

Office of Student Conduct, Complaints and Appeals: Annual Report 2017-18

Summary

The 2017-18 academical year has been productive; it has included the implementation and embedding of a revised Student Complaint Procedure, Examination Review Procedure and the Procedure for the Review of Decisions of University Bodies. This set of simplified and consistent procedures has led to an increase in the numbers of cases handled and upheld.

An informal review of the Procedure for Student Harassment and Sexual Misconduct has seen a number improvements to the process. Work in this area continues, in consultation with students and staff stakeholders, as experience and guidance within the sector develops. There is overlap between this work and the revisions to the Student Disciplinary Procedure; consultation was undertaken this year on the principles of the revised procedure, which will lead to the drafting and consideration of a revised Student Discipline Procedure in 2018-19. In the meantime, the University-wide statement on plagiarism was updated to include self-plagiarism and a number of guidance documents were created for Tutors and University staff and students, supplemented by University-wide and bespoke workshops for staff.

A substantial rise in the volume of cases received was in part due to industrial action. Clear communications were sent to all students explaining the grounds and deadlines for submitting complaints around industrial action and a temporary additional ground was added to the Examination Review Procedure to enable students to raise concerns where they considered their academic results had been impacted by industrial action. In total 8 complaints and 13 examination review requests were received relating to the industrial action; all were investigated and subsequently dismissed, primarily due to the significant work undertaken by faculties, departments and Colleges to support students and minimise disruption where possible.

Student complaints, appeals and cases of misconduct rely heavily on the goodwill and careful consideration of our panels of Officers and Reviewers who are responsible for making decisions in relation to cases. Particular thanks go to these committed individuals, without whom it would not be possible to continue with our robust and consistent processes. The commitment and quality of every Case Handler should also be commended, particularly in light of the increased case load they have efficiently and good naturedly handled this year.

Equality and Diversity trends

With such low numbers it is not possible to reach any conclusions in relation to access of the procedures, except that they are accessed by Home, EU and International fee paying students and that students from a range of ethnicities within these fee paying categories are using the procedures.

Students with disabilities disproportionately use some formal student procedures. In 2017-18, 8 out of 32 student complaints were made by students with a disability, with 7 of those relating to the student's disability (although it is noted that none of these complaints were upheld). Case Study D exemplifies a number of examination reviews upheld relating to students with disabilities. The process for the implementation of reasonable adjustments for study, including who needs to be informed of them, continues to bring confusion to some students and staff; the DRC are working with Departments and Faculties to overcome this.

OSCCA's year at a glance

173 formal cases handled

29 upheld complaints and appeals outcomes for students

2.6 staff handling cases

56 cases ruled ineligible by case handlers

222 anonymous reports of harassment or sexual misconduct

25 briefings given to College and University staff and students

234% rise in cases in the compared to 2016-17

41 academic decision-makers considering complaints and appeals

9 errors raised by students, following Examiner meetings, requiring corrective action

External interaction regarding reporting sexual misconduct:

5 key note/conference sessions at national conferences

4 radio interviews

Member of parliamentary working group on Sexual Misconduct in Westminster

Informal advice provided to multiple national and international universities, sector organisations and policy makers

Case Studies

OSCCA handles a variety of cases, which enables it to gain an insight into many areas of the University. This year focuses on case studies around the examination processes:

CASE STUDY A

A black student complained that an invigilator had not permitted them to go to the toilet during the examination but had permitted other students, who were not black. Following an investigation it was found that the invigilator had not initially permitted the student to go to the toilet because (unknown to the complainant) as it was already in use by another student. When this student had returned, there had then been less than ten minutes left in the examination and the invigilator wrongly believed that students were not permitted to use the toilet in the last ten minutes of the examination. The complaint was upheld, as the student had not been treated in line with the University's regulations. There was no finding that the behaviour of the invigilator had been racially motivated. However, as part of the complaint investigation the invigilator training had been reviewed and as well a remedy for the student, one of the outcomes of the complaint were improvements to the invigilator training, including the addition of training on implicit/unconscious bias.

CASE STUDY B

A student raised an informal complaint about another student regarding harassment. Both students agreed to a set of actions aimed at the respondent, to limit the interaction between both students. Multiple staff in the department and the central exams team worked together to ensure that the students were not seated in the same examination venue and created a confidential but practical process working with the students to ensure they remained separated in group work and optional modules going forward.

CASE STUDY C

A candidate applied to be considered for a PhD by Special Regulations. The department concluded that the candidate had not met the same requirements as the department's other PhD students and therefore terminated the application at the initial assessment stage. The candidate's review of this decision was upheld; the department had to re-consider the candidate's application, applying only the regulations approved for a PhD by Special Regulations.

