



The Council, 28 November 2016

Annual Report on Student Case Reviews 2015-16

1. Regulations of Council provide for Council to 'consider, adjudicate upon and if thought fit redress any grievances of the officers, staff or students of the University'. The exercise of The Council's responsibility in respect of student grievances is via a Case Review stage within the University's student complaints procedures. The Case Review process is led by a Pro-Vice-Chancellor with support from Student Services.

Fifty-three Case Review requests were submitted during 2015-16: a 32% increase on the 2014-15 figure, which in itself represented an 112% increase on the number of Case Review requests submitted only two sessions prior to this, in 2012-13 (see comparisons with previous years in table below; N.B. Admissions cases were not reported prior to 2013-14).

	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
UG	4	11	4	8	7	24	15	27
PGT	3	3	4	6	5	4	11	17
PGR	0	3	1	3	5	3	10	9
TOTAL	7	17	9	17	17	31	36	53

2. Taught Course Students

Thirty-seven Case Review requests (out of forty-four) were submitted in 2015-16 by students not satisfied with Faculty decisions made in their academic appeal cases in the current or previous academic session. Three further cases were brought by students who were not satisfied with the outcome of their complaint dealt with by Faculty, and one case related to a complaint deadline extension being rejected. Two more cases concerned Accommodation & Commercial Services matters, and the final case was a reconsideration of a case review request, as requested by the Office of the Independent Adjudicator (OIA). Of the total forty-four cases, one was referred back to an Academic Appeals Committee for review; three were upheld in the students' favours (all related to academic appeals); in twenty-eight cases there were insufficient grounds to consider the cases further; and eleven cases are still ongoing. Cases were submitted by students in all five Faculties: Arts & Humanities (3 UG); Engineering (5 UG, 1 PGT); Medicine, Dentistry & Health (8 UG, 1 PGT); Science (3 UG); Social Sciences (8 UG, 15 PGT). Cases were submitted by 24 Home, 1 European and 19 Overseas students.

Research Students

Of the nine Case Review requests submitted by research students, two Case Review requests were submitted in 2015-16 against the outcome of a complaint, and seven against the outcome of academic appeals (again, as with taught students, the majority of cases). In five cases there were insufficient grounds to consider them further; two cases were referred back to an Academic Appeals Committee for review; one case was rejected; and the final case was upheld in the student's favour (an academic appeal). Cases were submitted by research students in four of the five Faculties: Engineering (3); Medicine, Dentistry & Health (1); Science (2); Social Sciences (3).. Cases were submitted by 1 Home, 1 European, and 7 Overseas students.

3. The Office of the Independent Adjudicator for Higher Education

Where students are not satisfied with Case Review decisions, they have recourse to external review via the Office of the Independent Adjudicator (OIA). For information, an Appendix is attached, containing the 2015-16 Annual Report to Senate of the cases reviewed by the OIA.

Dr Helen Tattam, Student Information & Developments Manager, Student Administration Service
7 November 2016

APPENDIX

The Senate, 14 December 2016

Annual Report of cases reviewed externally by the Office of the Independent Adjudicator 2015-16

1. The Office of the Independent Adjudicator (OIA) for Higher Education is an external organization which provides an independent scheme for the review of student complaints. All HEIs are required to participate in the scheme. Students who are not satisfied with the outcome of decisions made by the University in cases related to academic appeals, complaints, discipline, fitness to practise and progress, and who have exhausted relevant internal University procedures, may have recourse to the OIA by submitting a complaint.
2. Nine new cases have been referred to the University by the OIA during 2015-16, which marks a return to the norm following the spike in cases received in 2014-15 (over double the 2015-16 figure) – see the comparison with previous years in Table 1 below.

Table 1: New OIA Cases by Academic Session

	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
UG	3	2	4	2	6	7	8	6
PGT	1	1	3	2	-	-	5	-
PGR	-	2	2	3	-	3	6	3
TOTAL	4	5	9	7	6	10	19	9

Three (i.e. 50%) of the six undergraduate cases in 2015-16 related to discipline cases; one concerned an academic appeal; a further case was a progress appeal; and the final case related to a student complaint. All three postgraduate research cases were submitted by the same student, in relation to a complaint: the first case was not deemed to be eligible; the second OIA case was found to be not justified; and the final case was also not deemed to be eligible. Two of the undergraduate cases were also submitted by the same student – again, the first case was not deemed to be eligible, and the second case remains ongoing. As was noted in the 2014-15 OIA report, it is worth explaining that the OIA do allow continued submissions, with new evidence, but only where the student has already submitted the complaint through the University. Of all nine new cases submitted in 2015-16, three were rejected by the OIA as not eligible, a further three were found to be not justified, and the remaining three are ongoing.

