 14 UD) 23 BGS/PGC:(2 NE, 3 PI, 5 UD) 5 FB Prog: (1 NE, 2 PI, 1 UD) 3 FB Re-sit: (2 NE, 2 PI, 1 UD) 4	EAMC: (10 NE, 2 UD) 11 BGS/PGC: 0 FB Prog: (1 NE, 1 UD) 2 FB Re-sit: (2 NE) 2
	Course	UG 36 PG 12	UG 25 PG 30	UG 13 PG 2
	Gender	Female 26 Male 22	Female 17 Male 18	Female 8 Male 7
	Racial identity***/ Fee status	White: 23 (19 home, 4 EU/overseas) BAME: 25 (11 home, 14 EU/overseas)	White: 17 (14 home, 3 EU/overseas) BAME: 18 (9 home, 9 EU/overseas)	White: 10 (8 home, 2 EU/overseas) BAME: 5 (4 home, 1 EU/overseas)
	Recorded disability	Disability: 35 No known disability: 39	Disability: 31 No known disability: 25	Disability: 18 No known disability: 10

Procedure for the Review of Decisions of University Bodies - continued

Trends in case statistics

The EAMC received 2,049 examination allowance applications, declining 141, and 53 Adjusted Modes of Assessment, declining 8. In some of the approved applications for exam allowances the EAMC declined the requested allowance but offered an alternative adjustment; there are instances where the student has requested a review of such a decision. 71 students requested a review of their EAMC decision. Other decision-making bodies handle significantly fewer applications and therefore, far fewer students request reviews of the decision. Not including the ground of 'new evidence', which is information that the student had good reason for not including in the original submission, around 10% of cases are upheld, roughly in line with the 10% uphold rates seen in the Student Complaint Procedure and Examination Review Procedure. The rise in cases within this procedure echoes a rise in applications at the decision-making body stage.

There has been a slight increase in requests following Faculty Board progression decisions and it is clear that some Faculty Boards are not including appropriate information about the review mechanism within decision letters, an example is in the case study below. Noting that disabled students are more likely to make applications for Adjusted Modes of Assessment and more likely to be impacted by other unforeseen personal circumstances, it is understandable that a significant proportion of disabled students using this Procedure. However, there is no obvious explanation for the disproportionate number of students from Black, Asian and Minority Ethnicities using these procedures. If this trend continues next year then this will be analysed more closely. Noting the small numbers of cases involved, it is possible that is chance and not reflective of any further issue.

Case Study

Case: A student requested a review of a decision by a Faculty not to permit them to progress onto Part III of a Tripos. Despite the request for review being beyond the 14 day period, it had to be accepted because the letter informing the student of the outcome did not include information about the student's right to review the decision.

Learning: all decisions issued by University bodies should explicitly include any right of review or appeal in the letter, including the 14 day deadline for submitting the appeal or review. Preferably, the following link to the procedure and form should be included in the decision letter: <https://www.studentcomplaints.admin.cam.ac.uk/reviews-decisions-university-bodies>.



Special Ordinance on Precautionary Action



Purpose of procedure

This procedure is used where a University procedure, College procedure or police investigation/criminal proceedings is ongoing. Its purpose is to enable a full investigation to take place or to protect the student or other members of the Collegiate University community whilst a matter is investigated. Once the underlying procedure has finished, the precautionary action stops. Precautionary action is risk-based and is not evidence of wrongdoing. It is in addition to automatic requirements in the Student Discipline Procedure that prevent a respondent contacting or approaching any complainants or witnesses. Equality data is limited so that cases cannot be identified.

Figure 4

Precautionary action procedure

Year	Cases - Total: 1 (1 University investigations)		
2021 - 2022	Case 1: Precautionary action was considered and put in place for a student, suspending them from studies while the University's Procedure to Support and Assess Capability was ongoing.		
	Gender	Female 0	Male 1
2020 - 2021	Cases - Total: 3 (3 police investigations)		
	Case 1: Precautionary action was considered but not put in place for a student who was investigated by the police for a sexual offence against a former student of the University.		
	Case 2: Precautionary action was initially put in place for a student following the instigation of a police investigation of a sexual offence involving two students. The action was aimed at limiting interaction between the students but the police investigation was quickly closed under 'No Further Action'.		
	Case 3: A student was charged with making indecent images of children, precautionary action was taken, suspending the student from studies. Subsequently, the student was permitted to intermit pending sentencing.		
	Gender	Female 0	Male 3

Special Ordinance on Precautionary Action - continued

Year	Case - Total: 4 (4 University investigations)		
2019 - 2020	Case 1: Complaint relating to sexual misconduct, precautionary action was put in place including limiting contact with complainant and restricting access to University buildings.		
	Case 2: Complaint relating to sexual misconduct, physical misconduct and abusive behaviour, precautionary action was initially put in place limiting contact with complainant. Subsequent alleged breach of actions resulted in suspension from physical studies with restricted return permitted later.		
	Case 3: Complaint relating to sexual misconduct, precautionary action was put in place including limiting contact with complainant and restricting access to University buildings.		
	Case 4: Complaint relating to physical misconduct and abusive behaviour, precautionary action was put in place including limiting contact with complainant and restricting access to University buildings.		
Gender		Female 0	Male 4



Procedure to Support and Assess Capability to Study

Purpose of procedure

The University's Procedure to Support and Assess Capability to Study is an updated and improved version of the previous Procedure to Determine Fitness to Study. The updated procedure has two stages:

- **Stage 1** is a Department-led meeting which usually results in an agreed action plan between the student and the Head of Department or delegate;
- **Stage 2** is a University-level Committee, which can result in an action plan or in the student being temporarily or permanently withdrawn from the University.

Depending on the circumstances, Colleges can refer into the second stage of the Procedure. Otherwise the Procedure is normally used where it is not possible to use a College procedure, usually because the behaviour is occurring within a Department or Faculty, or the College wishes to retain an entirely supportive relationship with the student.

2021-22 and 2020-21 use the new Support and Capability to Study Procedure, cases in 2019-20 use the previous Procedure.

Trends in case statistics

A primary purpose of this procedure is to enable the University to take action where a student is unable to acknowledge the current challenges they have in engaging fully in the Collegiate University experience. As a result, it is very positive to note that in two of these cases, following initiation of Stage 2 of the procedure, the students were able to acknowledge their difficulties and request intermission, avoiding the use of the procedure.