CASE STUDY D

A department had introduced coursework into its tripos examination. A student requested a review of their examination results as they were concerned that their specific learning difficulty had not been considered when marking their coursework. Following investigation, it was found that the department's process for informing assessors about specific learning difficulties only operated for examination and not for coursework. The student's exam review was upheld and their assessment was re-marked with consideration for their disability. The rest of the cohort were reviewed in case anyone else had been similarly affected and the department was required to review and ensure the appropriate process was put in place.

CASE STUDY E

A student requested an examination review on the basis that they had missed 2 lectures due to industrial action and this had impacted on their examination result. The Department confirmed that the material within those lectures had not been examined within the examination and the full lecture notes had been made available in any case. The student's request for examination review was dismissed.

OSCCA Cases

1. Student Complaints Procedure

The Student Complaints Procedure enables students to raise general complaints about the University student experience, where there is no specific appeal procedure available.

Figure 1 – Student complaint cases

Year	Total cases	Outcomes					Student category			Gender	
		Justified/ upheld	Partly Justified/ upheld	Not Justified/ dismissed	Ineligible	Other	UG	Masters/ other PG	Research	male	female
2017/18	40	2	2	14	20	2 ¹	8	7	17	11	21
2016/17	8	0	4	1	3	0	1	1	6	-	-
2015/16	7	0	4	0	1	2 ²	1	2	4	-	-

1 1 case ongoing; 1 case withdrawn

2 1 case withdrawn; 1 case settled

2. Examination Review Procedure

The revised Procedure has combined the review of all students' academic results into one procedure; rather than a procedure for Graduate students and a procedure for other students. Undergraduate students can report irregularities to Examiners in advance of Examiners' meetings. 50 cases were reported both in 2016-17 and 2017-18. 29 cases resulted in changes in 2017-18 (in comparison to 18 in 2016-17), anecdotally it appears that in most cases Examiners were already aware of the irregularities that were reported.

The formal Procedure consists of two stages: a formal consideration of whether any grounds of the procedure have been met (and where so, the consideration of a remedy); and a Review of the formal consideration decision.

Figure 2 – examination review cases

Year	Total cases	Ineligible cases	cases upheld at first stage	cases progressed to review	cases upheld at review	Student Category		Gender	
						UG/ PG	Graduate	male	female
2017/18	77	29	8	12 (out of 37)	1	55	22	55	22
2016/17	45	1	4	6 (out of 40)	0	33	12	-	-
2015/16	55	1	8	7 ¹ (out of 46)	1	39	16	-	-

1 2 cases withdrawn

3. Review of Decisions of University Bodies (the Applications Committee, the Board of Graduate Studies, Faculty Part III progress decisions, Board of Examinations and others) This is a one stage review of decisions made by, or on behalf of, University bodies; a list of which is in the schedule to the Procedure. The new process removes the requirement for the Applications Committee to reconsider its decision again before the student can request a formal review. The majority of the upheld cases for this procedure are due to new evidence provided by the student, which requires reconsideration by the relevant University body.

Figure 3 – Review of Decision of University Bodies Cases

Year	Total cases	Ineligible cases	cases upheld	University body								Gender	
				Apps Cttee		BGS		Part III		Other		male	female
				cases	upheld	cases	upheld	cases	upheld	cases	upheld		
2017/18	42	5	18	25	12	8	3	5	3	4	0	25	17
2016/17	11	1	1	10	0	1	1	-	-	-	-	-	-
2015/16	3	0	1	2	0	1	1	-	-	-	-	-	-

4. Procedure for Student Harassment and Sexual Misconduct

This Procedure provides students with a process to report student misconduct in order to limit the interaction between themselves and the other student by agreement. There is no investigation or findings relating to the alleged misconduct, although a breach of any agreement could be referred to the student disciplinary process.

Figure 4 – student harassment and sexual misconduct cases

Year	Total cases	Ineligible cases	referred to the College	cases progressed to procedure	cases resulting in action	Student complainant Category		Complainant Gender	
						UG/PG	Graduate	male	female
2017/18	6	2	1	3	2	5	1	2 ¹	6
2016/17	5	1	1	3	3	4 ²	0	2	3

1 1 complaint had 3 complainants, 2 male & 1 female – all complainants fitted into 'UG/PG' so equate to '1' UG/PG

2 1 complaint was made by a non-student of the University

5. Student disciplinary procedures

Whilst Discipline Committee outcomes are published in the Reporter, it is considered useful that a summary of investigations are provided, so that there is a record of the work being undertaken in this area. The University Advocate undertakes investigations in relation to this procedure and is supported by volunteer note takers organised by OSCCA.

