



The Council, 27 November 2017

Annual Report on Student Case Reviews 2016-17

- Section 4.16 of the Statutes provides that the Council “may entertain adjudicate upon and if thought fit redress any grievances of the Officers of the University the Academic Staff the Administrative Staff the Graduates Students and the University Servants who may for any reason feel aggrieved or otherwise than by an Act of the Court”. 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 Vice-President with support from the Student Services Department.

Fifty seven Case Review requests were submitted during 2016-17: a 7.5% increase on the 2015-16 figure, which in itself represented a further 58% increase over a the two year period from 2014-2015.

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
UG	11	4	8	7	24	15	27	25
PGT	3	4	6	5	4	11	17	19
PGR	3	1	3	5	3	10	9	13
TOTAL	17	9	17	17	31	36	53	57

2. Taught Course Students

Forty one Case Review requests (out of forty four) were submitted in 2016-17 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. Of the total forty four cases, four were upheld in the students’ favour (all related to academic appeals); in thirty seven cases there were insufficient grounds to consider the cases further; and three cases are still ongoing. Cases were submitted by students in all five Faculties: Arts & Humanities (1 UG); Engineering (9 UG, 2 PGT); Medicine, Dentistry & Health (2 UG, 3 PGT); Science (7 UG, 1 PG); Social Sciences (6 UG, 12 PGT). Cases were submitted by 26 Home, 0 European and 18 Overseas students.

Research Students

Of the thirteen Case Review requests submitted by research students, four Case Review requests were submitted in 2016-17 against the outcome of a complaint, and nine against the outcome of academic appeals (again, as with taught students, the majority of cases). In eight cases there were insufficient grounds to consider them further. One case was referred to a Case Review Panel, another case was referred back to an Academic Appeals Committee for review. Cases were submitted by research students all of the five Faculties as follows: Arts & Humanities (1) Engineering (1); Medicine, Dentistry & Health (1); Science (6); Social Sciences (3). Cases were submitted by 4 Home, 12 European, and 7 Overseas students.

*data breakdown omits student settled by department

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 2016-17 Annual Report to Senate of the cases reviewed by the OIA.

The Senate, 13 December 2017

Annual Report of cases reviewed externally by the Office of the Independent Adjudicator 2016-17

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. Seventeen new cases have been referred to the University by the OIA during 2016-17, which marks a spike nearly double the 2015-16 figure, and comparable to the 2014-15 figure – see the comparison with previous years in Table 1 below.

Table 1: New OIA Cases by Academic Session

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
UG	2	4	2	6	7	8	6	7 (6)
PGT	1	3	2	-	-	5	-	6 (0)
PGR	2	2	3	-	3	6	3	4 (3)
TOTAL	5	9	7	6	10	19	9	17 (9)

Five (i.e. 71%) of the seven undergraduate cases in 2016-17 related to academic appeals; the remaining three cases related to complaints - one student case related to both a complaint and an academic appeal).

We received ten OIA complaints from postgraduate students. Of the six postgraduate taught cases, one case related to fitness to practice; another to discipline; one case concerned a complaint and three cases related to academic appeals. The postgraduate research cases related to academic appeals (3) and another to a complaint; one case postgraduate research case also related to both a complaint and an academic appeal.

OIA cases may 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. 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	2011-12		2012-13		2013-14		2014-15		2015-16		2016-17	
	New	On going	New	On going	New	On going	New	On going	New	On going	New	On going
Justified	-	1	-	-	-	-	-	-	-	-		1
Partially Justified	-	1	-	1	-	-	-	2	-	1		
Not Justified	-	2	-	3	1	4	3	4	3	10	10	2
Settled	-	-	1	-	1	-	-	1	-	-		
Not Eligible	1	-	2	-	3	-	3	-	3	1	5*	
Ongoing	6	-	3	2	5	1	13	-	3	-	2	
TOTAL	7	4	6	6	10	5	19	7	9	12	17	3

*figure includes one case closed by OIA deemed withdrawn by the student.

All new cases received in 2016-17 and considered were found by the OIA to be not justified, with one ongoing case being found justified. One ongoing case (from a previous academic session) was found to be justified; this decision relates to procedural complexities in respect of a particularly

challenging student on student case. We note in particular the increase in cases found not to be eligible by the OIA.

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 number of cases is 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 an increase 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). Last year, we noted that the number of cases referred to the University in 2015-16 had dropped from this heightened level to just under the figure in 2013-14, which may have been related to OIA rule changes that took effect in July 2015, which allowed students who had exhausted their provider's internal complaints procedures, up to 12 months within which to complain to the OIA (it was previously 3 months). 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, in the past year (2016-17), we have seen a renewed spike in the number of cases received, which suggests that the slowdown effect related to the change in OIA submission timescale is now over.

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 2017, provided a summary of OIA complaints handling for the calendar year 2016. 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 2016 (1.1.16 to 31.12.16)

for Calendar Year 2016	University of Sheffield	Band F Median Value
No. of complaints received at the OIA	10	14
No. of Complaints closed by outcome:	13	15
Justified	0	0
Partially Justified	1	0
Not Justified	11	9.5
Settled	0	1
Not Eligible	2	2
Suspended/Withdrawn	0	0.5

Separate analysis of the annual letter data for all 21 Russell Group (RG) institutions (OIA data not provided for 3 RG institutions), reveals that the University of Sheffield had the eighth lowest figure for the number of complaints received by the OIA in 2016. In the Band F category, the University of Sheffield held the third lowest figure for complaints out of the six institutions within the category. Figures for other RG institutions ranged from 1 (King's College - Band B) to 27 (Queen Mary University of London - Band E).

Exceptionally, one case was found to be partially justified, which refers to a case received by the University in the academic year 2015-16, and which was noted in last year's report.