Figure 5

Procedure to Support and Assess Capability to Study cases

Year	Case
2021 - 2022	Case 1: EAMC referred an undergraduate to stage 2 the Procedure as the student was unable to be resident in Cambridge. Subsequently, the student acknowledged the seriousness of the circumstances and volunteered to intermit from their studies.
	Case 2: Department referred a postgraduate student to stage 2 of the Procedure. However, the student acknowledged they were not well enough to engage with their studies and made a successful application to temporarily withdraw.
	Case 3: EAMC referred an undergraduate student to stage 2 of the Procedure. However, following referral the student received a new diagnosis of a disability and therefore, the referral was suspended in order to ensure reasonable adjustments for the new diagnosis were in place.
2020 - 2021	Case 1: College referred fitness to study matter as it related to a supervisor outside the College. Case was referred to the Student Discipline Procedure.
	Case 2: College referred fitness to study matter relating to a student's lack of engagement. This was referred to stage 1 of the Procedure, with a Department-level meeting. The intervention was successful and the student went onto engage appropriately with the course of study.
	Case 3: Department referred a PhD student who would not amend their research to be able to continue during pandemic restrictions or intermitting their course until the restrictions had finished. The matter was referred to stage 2 University Committee. The Committee provided the student with the option of amending their research, intermitting the course or otherwise requiring the student's withdrawal. The student refused the options and was therefore withdrawn.
2018 - 2019	Case 1: A student sent a number of potentially concerning and abusive messages to staff and students within the College setting. The Fitness to Study Panel recommended a series of supportive actions

Informal Complaint Procedure for Student Misconduct

Students use this Procedure to report physical misconduct, sexual misconduct or abusive behaviour by another student if they want to limit the interaction between themselves and the other student by agreement.

There is no investigation or findings relating to the alleged behaviour. However, a breach of any agreement limiting interaction would amount to a breach of the University's Rules of Behaviour and therefore subject to the Student Disciplinary Procedure, without the need to investigate the initial allegation of misconduct.

Reporting students can refer the other student's behaviour for formal investigation using the Student Disciplinary Procedure if dissatisfied by the outcome of this procedure.

The table below includes received cases that may not proceed to a facilitated agreement; they may be referred to another procedure, they may have originated from someone who is not a student; or the reporting student may choose to withdraw or stop engaging with the procedure part-way through the process.

This procedure remains a lesser known and often less expected option for students who report that another student has engaged in sexual misconduct, physical misconduct or

abusive behaviour. However, it is seen by some as the only viable option. It provides action without the University determining whether or not its Rules of Behaviour have been breached; something which can be difficult for reports of activities that often take place in private with little independent evidence.

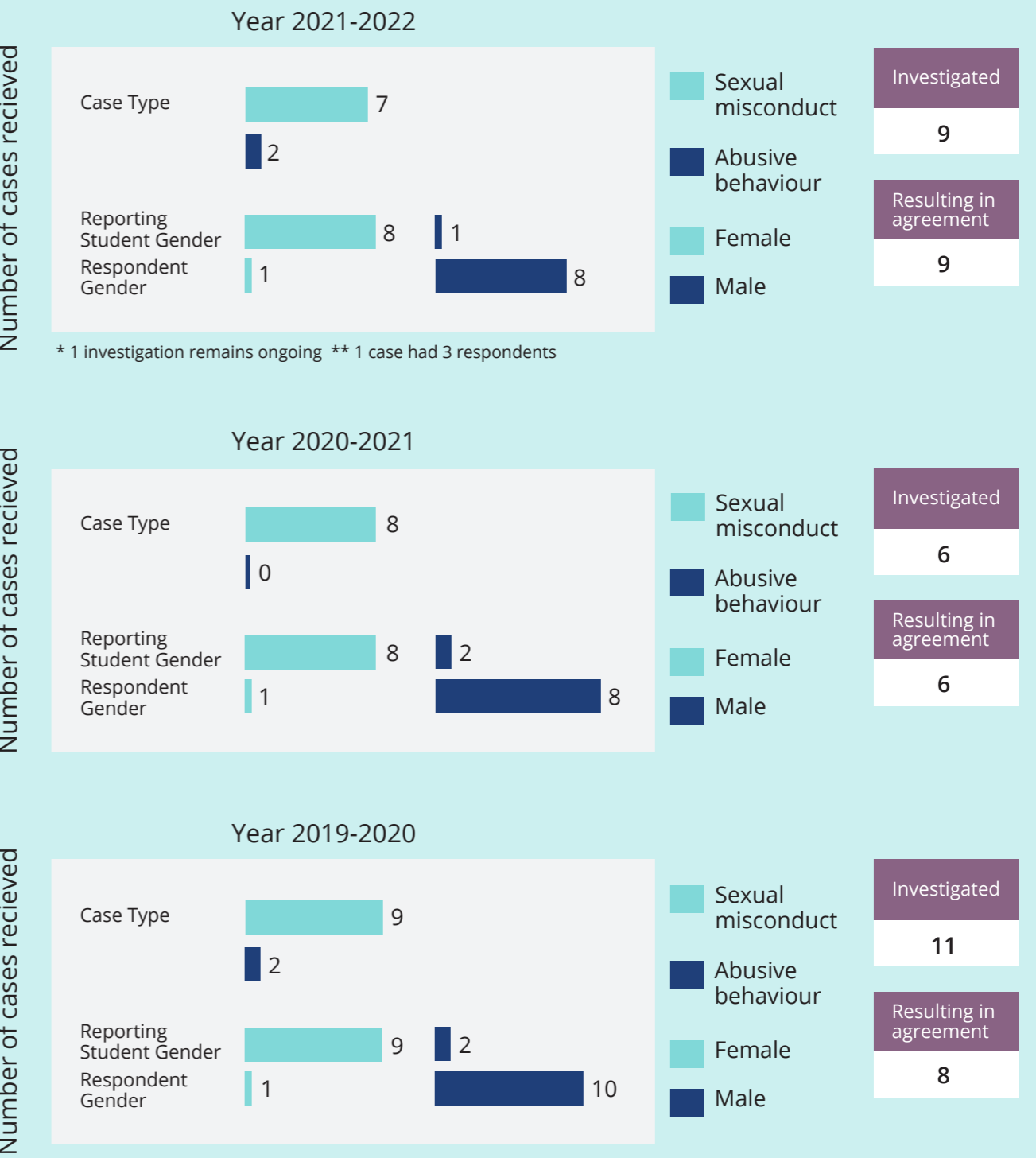
This procedure requires separate face-to-face meetings with the students involved and is resource intensive. However, it has produced actions that would not be possible using the Student Discipline Procedure and feedback received from both reporting and respondent students continues to be positive.

Trends in case statistics

This year all cases received were appropriate for a facilitated outcome, this may be as a result of an increase in 'procedure meetings' a brief meeting offered to the prospective reporting student to provide further information about the procedure.