Figure 5 – student discipline cases

Year	Total cases	investigations by Advocate	Discipline Committee cases	guilty findings	appeal	upheld at appeal	Regulation		Gender	
							Academic misconduct	harassment	male	female
2017/18	14	14	6	6	0	0	8	6	12	2
2016/17	9	9	4	4	0	0	5	4	7	2
2015/16	4	4	2	2	1	0	2	2	4	0

The Discipline Committee outcomes for Discipline Committee cases can be found here:

2015-16¹: <https://www.admin.cam.ac.uk/reporter/2016-17/weekly/6446/section1.shtml#heading2-7>

2016-17²: <https://www.admin.cam.ac.uk/reporter/2017-18/weekly/6482/section1.shtml#heading2-4>

2016-17²: <https://www.admin.cam.ac.uk/reporter/2017-18/weekly/6477/section1.shtml#heading2-5>

2017-18: <http://www.admin.cam.ac.uk/reporter/2017-18/weekly/6510/section1.shtml#heading2-6>

2017-18: <https://www.admin.cam.ac.uk/reporter/2018-19/weekly/6521/section1.shtml#heading2-4>

2017-18²: <http://www.admin.cam.ac.uk/reporter/2018-19/weekly/6525/section1.shtml#heading2-6>

2017-18: <https://www.admin.cam.ac.uk/reporter/2018-19/weekly/6525/section1.shtml#heading2-6>

2017-18: <https://www.admin.cam.ac.uk/reporter/2018-19/weekly/6526/section1.shtml#heading2-6>

¹ The other 2015-16 case, subject to an appeal has not been published in the Reporter

² These reports refer to two Discipline Committee outcomes

6. Precautionary action

Where a University or police investigation is ongoing, where necessary, the Academic Secretary is able to impose interim or precautionary measures on a student, to ensure that the investigation can be carried out and to limit risks to the University community and the accused student. In 2016-17, two students were subject to precautionary action following investigations relating to allegations of harassment towards other students.

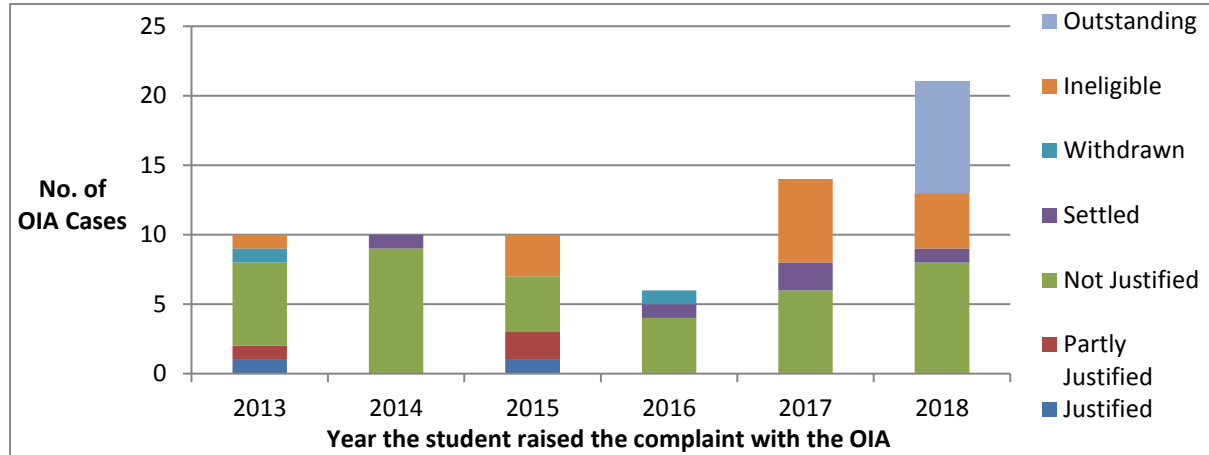
7. Other cases

Although responsibility is maintained for handling the Procedure for Determining Fitness to Study, the appeal stages of the University's Fitness to Practise Procedures, neither of these processes were required to be used in 2017-18.

8. Office of the Independent Adjudicator

Following the end of any University or College internal procedure, students have the right to raise a complaint with the external ombudsman, the OIA. The OIA statistics look at cases received annually, not by academical year. The following table provides a summary of the outcomes we have received in the last 5 years:

Figure 6 – OIA cases



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