OIA cases usually take a number of months to be investigated and concluded, meaning that a case submitted in one academic session may still be ongoing in the next (or a subsequent academic session in some more complex cases). Table 2 below shows comparison data of the OIA outcomes of new and ongoing cases by the end of each academic session, for the last six years.

Table 2: Outcomes of OIA Cases by end of Academic Session

OIA Outcome	2010-11		2011-12		2012-13		2013-14		2014-15		2015-16	
	New	On going	New	On going	New	On going	New	On going	New	On going	New	On going
Justified	-	-	-	1	-	-	-	-	-	-	-	-
Partially Justified	-	1	-	1	-	1	-	-	-	2	-	1
Not Justified	6	3	-	2	-	3	1	4	3	4	3	10
Settled	-	-	-	-	1	-	1	-	-	1	-	-
Not Eligible	-	-	1	-	2	-	3	-	3	-	3	1
Ongoing	3	1	6	-	3	2	5	1	13	-	3	-
TOTAL	9	5	7	4	6	6	10	4	19	7	9	13

Of the sixty-two cases which have been concluded over the last six years with an OIA outcome: thirty-nine were not justified (62.90%); six were partially justified (9.68%); one was justified (1.61%); three were settled (4.84%); and thirteen were not eligible (20.97%).

3. In line with established monitoring arrangements, the profile of OIA cases is examined each year for any relevant trends. It remains difficult to draw firm conclusions when the overall caseload is so low and varied; and it should generally be noted that where issues emerge during the consideration of cases, which require reference back to the relevant Faculty or academic department, these are dealt with as they arise.

Previous to 2015-16, there had been a rising trend over a three-year period (correlating with the introduction of higher tuition fees in 2012), indicative of a rising trend in students' commitment to pursuing cases via internal University procedures and subsequently on to external review by the OIA. Indeed, 2014-15 cases almost doubled compared with the number of 2013-14 cases (see Table 1 above). However, the number of cases referred to the University in 2015-16 has dropped from this heightened level to just under the figure in 2013-14. This is likely to be related to OIA rule changes that took effect in July 2015: students now have 12 months within which to complain to the OIA (it was previously 3 months), having exhausted their provider's internal complaints procedures. This increase in the time available for a student to complain to the OIA may have served to reduce the number of cases referred to the University compared with 2014-15 levels (because action is not forced to be so immediate). However, no definite conclusions can be drawn until the applicable 12-month period has expired.

Finally, it should be noted that changes are being proposed to the OIA's Good Practice Framework, which may result in additional cases arising from collaborative programmes. This may translate in due course to an increase in the number of complaints received by the OIA.

4. The OIA Annual Letter received in July 2016, provided a summary of OIA complaints handling for the calendar year 2015. HE institutions in England and Wales are placed in an OIA band, based on the number of students at the institution. The University of Sheffield is in Band F (20,001 – 30,000 students), and compared similarly to the relevant band F median values, as illustrated by the table below.

Table 3: OIA Annual Letter Statistics for 2015

for Calendar Year 2015	University of Sheffield	Band F Median Value
No. of complaints received at the OIA	18	17
No. of Complaints closed by outcome:	15	21
Justified	0	1
Partially Justified	2	1
Not Justified	10	12
Settled	1	1
Not Eligible	2	2
Suspended/Withdrawn	0	1

Separate analysis of the annual letter data for all 21 Russell Group (RG) institutions, reveals that the University of Sheffield had the ninth lowest figure for the number of complaints received by the OIA in 2015. Figures for other RG institutions ranged from 5 (Durham - Band E) to 39 (Queen Mary University of London - Band E).

Most RG institutions experienced increases in the number of complaints received by the OIA in 2014, with the majority receiving many more than Sheffield. 2015 annual letter data often shows substantial decreases in the number of complaints compared with 2014, therefore; but although the number of new OIA cases submitted during 2015-16 marked a return to the norm for the University, Sheffield's 2015 annual letter data is still reflective of the elevated number of cases referred to the University in 2014-15.

5. In conjunction with the Students' Union, the University of Sheffield has been running a Pilot for the Early Resolution of Complaints (PERC). This is a conciliation service where a trained volunteer student conciliator meets with an individual student presenting a "dissatisfaction" of some sort, to help resolve their concerns at an early stage. Owing to its status as a pilot, and the small numbers of students who have thus far utilised the scheme, a review is considered appropriate.

Dr Helen Tattam, Student Information & Developments Manager, Student Administration Service

7 November 2016