Figure 6

Informal Complaint Procedure for Student Misconduct cases



Student Disciplinary Procedure

	Concerns Received	Concerns Investigated	Concerns Upheld	Review Stage	
				Request	Upheld
2021-2022	61	44	26	1	0
2020-2021	77	58	24	1	0
2019-2020	34	27	21	2	0

* Multiple allegations can be included in a single report

**Some reports did not include a named respondent and therefore respondent details are not included

*** 11 ongoing and therefore are not recorded in this column

****Grouping all ‘non-white’ students into a ‘BAME’ category avoids the potential identification of individuals.

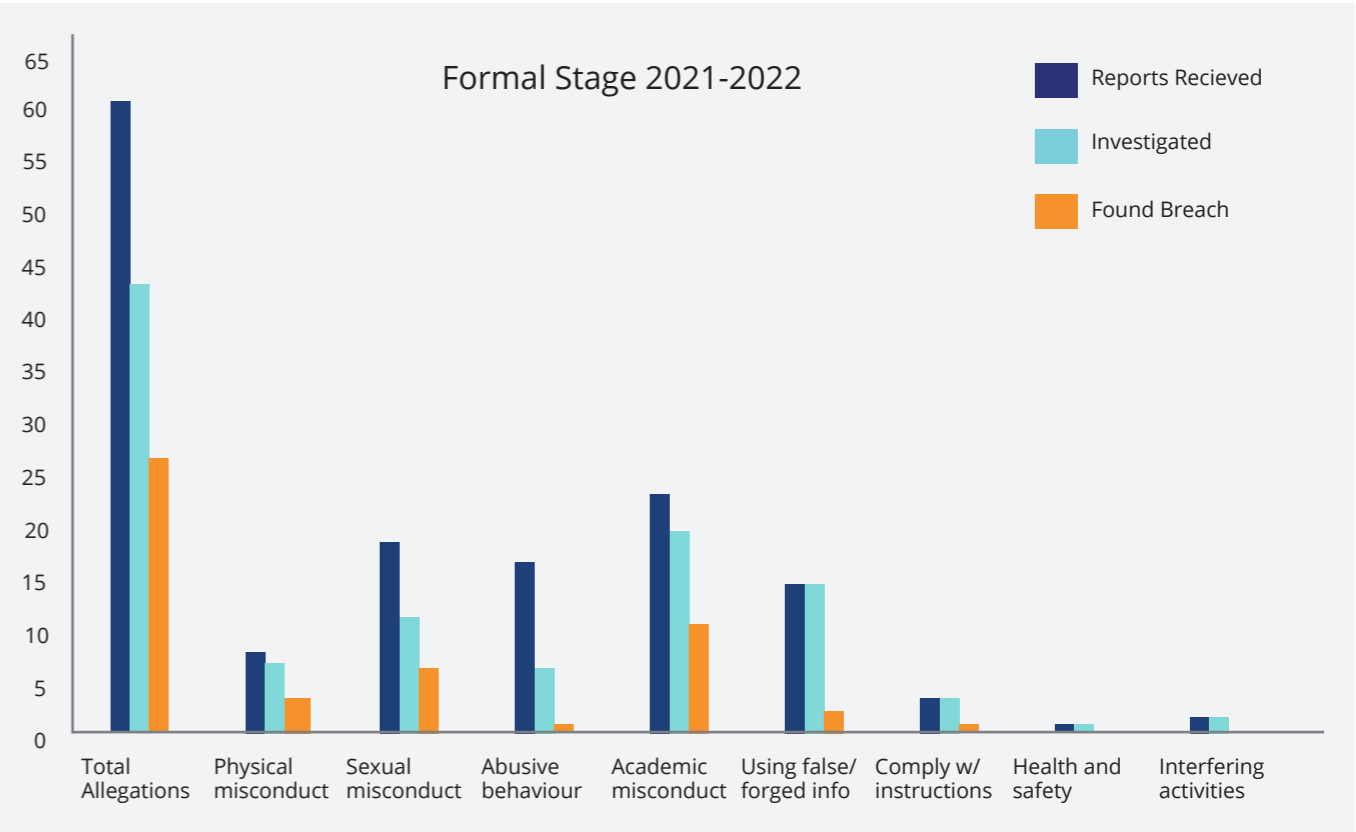
Purpose of procedure

This procedure enables the University to investigate and sanction students following reported inappropriate behaviour.

Incidents occurring since 1 October 2019 use the ‘Student Disciplinary Procedure’, which includes an OSCCA investigator and a decision using the balance of probabilities. A Student Discipline Officer (minor matters); or a Discipline Committee determines whether students have breached the University’s Rules of Behaviour.

Figure 7

Student discipline cases for behaviour after 1 October 2019



GROUP	RECEIVED			INVESTIGATED			FOUND BREACH			RECEIVED	UPHELD
Respondent	UG: 44	PG: 17		UG: 30	PG: 14		UG: 16	PG: 10		1***	
Gender	Female: 15	Other: 1	Male: 45	Female: 7	Other: -	Male: 37	Female: 6	Other: -	Male: 20		
Respondent Racial Identity****/Fee Status	White students: 25 (17 home, 8 EU/overseas)			White students: 22 (14 home, 8 EU/overseas)			White students: 12 (6 home, 6 EU/overseas)				
	BAME students: 33 (20 home, 16 EU/overseas)			BAME students: 23 (10 home, 12 EU/overseas)			BAME students: 12 (8 home, 6 EU/overseas)				
	Info Refsd: 3			Info Refsd: 3			Info Refsd: 0				
Recorded Disability	Disability: 13			Disability: 9			Disability: 6				
	No Known Disability: 47			No Known Disability: 34			No Known Disability: 19				
	Info Refsd: 1			Info Refsd: 1			Info Refsd: 1				
Reporter	Student: 27	Staff: 26	Public: 8	Student: 16	Staff: 20	Public: 8	Student: 8	Staff: 14	Public: 4		

Student Disciplinary Procedure - continued

GROUP	FORMAL STAGE 2020-2021									APPEAL STAGE		
	RECEIVED			INVESTIGATED			FOUND BREACH			REQUEST	UPHELD	
Total Allegations *	77**			58			(13Disc Coms,11SDO) 24			1	0	
Physical misconduct	4			3			2					
Sexual misconduct	13			12			3					
Abusive behaviour	34			19			7					
Academic misconduct	24			21			16					
Using false/forged info	4			1			1					
Comply w/ instructions	14			12			4					
Health and safety	1											
Interfering activities	2			2			2					
Respondent	UG: 42		PG: 34		UG: 32		PG: 26		UG: 13		PG: 11	
Gender	Female: 38	Other: 1	Male: 36	Female: 27	Other: -	Male: 31	Female: 11	Other: -	Male: 13			
Respondent Racial Identity****/Fee Status	White students: 28 (19 home, 9 EU/overseas)			White students: 22 (12 home, 5 EU/overseas)			White students: 11 (7 home, 4 EU/overseas)					
	BAME students: 33 (29 home, 13 EU/overseas)			BAME students: 37 (25 home, 12 EU/overseas)			BAME students: 12 (5 home, 7 EU/overseas)					
Recorded Disability	Disability: 13			Disability: 10			Disability: 5					
	No Known Disability: 60			No Known Disability: 46			No Known Disability: 13					
	Info Refsed: 5			Info Refsed: 2			Info Refsed: 0					
Reporter	Student: 28	Staff: 49	Public: 0	Student: 15	Staff: 43	Public: 0	Student: 4	Staff: 20	Public: 0			

GROUP	FORMAL STAGE 2019-2020									APPEAL STAGE	
	RECEIVED			INVESTIGATED			FOUND BREACH			REQUEST	UPHELD
Total Allegations *	34			27			(16Disc Coms,5 SDO) 21			2	0
Physical misconduct	2			1			2				
Sexual misconduct	7			7			3				
Abusive behaviour	11			7			4				
Academic misconduct	15			15			14				
Damage property	1			-			-				
Endanger safety	3			-			-				
Comply w/ instructions	2			2			1				
Respondent	UG: 26	PG: 6		UG: 23	PG: 4		UG: 18	PG: 3			
Gender	Female: 8	Other: -	Male: 24	Female: 6	Other: -	Male: 21	Female: 5	Other: -	Male: 16		
Respondent Racial Identity****/Fee Status	White students: 21 (19 home, 2 EU/overseas)			White students: 18 (16 home, 2 EU/overseas)			White students: 17 (15 home, 2 EU/overseas)				
	BAME students: 4 (2 home, 2 EU/overseas)			BAME students: 4 (2 home, 2 EU/overseas)			BAME students: 2 (1 home, 1 EU/overseas)				
	Info Refsed: 5			Info Refsed: 5			Info Refsed: 2				
Recorded Disability	Disability: 11			Disability: 7			Disability: 4				
	No Known Disability: 20			No Known Disability: 19			No Known Disability: 12				
	Info Refsed: 1			Info Refsed: 1			Info Refsed: 0				
Reporter	Student: 15	Staff: 17	Public: 2	Student: 11	Staff: 15	Public: 1	Student: 3	Staff: 13	Public: 0		
	Female: 15	Male: 19		Female: 14	Male: 13		Female: 5	Male: 11			

* Multiple allegations can be included in a single report
**Some reports did not include a named respondent and therefore respondent details are not included
*** 8 ongoing and therefore are not recorded in this column
****Grouping all 'non-white' students into a 'BAME' category avoids the potential identification of individuals.



Student Disciplinary Procedure - continued

For reported behaviour taking place prior to 1 October 2019, the University Advocate investigates the matter. The Advocate can choose to ‘charge’ the student, and where this takes place, the Discipline Committee considers whether a student is ‘guilty’ of breaching the University’s General Regulations using the ‘beyond reasonable doubt’ standard of proof.

Figure 8

Student discipline cases where the behaviour allegedly took place before 1 October 2019

Year	Case type (No.)	Charge found	Penalty	Appeal
2019 - 2020	Harassment: 2	1/0	That the student should be permitted to re-submit a substantially revised dissertation within the next twelve months, for it to be examined by new Examiners.	0
	Unfair means: 1	1/1		
	Gender	Female 2	Male 17	
2018 - 2019	Harassment: 2	1/0	That the student should be permitted to re-submit a substantially revised dissertation within the next twelve months, for it to be examined by new Examiners.	1
	Unfair means:	1/1		
	Gender	Female 2	Male 17	

Student Disciplinary Procedure - continued

Figure 9

Academic misconduct sanctions

Year	Sanction	Department	Respondent
2021 - 2022	Reduction of several papers to pass marks, two educative sessions;	1 x HSPS Tripos 1 x Architecture Tripos	Male: 4 Female: 7
	Written warning x 4	1 x Medical Science Tripos 1 x Computer Science Tripos	White: 7 BAME: 5 Info Refused: 0
	Written warning, written apology, educative sessions, written reflection	1 x Clinical Medicine 2 x Veterinary Medicin	Home: 10 EU/Overseas: 4
	Written apology, educative session, written reflection (x2)	1 x Engineering Tripos 1 x Natural Sciences Tripos	Disability: 1 No Disability: 13
	Educative session and written reflection (x2)	1 x Land Economy Tripos 1 x Classics Tripos	
	Mark penalty of 5% reduction in paper, educative session	1 x History of Art Tripos 1 x Economics Tripos	
	Paper mark reduced to 0 and disregarded from classing, 2 educative sessions	1 x History and MML Tripos	

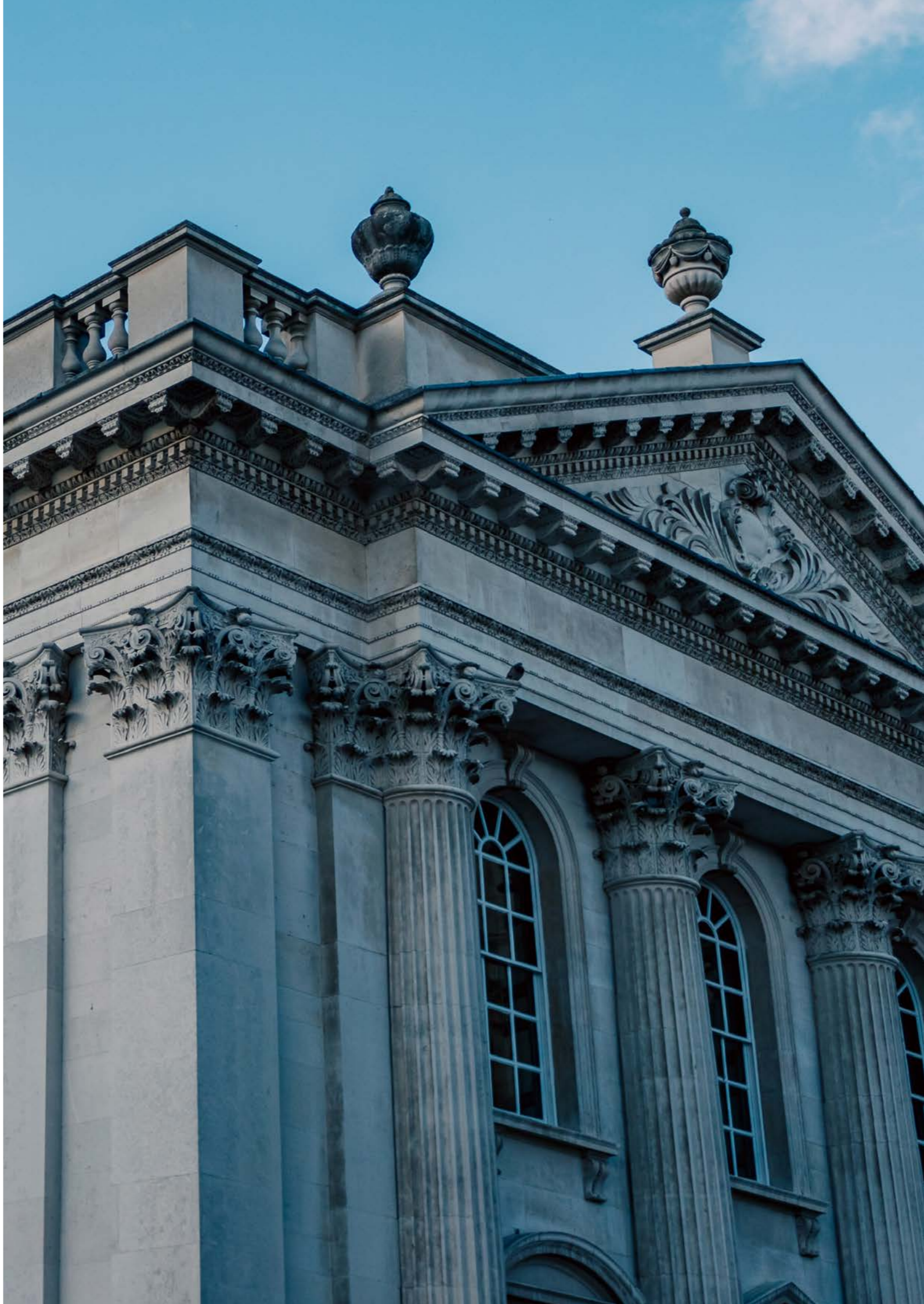
Year	Sanction	Department	Respondent
2020 - 2021	Written apology, written reflection and educative session	1x Philosophy Tripos	Male: 4 Female: 7
	Written warning, educative session and written reflection	2x Theology Tripos	White: 7 BAME: 5 Info Refused: 0
	Written warning, written apology, educative session and written reflection (x2)	2x Engineering Tripos	Home: 7 Overseas: 5
	Written warning and written reflection	2x ASNC Tripos	Disability: 2 No Disability: 10
	Written warning, mark for assessment amended to 0	1x PCIDBE	
	Mark for two assessments amended to 0 with permission to resubmit for capped mark	1x MPhil Conservation Leadership	
	Confirming a fail mark, educative session, written reflection, written apology	1x Medical Tripos	
	Requirement to re-submit assessment, written reflection, educative session	1x Real Estate Finance	
	Mark for assessment amended to 0, written apology	1x NOTAF Land Economy	
	Two written assessments to 0		
2019 - 2020	Written apology, written reflection and educative session	1x Philosophy Tripos	Male: 4 Female: 7
	Marks for assessments amended to 0	2x Theology Tripos	White: 7 BAME: 5 Info Refused: 0
	Marks for two assessments amended to 40 pass mark and no safety net	2x Engineering Tripos	Home: 7 Overseas: 5
	Dissertation mark 0	2x ASNC Tripos	Disability: 2 No Disability: 10
	Assessment amended 0, permitted to re-sit and written	1x PCIDBE	
	Assessment amended 0, permitted to re-sit and written apology	1x MPhil Conservation Leadership	
	Re-mark essay without credit for plagiarised material, and written reflection	1x Medical Tripos	
	Re-submit dissertation at pass in order to progress, written apology	1x Real Estate Finance	
	Re-mark essay without credit for plagiarised material,	1x NOTAF Land Economy	
	Mark for assessment amended to 0 and no safety net		

Personal misconduct sanctions 2021-22

Figure 10

Sexual misconduct, physical misconduct and abusive behaviour sanctions (8 ongoing cases for 2021-2022)

	Sanction	Respondent	Reporting
2021 - 2022	Written apology, educative session	Male: 3 Female: 0	Male: 0 Female: 3
	Apology, no contact order, exclusion from course, not permitted to re-apply to university for five years and only where satisfied risk assessment, no access to University or College premises, written warning	White: 2 BAME: 1	White: 3 BAME: 0
	Apology, written warning, educative session, no contact order, not permitted to graduate until sanctions are completed	Home: 2 EU/Overseas: 1	Home: 3 EU/Overseas: 0
		Disability: 2 No Disability: 1	Disability: 0 No Disability: 3
2020 - 2021	1x Educative session	Male: 4 Female: 7	Male: 4 Female: 7
	2x No contact order	White: 7 BAME: 5 Info Refused: 0	White: 7 BAME: 5 Info Refused: 0
	1x written apology, restrictions on contact/facilities, ongoing support	Home: 7 EU/Overseas: 5	Home: 7 EU/Overseas: 1
	2x written warning and no contact order	Disability: 2 No Disability: 10	Disability: 2 No Disability: 10
	1x written apology, written reflection, educative session, no contact order		
2019 - 2020	No contact order, restrictions on building access, written warning, written apology	Male: 4 Female: 7	Male: 4 Female: 7
	No contact order, temporary suspension from access to physical buildings, restrictions on building access, College ban, engage with specialist service to provide rehabilitative work and assessment, written apology, written reflection	White: 7 BAME: 5 Info Refused: 0	White: 7 BAME: 5 Info Refused: 0
	No contact order, building restrictions, online course, reflective discussion	Home: 7 EU/Overseas: 5	Home: 7 EU/Overseas: 1
	4x written apology	Disability: 2 No Disability: 10	Disability: 2 No Disability: 10
	2x written apology, educative session, written reflection, no contact order, restrictions on facilities		



Student Disciplinary Procedure - continued



Trends in case statistics

While it appears there has been a reduction in discipline cases, this is largely down to the reduction of cases linked to students not following University instructions about enrolment. There are similar numbers of cases relating to academic misconduct and misconduct against a person, which are the main two rules of behaviour that are reported.

While none of the cases explicitly alleged racist behaviour, there were racial undertones involved in two cases. The majority of the cases involving misconduct against a person involved sexual misconduct,

and a significant number of the allegations of abusive behaviour were alongside allegations of sexual misconduct. This year has also seen an increase in the number of physical misconduct allegations alongside sexual misconduct. This is something that the Discipline Committee takes very seriously and a found breach of the Rules of Behaviour involving both sexual misconduct and physical misconduct has resulted in an exclusion from the University.

One of the challenges this year has been delays as a result of a lack of resource. As a result, for the following academic year we have increased the number of Student Discipline Officers and have received resource for another 1.5 FTE Investigators. It is hoped that this will have a significant impact on discipline investigation times. It is as a result of delays that a number of serious cases that were reported during 2021-22 are not reaching a Discipline Committee until Lent Term 2023 and are currently ongoing.

In relation to apologies as a penalty, these are all reviewed by the Chair of the Committee. Apologies are only sent onto the reporting person where this is wanted by them. The respondent does not know whether the reporting person received a copy of the apology.

Case Study 1

Student Discipline Procedure

Case: A student was informed by the Chair of Examiners that a case of academic misconduct was being referred to OSCCA. However, despite OSCCA and the student's College chasing the Chair of Examiners, it took them 6 months to disclose the details of the allegation to enable a discipline case to begin. The student's mental health was significantly affected while waiting for the material to be shared with OSCCA and this resulted in a compensation payment.

Learning: Chairs of Examiners and Senior Examiners should only inform students that cases have been referred to OSCCA once all of the relevant paperwork has been passed to OSCCA. This in line with the published 'Staff Guidance document – suspected academic misconduct'.

Case Study 2

Student Discipline Procedure

Case: A first-year undergraduate student was permitted to undertake uninvigilated examinations due to being infectious. The examination papers were problem-based and did not count toward the final degree classification. The student used their mobile telephone to message students in other year groups to ask for help with the questions.

Learning: examiners should not permit uninvigilated summative examinations to take place, if they wish to maintain the academic integrity of their awards.

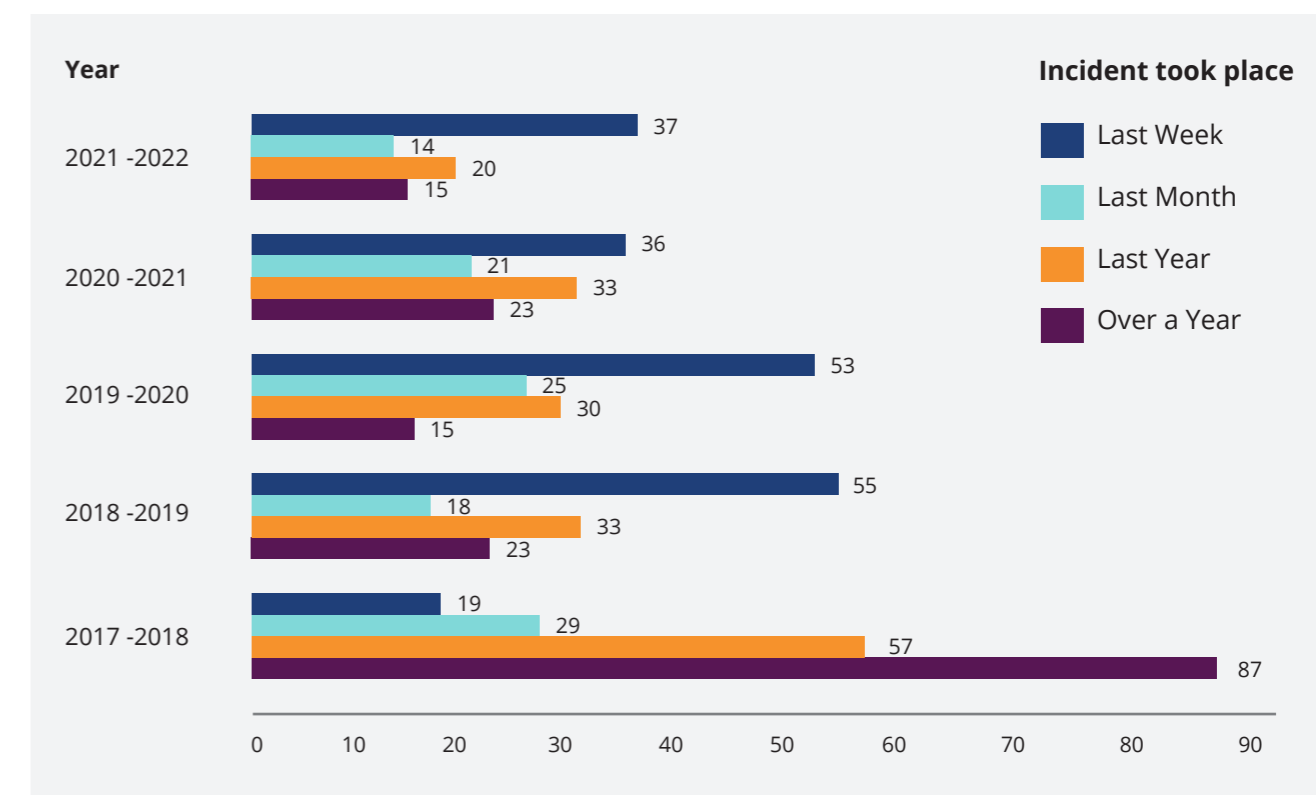


Anonymous reporting tool

Since 5 May 2017, the University has been enabling students, staff and visitors to anonymously record incidents of harassment, sexual misconduct and discrimination. These reports are not verifiable; however, they indicate the types of behaviour that are occurring within the Collegiate University community.

Figure 11

Anonymous reporting data by time taken to report



Anonymous reporting tool

Trends in case statistics

This table demonstrates the continued use of the anonymous reporting system, despite no significant ongoing University campaign efforts. It shows that when students (and to a lesser extent staff and visitors) first started using this mechanism, they were primarily reporting issues that had taken place some time ago. However, over the years this trend has changed to some extent and now, either because of their knowledge of the tool or because they are looking for University reporting tools earlier, the majority of users are reporting incidents within a month of them occurring. This suggests that a greater proportion of the Collegiate University

community are recognising or more comfortable with anonymously reporting incidents of harassment and discrimination earlier.

One surprising change this year has been the change in gender of those reporting incidents. There have been fewer reports this year, however, this is the first time that the proportions of women and men reporting are more proportional. The fact that the number of annual reports are slowly dropping should not be seen as evidence of a drop in prevalence. It is likely linked to the time that has elapsed since the University has campaigned around this issue. Without a larger dataset it is difficult to provide any reliable analysis of the data captured.

Figure 12

Anonymous reporting victim and perpetrator categories

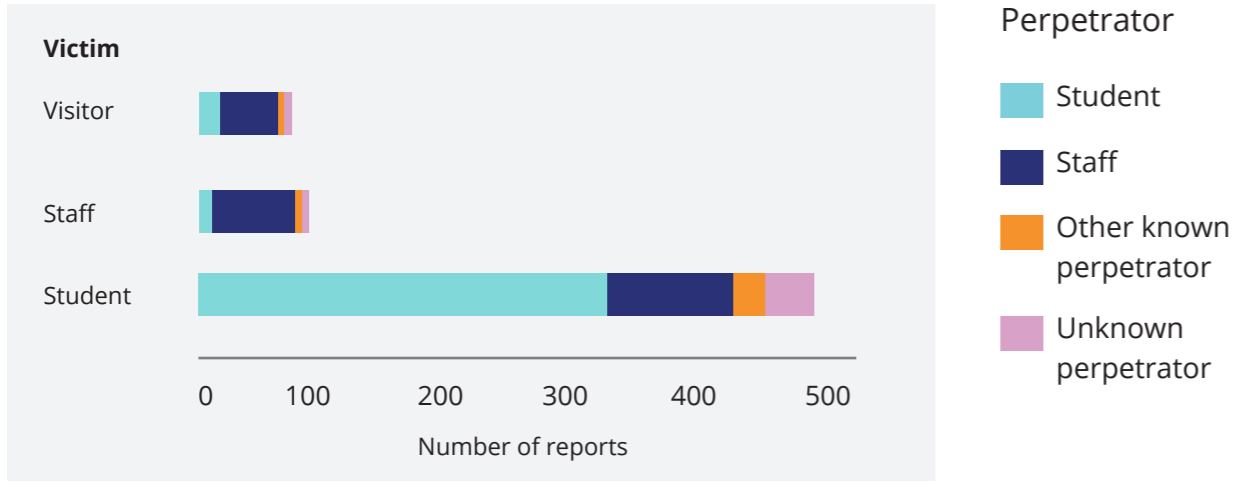


Figure 13

Anonymous reporting data – accessing support

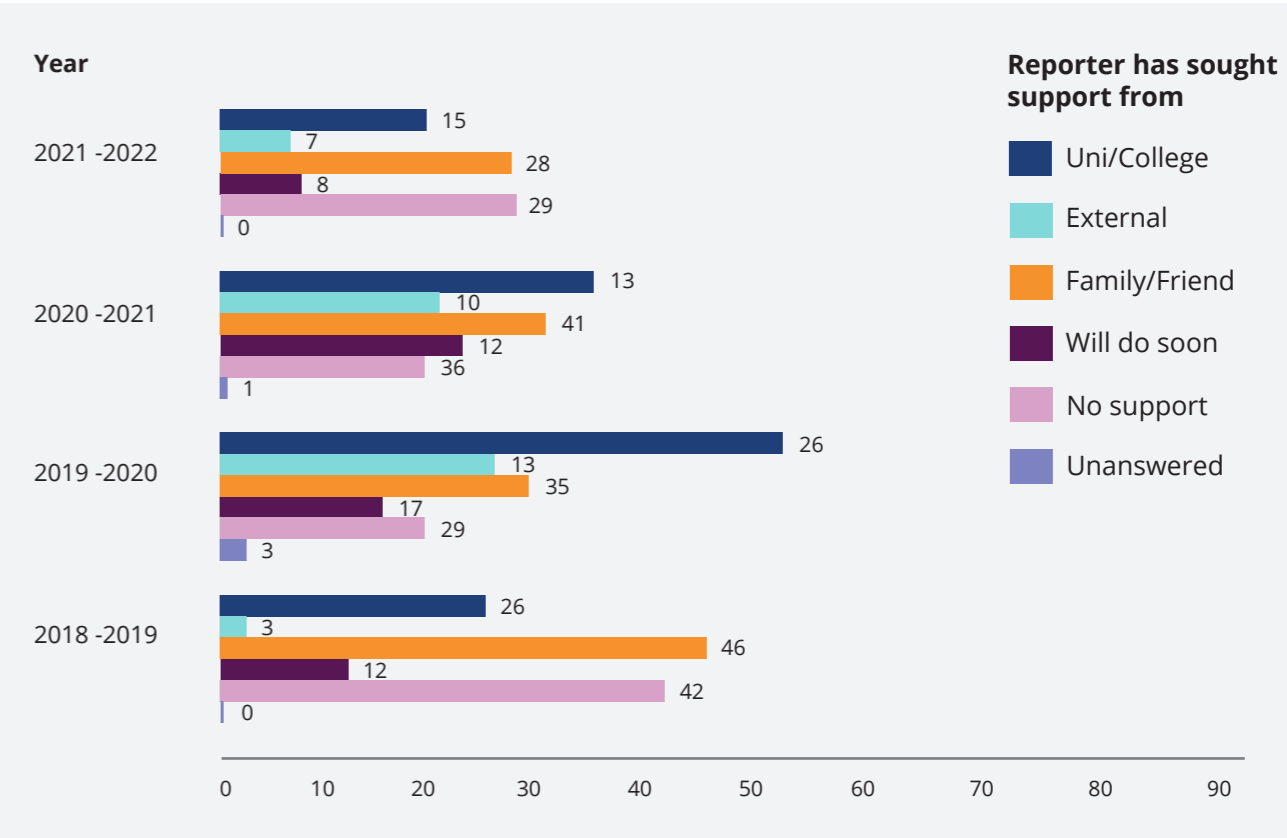


Figure 14

Anonymous reporting data – reporting person's sex

Year	Sex of affected person where reporting it themselves								Total	Sex of person where reporting it on someone else's behalf								Total
	Woman		Man		Other		Unstated			Woman		Man		Other		Unstated		
	No.	%	No.	%	No.	%	No.	%		No.	%	No.	%	No.	%	No.	%	
2021-2022	24	43%	23	42%	8	15%	0	0%	55	9	28%	9	28%	0	0%	14	44%	32
2020-2021	51	64%	14	18%	5	6%	10	12%	80	12	36%	9	27%	3	9%	9	27%	33
2019-2020	66	69%	18	19%	0	0%	11	12%	95	8	29%	13	46%	2	7%	5	18%	28
2018-2019	66	72%	20	22%	1	1%	5	5%	92	16	43%	14	38%	0	0%	7	19%	37

Office of the Independent Adjudicator

Purpose of procedure

Where students have completed a University procedure, they are able to raise a complaint with the Office of the Independent Adjudicator (OIA), the external Ombudsman. The OIA will consider whether the University has followed its own procedures and whether the actions taken are reasonable in all the circumstances.

The OIA produce case studies, public interest cases and a good practice framework to help provide guidance to universities on what is expected practice.

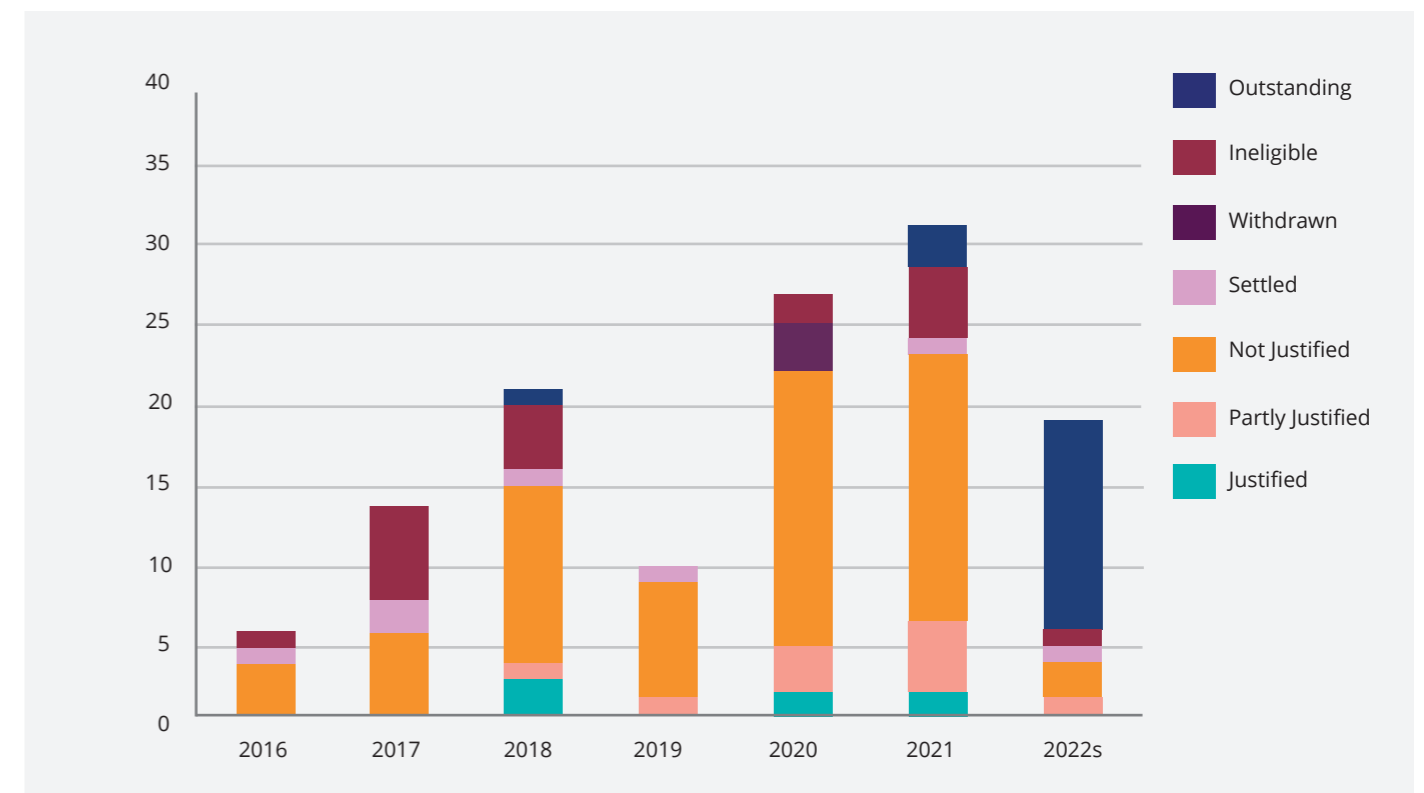


Trends in case statistics

Having seen the number of cases going to the OIA continuing to increase over the last few years, 2022 seems to have included a reduction in the number and proportion of students complaining to the OIA. There is currently no clear reason for the reduction and it will be of interest to see whether this trend continues in the following year.

Figure 15

OIA Complaints



OIA 2021 statement

Each calendar year the OIA produce a statement for each HE provider showing how the comparison between the provider and the 'band' median. Bands are defined by the number of students at each provider and impacts the provider's subscription fee. The University of Cambridge's 2021 annual statement can be read here in full:

<https://statements.oiahe.org.uk/statement>

Office of the Independent Adjudicator - continued

Case Study 1

Outcome: Partly justified

Case: A student had reported disabilities and been sent information and support from their College and the ADRC but had chosen not to engage. The student had not submitted supervision essays and failed their examinations. The student applied to the EAMC for an examination allowance to permit them to progress, the EAMC found that the student did not serious medical or other grave cause, noting that reasonable adjustments had been put in place and that the student had been offered sufficient support from the Collegiate University but chosen not to engage with it. The student requested a review of the decision, the Reviewer dismissed the student's request and the student raised a complaint with the OIA.

The OIA found the complaint partly justified. The OIA considered that the decision reached by the EAMC would have been reasonable except it was based on the assumption that the student had been provided with reasonable adjustments and sufficient support. While the student had not complained about the level of support received, the OIA found that when the student had not engaged with the support or the supervision essays that further action should have been taken by the College or University, for example a fitness to study procedure.

Learning: Previously, Colleges and Departments have assumed that providing reasonable adjustments and signposting support is sufficient. However, there may be a requirement to take further steps where there is evidence that the student is choosing not to use the support and is not engaging with their course of studies.

Case Study 2

Outcome: Not justified

Case: A student requested an examination allowance from the EAMC on the basis that the students long-term mental health conditions had impacted on supervisions for a particular paper and that a further physical condition had impacted upon the exam for the subject in question. The EAMC held that the mark for this paper was not out of line with the mark in other papers and it was a higher mark than predicted in supervision reports and therefore did not permit an examination allowance.

The student requested a review of the EAMC's decision, which the Reviewer dismissed and the student submitted a complaint to the OIA. The OIA considered that the EAMC's decision was reasonable, as the student had not raised concerns with the support given to her (or the nature of the supervisions) at the time. The OIA believed the student would have been able to ask for further support had the student considered it necessary and that is reasonable to expect students to engage with sources of support available. The OIA noted that the student had been signposted to a variety of support following an email request from the student.

Learning: Providing the student is engaging with their studies, and the Collegiate University has provided sufficient support to the student, the student will not be able to raise questions with support for studies after the examination results have been released.

Contact

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